



UNIVERSITÀ DEGLI STUDI DI MILANO  
DIPARTIMENTO DI  
SCIENZE SOCIALI E POLITICHE



Milan, 13<sup>th</sup> June 2017

*Thesis of T.I. Belokolodova – "The modern labor law status of a medical employee and its features" – Candidate of Sciences in Law on specialty 12.00.05 – "Labor law; law of social insurance" – Report by Thesis Council Marco Biasi*

The theme of the dissertation research is quite topical and carries a relevant scientific interest.

The work is devoted to such a legal category as the labor law status of a medical employee, a category which has not yet been sufficiently inquired this far.

The affirmation of the right of everyone to health care and medical care relates to the quality of this kind of care provided to the patient by medical employees. From the point of view of the labor law, these employees constitute a special category. The specificity of their labor activity predetermines their special labor legal status, which depends on the current legislation of each country.

The A. reasonably gives different points of view expressed in the scientific literature, concluding that the existing mechanism of legal regulation of labor of medical employees in Russia might be improved.

The elimination of inherent deficiencies in this mechanism, including by filling of legislative gaps and resolving legal conflicts, requires a very thorough scientific analysis.

In this regard, the work appears to be relevant and it has cognitive and practical significance.

The research considers labor relations with the participation of medical employees through the prism of the labor legal status of the medical employee and the influence of his elements on the exercise by citizens of their constitutional right to protect health and medical care, which gives to this research a certain novelty.

The extensive theoretical, normative and empirical bases of this dissertation testify to the profound and versatile elaboration by the thesis of the declared topic, and the elected by T.I. Belokolodova methodology of research provides achievement of the set goals and tasks.

The structure of the dissertation is consistent, corresponds to the topic of the study and includes three chapters combining of seven paragraphs.

In the first chapter, the A. provides a general description of the labor legal status of a medical employee.



The second chapter is devoted to the analysis of the content and dynamics of the labor law status of the medical employee.

In the third chapter, the A. copes with to the identification of its traditional and modern features.

The results of dissertation research of T.I. Belokolodova, representing a set of theoretical conclusions and recommendations for improving the current legislation in the area under investigation, are sufficiently substantiated and interesting in a labor law perspective. The scientific outcome of the dissertation can be relied upon in law making and law enforcement activities, in the sphere of labor relations with the participation of medical employees, as well as in the study of labor law in the relevant educational institutions.

In addition, the conclusions and suggestions of the T.I. Belokolodova can be a useful research tool for a further analysis of the peculiarities of labor relations in the medical sector.

Yet, two key questions might be addressed to the A.:

1) Since the medical employee carries a certain degree of discretion in his actions, which limits do these discretionary powers have and which is the legal source of these limits?

2) The A. indicates that a significant role in the cooperation of medical labor is due to the labor law status of the chief physician and the treating physician. The chief physician organizes the general (organizational) cooperation in the medical organization, consisting in the proper organization and management of the activities of all its personnel. The treating physician enjoys organizational and managerial powers in the professional sphere and carries out individual (professional) cooperation of medical employees in relation to the treatment of the treating physician's patients. How does the treating physician organize individual (professional) cooperation?

Based on the foregoing, it can be concluded that the thesis in object by T.I. Belokolodova deserves to be awarded with the degree of Candidate of Sciences in Law.

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