

## **Dr. Erika Kovács**

**Current Function** Assistant Professor (tenure track position)  
Vienna University of Economics and Business, (WU Wien)  
Austria

**Prior Positions** **2012 – 2014:** Research and Teaching Assistant  
Vienna University of Economics and Business, Austria

**2012 – 2014:** Part-time Researcher (10 hours a week)  
Hungarian Academy of Sciences and University of Pécs

**2008 – 2012:** Researcher, Director  
Institute of Comparative and European Labour Law -  
University of Pécs, Faculty of Law (Hungary)

**2004 – 2007 and 03/2008 – 07/2008**  
Research Associate ('Wissenschaftliche Mitarbeiterin')  
IAAEU - University of Trier (Germany)

**2002 – 2004:** Lawyer  
Nadray Law Firm (Hungary)

**Visitorships** **2009** (1 month)  
Visiting Researcher, University of Vienna

**2007 – 2008** (5 months)  
Visiting Researcher, Institute of European and Comparative  
Law – University of Oxford (UK)

**Education** **2008**  
Doctoral degree (Dr. iur.)  
University of Trier (Germany)

**2000 – 2001**  
Law studies, University of Trier (Germany)

**1997 – 2002**  
Law studies, Diploma in Law in 2002,  
University of Pécs (Hungary)

## **Teaching activities**

European Labour and Social Law (Grundlagen des Europäischen Arbeits- und Sozialrechts, at the WU Wien in German since 2012; at the University of Pécs 2009-2012);

Introduction to Austrian and European Labour and Social Law (WU Wien since 2015);

Hungarian Labour Law (in Hungarian, University of Pécs, 2008-2012);

European Labour Law (in English, at the University of Osijek, Croatia, with Vinkovic, 2012);

Cross-border mobility of workers (in English, at the University of Osijek, with Vinkovic, 2013);

Guest lecturer at the University of Graz, Austria (2009);

Guest lecturer at the INHolland Univ. of Applied Sciences, Rotterdam, The Netherlands (2012);

Labour and Social Law (in English at the Univ. of Applied Sciences BFI Vienna, with Kohlbacher, since 2014);

## **Grants**

„Publication 2014“ Department of Business, Employment, and Social Security Law (WU Wien)

Bolyai János Research Grant of the Hungarian State (2011-2014)

„Intellectual Work of the Year 2008“ of the Univ. Pécs (2009)

Grant of the Austrian-Hungarian Action Foundation (2009)

Eötvös Grant of the Hungarian State (2007)

Erasmus Grant of the EU (2000-2001)

„Grant of the Teachers“ Foundation for the Future Generation (1997)

## **Personal**

Born in 1979

Family status: married, 1 son (2014)

## **Contact**

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**Publication and presentation lists on the next pages**

## **Publications Monograph:**

*Das Spannungsverhältnis zwischen Koalitionsfreiheit und Tariffähigkeit – Die Notwendigkeit und verfassungsrechtliche Zulässigkeit der Tariffähigkeitskriterien*, (The collision between freedom of association and the capacity to conclude collective agreements) Schriftenreihe arbeitsrechtliche Forschungsergebnisse, Bd. 110. Verlag Dr Kovac, Hamburg 2008, ISBN: 978-3-8300-3751-4. 398 p.

## **Chapters in edited books:**

*Chapter 11. - Labor law in transition from centrally controlled to free market economies*, In: Research Handbook in Comparative Labor Law, Matthew Finkin (ed.), (co-authors: Nikita Lyutov and Leszek Mitrus) (under publication)

*Old-New Concerns about the Hungarian Works Councils (Chapter 8)*, In: Roger Blanpain, Nikita Lyutov (ed.), Workers' Representation in Central and Eastern Europe - Challenges and Opportunities for the Works Councils' System, Kluwer Law International, 2014. 105-119.

*Posting of workers in Croatia and Hungary*, In: Drinóczi, Tímea; Župan, Mirela (ed.), Law – Regions – Development, University of Osijek, 2013, (co-authors: Vinković, Mario; Bankó, Zoltán), 473-496.

*Occupational Health and safety in Hungary: Changes in the Name of Competitiveness? (Chapter 6)*. In: Health and Safety at Work - European and Comparative Perspective, ed. Edoardo Ales, The Netherlands: Kluwer Law International, 2013. 151-193.

*Are older workers second-class? The case of Croatia and Hungary* (co-author: Mario Vinković) In: Contemporary legal challenges: EU-Hungary-Croatia, ed. Tímea Drinóczi, Mirela Župan, Zsombor Ercsey, Mario Vinkovic, Pécs - Osijek: Kódex Nyomda Kft. 2012. 671-695.

*Az „ideiglenesen” külföldön munkát végző munkavállalóra alkalmazandó jog*, (The applicable law to the workers employed 'temporarily' abroad), In: Ádám Fuglinszky (ed.), Európai jogi kultúra, megújulás és hagyomány a magyar civilisztikában, Eötvös Verlag, Budapest, 2012. 347-359.

*Croatian concerns and Hungarian experience on the free movement of workers*, In: Tímea Drinóczi, Tamara Takács (eds.): Cross-border and EU legal issues: Hungary-Croatia, Pécs – Osijek (co-author: Mario Vinković) 2011. 113-131.

*Freedom of Association in the European Social Charter*, In: Freedom of Association – as a workers right, G. Radhika Anand (ed.) Amicus Books, The Icfai University Press, Hyderabad, Indien 2010. 26-61.

*Macaristan'da toplu sözleşme sistemi*, (The Hungarian Collective Labour Law), In: Hekimler, Alpay (ed.): "Avrupa Birliği Üyesi Ülkelerde ve Türkiye'de Toplu Sözleşme Sistemleri", İstanbul 2010. 269-293.

### **Commentaries of acts ('Gesetzeskommentare'):**

*92/85/EEC: Maternity Protection*, In: EU Labour Law – A Commentary, Monika Schlachter (ed.), (co-author: Christina Hießl), Kluwer Law International, 2015. 283-320.

*Kommentár a munka törvénykönyvéhez* (Commentary to the Hungarian Labour Code), In: *Kommentár a munka törvénykönyvéhez*. (co-authors: Berke/Kiss/Bankó/Kajtár) 700 pages, Budapest: Complex Kiadó, 2012.

*Munkajogi E-kommentár* (Electronical commentary to the Hungarian Labour Code) In: *Munkajogi E-kommentár*. (co-authors: Berke/Kiss/Bankó/Kajtár) about 1.600 pages, Budapest: Complex Kiadó, 2012.

### **Articles:**

*Hungarian Unions: How Representative? How Effective?* In: *Comparative Labor Law & Policy Journal*, Vol. 32, No. 4, 2011. 891-914.

*Ausgewählte arbeitsrechtliche Probleme der Rom I Verordnung*, (Selected labour law problems of the Rome I Regulation) Pécsi Munkajogi Közlemények, 2011/I. 41-58.

*Az európai munkajogi kollíziós szabályok elemzése*, (Analysis of the European labour law rules of conflict of laws), Miskolci Jogi Szemle, 2011/2. 110-132.

*A kollektív szerződés jogi természeté*, (Legal nature of collective agreements), Jura 2011/1. 77-89.

*A cafeteria munkajogi buktatói - Minősítése, szabályozásának módjai és az egyenlő bánásmód elve*, (Concerns about wages in form of vouchers), Munkaügyi Szemle 2011/1. 37-43.

*A munkajogviszony egyoldalú alakításának eszközei* (Discretionary rights in the employment relationship), In: *A Munka Törvénykönyve hatása a gazdaság versenyképességére* (The impact of the Labour Code to the competitiveness of the economy), Pécs 2010. 136-148.

*A szakszervezeti tisztségviselőt megillető munkajogi védelem a gyakorlatban*, (Protection of trade union officers in practise) Munkaügyi Szemle, 2010/I. 18-23.

*A munkavégzésre irányuló jogviszonyok*, (Contract for services and the like) In: *A Munka Törvénykönyve a gyakorlatban – alkalmazása a változások tükrében*, (Hrsg. György Kiss) Menedzser Praxis Kft. 2010. 32-47.

*A kiállási idő minősítése a közúti közlekedésben dolgozóknál*, (Qualification of working time in the transport sector), Pécsi Munkajogi Közlemények, 2010/I. 119-131.

*A szakszervezetek kollektív szerződéskötési képessége Németországban és Angliában*, (The right of trade unions to conclude collective agreements in Germany and the UK) *Jogtudományi Közlöny*, 2009/10. 405-419.

*A Legfelsőbb Bíróság munkajogi tárgyú ítéletei a 2008. év második felében*, (Labour law case law of the Hungarian Supreme Court in the second half of 2008), Pécsi Munkajogi Közlemények, 2009/1. 149-170.

*Neuerungen im ungarischen Arbeitsrecht in den Jahren 2006-2008*, (Improvements in the Hungarian labour law between 2006 – 2008), *Europäische Zeitschrift für Arbeitsrecht*, Heft 4/2009. 568-575.

*A jelenléthez kötött kiegészítő díjazások jogi természetéről*, (The legal nature of attendance bonus) Pécsi Munkajogi Közlemények, 2009./III. 131-145.

*A szakszervezetek elismerésének összehasonlító elemzése*, (Comparative analysis of the recognition of trade unions), *Jogtudományi Közlöny*, 2008/10. 467-479.

*The Image of Trade Unions in the European Social Charter*, Pécsi Munkajogi Közlemények, 2008/I. 43-71.

*The Right to Strike in the European Social Charter*, *Comparative Labor Law & Policy Journal*, 2005/4. 445-476.

*A hepatitis C vírussal fertőzöttek állami kártalanítása iránti perekről*, (Claims for damages of the Hepatitis C Infected against the state) *Magyar Jog*, 2003/10. 600-608.

### **Comments on judgments:**

*Dynamische Verweisungen im Betriebsübergang - EuGH 18. 07. 2013, C-426/11, Alemo-Herron*, (Dynamic references in case of transfer of undertaking, EuGH 18. 07. 2013, C-426/11, Alemo-Herron,) *Zeitschrift für Arbeitsrecht und Sozialrecht*, 2014. 88-93.

*Anmerkung zum Urteil des EuGH v. 18.10.2012, Rs. C-302/11 bis C-305/11 Rosanna Valenza et al. gegen Autorità Garante della Concorrenza e del Mercato*, ZESAR, 2013/4. 176-182.

## **Reviews, Reports:**

*Besprechung: Mariann Arany-Tóth, Arbeitnehmerdatenschutz in Ungarn im Rahmen des europäischen Datenschutzrechts*, Peter Lang 2011. In: *EuZA*, 2013/4. 566-568.

*Rezension: Nicky ten Bokum, Tom Flanagan, Roselyn Sands, Robert von Steinau-Steinrück, (eds.): Age Discrimination Law in Europe* (European Labour Law in Practice, Volume 2.), The Netherlands: Kluwer Law International 2009. In: *EuZA*, 2011/2. 287-290.

*Rezension: Roger Blanpain (ed.): European Works Councils – The European Directive 2009/38/EC of 6 May 2009*. Bulletin of Comparative Labour Relations – 72. Kluwer Law International, The Netherlands, 2009. In: *Pécsi Munkajogi Közlemények*, 2010/II. 128-129.

*Rezension: Thomas Blanke / Edgar Rose / Herman Voogsgeerd / Wijnand Zondag (eds.) Recasting Worker Involvement? - Recent trends in information, consultation and co-determination of worker representatives in a Europeanized Arena*. Kluwer, Deventer, 2009, In: *Pécsi Munkajogi Közlemények*, 2010/II. 141-142.

*Bericht: “Die Arbeitnehmermobilität in der EU” – Munkajogi konferencia Pécssett*, In: *Pécsi Munkajogi Közlemények*, 2010/II. 111-113.

*Bericht: Az Osztrák Munkajogi és Szociális Jogi Társaság 44. konferenciája*, (44. Wissenschaftliche Tagung der Österreichischen Gesellschaft für Arbeitsrecht und Sozialrecht) In: *Pécsi Munkajogi Közlemények*, 2009/II. 157-159.

*Rezension: Kun Attila, A multinacionális vállalatok szociális felelőssége. CSR-alapú önszabályozás kontra (munkajogi szabályozás, (Soziale Verantwortung der multinationalen Unternehmen)*, In: *Pécsi Munkajogi Közlemények* 2009/III. 180-182.

*Bericht: Osztrák-magyar munkajogi konferencia Pécssett*, (Österreichische-ungarische Konferenz in Pécs) In: *Pécsi Munkajogi Közlemények* 2009/III. 175-176.

*Rezension: Ismertetés Bankó Zoltán doktori értekezéséről*, (Rezension über die Dissertation von Zoltán Bankó) In: *Pécsi Munkajogi Közlemények*, 2008/II. 153-154.

*Tagungsbericht: Labour Law and the Firm - Round Table for PhD Students*, (Mitautor: Sérgio Fernandes Fortunato) In: *Zeitschrift für ausländisches und internationales Arbeits- und Sozialrecht, (ZIAS)* 20. Jg, 4. Nr. 2006. 276-277.

- Presentations** „*Cross-border mobility of workers*“, Course in English in the framework of the EU DUNICOP project, with Vinkovic, Univ. Osijek, 6-8. Nov. 2013.
- „*Az „ideiglenesen” külföldön munkát végző munkavállalók helyzete*“, (The situation of workers employed temporarily abroad), Lecture series of the Hungarian Academy of Sciences, Pécs, Hungary, 31. Oct. 2013.
- “*Reinforcement of collective autonomy: In service of the employers or workers interests?*”, Labour Law Research Network Inaugural Conference, Barcelona, Spain, 13-15. June 2013.
- “*Old-New Concerns about the Hungarian Works Councils,*” Workshop “Implementation of Works Councils Systems in Eastern Europe”, Labour Law Research Network Conference, Barcelona, 13-15. June 2013.
- „*Reflection – The Position of Older Workers in Labour Law*“, Conference of the “European Labour Law Network”, Den Hague, the Netherlands, 11. October 2012.
- „*A kollektív munkajog új rendszere*“, (The new system of collective labour law), Annual conference of the Hungarian Association of Labour Law, Visegrád, Hungary, 9. October, 2012.
- „*The Posted Workers Directive*“, and „*Industrial Relations in Hungary*“, Presentations held in the framework of the ERASMUS teachers’ mobility programme at the INHolland University in Rotterdam, the Netherlands, 21 – 22 May, 2012.
- “*New European rules on posting?*”, 5<sup>th</sup> Seminar for young researchers on “European Labour and Social Law”, Graz, Austria, 26-29. April, 2012.
- “*The new Hungarian Labour Code*”, One-day workshop in English, Budapest, 27. March 2012.
- “*Are older workers second-class? - The case of Croatia and Hungary*”, Contemporary legal challenges, EU – Hungary – Croatia, Conference in Osijek, Croatia, 16-18. February 2012.
- „*Az életkor jelentősége*“, (The relevance of age), VIII. Annual Conference of Labour Law, Visegrád, 11. October, 2011.
- “*Free movement of workers*”, Presentation held in the Summer school on European Labour and Social Law for students from South-East Europe, Szeged, Hungary, 10-12. May, 2011.

„*Idegen vonások – Az alkalmazandó jog kérdése a külföldi elemmel rendelkező munkajogviszonyban*”, (Foreign traits – The applicable law in employment relationships with foreign elements), Labour Law Academy, Hungarian Association for Labour Law, Budapest, 1. March, 2011.

„*A munkáltató egyoldalú jogviszony alakítási hatalma a Munka Törvénykönyvében*”, (The employer’s unilateral freedom of discretion), Conference: A Munka Törvénykönyve hatása a gazdaság versenyképességére, (The impact of the Labour Code to the competitiveness of the economy), Budapest, 13. December, 2010.

„*Munkajogi problémák a természetbeni juttatások kapcsán*”, (Concerns about wages in form of vouchers), VII. Annual Conference of Labour Law, Visegrád, Hungary, 12-14. October 2010.

„*Grenzüberschreitende Arbeitsverhältnisse versus nationales Arbeitsrecht – Welches Recht ist anwendbar?*” (Cross-border employment relationships versus national labour law – Which law is applicable?) International conference: „Die Arbeitnehmermobilität in der Europäischen Union“, University of Pécs, Hungary, 23. September 2010.

„*Hungarian experiences on the free movement of workers*”, “Cross-border and EU legal issues: Hungary-Croatia”, International Conference, University of Pécs, 18. September 2010.

„*From equal treatment to forced retirement – New developments in EU age discrimination law*”, 3rd Seminar for young researchers on “European Labour Law and Social Law” Trento, Italy, 27 – 30. May 2010.

„*A kényszernyugdíjazás problematikája a közösségi irányelv, az Európai Bíróság gyakorlata és a hazai szabályozás alapján*” (Forced retirement according to the EU directive, EU case law and the Hungarian law), Lecture series of the Hungarian Association of Labour Law, (with György Kiss) Budapest, 25. March, 2010.

„*Das Individualarbeitsrecht in Ungarn*” (Employment Law in Hungary) Course at the University of Graz (with Kiss and Berke), 11-15. Jan. 2010.

„*A kollektív megállapodások jogi természete*” (Legal nature of collective agreements), VI. Annual Conference of Labour Law, Visegrád, 13-15. October 2009.

„*Is collective bargaining an appropriate instrument to combat working poor? – an East-European approach*”, „Social Law and Working Poor,” Séminaire International de Droit Comparé du Travail, des Relations Professionnelles et de la Sécurité Sociale, Université Montesquieu-Bordeaux IV. France, 29. June – 10. July 2009.