**SAINT PETERSBURG UNIVERSITY**

**THE ABSTRACT**

**of the Qualification Research Paper**

**by a master degree student**

**of the programme: “Labour Law and Social Service Law”.**

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**The theme of the Qualification Research Paper:** “The right to strike in the Russian Federation”.

**The purpose of research:** to analyze international law practice, Russian and foreign legislation and judicial practice concerning the right to strike; to reveal defects of regulation the right to strike in Russian Federation; to determine the essence of the right to strike.

**The propositions of research:**

1) To describe the right to strike as the personal employee right, to identify the characteristics of this right;

2) To determine the legal nature of resembling strike actions, to base possibilities of their regulation according to the legislature of the Russian Federation;

3) To reveal and to analyze difficult questions, which are connected with realization of a strike in the Russian Federation, judicial practice, which admits strikes being illegal in the Russian Federation;

4) To determine the essence of the right to lock out according to definitions in foreign legal systems, international labour law; to found the necessity of settling the right to lock out in the legislation of the Russian Federation;

5) To determine strike-breaking and to analyze this action, taking into consideration the legislation of the Russian Federation and foreign countries.

**The main conclusions based on research:**

1) Founded the idea of the right to strike as the personal right, which could be realized by collective actions, and described the signs of the right to strike;

2) Adjudicated the differences between employees’ realization of the right to strike and the right for self-defense in collective way, which could be useful for unification of judicial practice in the Russian Federation;

3) Justified the necessity to regulate resembling strike actions and define their specifications in the legislation of the Russian Federation;

4) Pointed out a contradiction In Russian Labour Law between the prohibition of the the right to lock out and possibility to engage temporary employees (strike-breakers) at the time of striking. Offered to make changes to the Labour Code of the Russian Federation concerning the right to lock out: to ascertain the right to lock out as a temporary stop of working by employer’s decision, to regulate the method of realization the lockout similar to carrying out the right to strike;

5) Founded the necessity to implement in the legislation of the Russian Federation the definition of a detached structure subdivision in the purpose to determinate courts, which are connected with collective labour arguments. Disclosured the signs of a detached structure subdivision;

6) Proposed to make amendments to the legislation of the Russian Federation about government services especially to the part of an absolute prohibition to strike: to bring in a differential way in the regulation of this problem according to the real interests of society;

7) Reasoned about the necessity to simplify the way of realization the right to strike in the Russian Federation according to the analysis of Russian judicial practice about illegal strikes and to bring the criterion of essentiality into dispositions of cases about illegal strikes.