

## STATE IDEOLOGY AND STATE POLICY IN THE LABOR MARKET: RUSSIAN EXPERIENCE

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The subject of the paper is state ideology is an element of labor market.

The main aim of the paper is to confirm or disprove the hypothesis that main tasks of state ideology as a key element of labor market are positive motivation to systematic long-term employment, as well as social responsibility of business by strengthening the information function of labor legislation.

The methodology of the study includes general scientific methods (analysis, synthesis, comparative method, description) as well as particular academic methods (formal-legal method, interpretation of legal acts).

The main results and scope of their application. The modern labor market should be defined as the vacancy market. At the same time, neither the concept of a vacancy nor its characteristics are established by legislation. The state ideology plays an important role among other information flows in the system of mandatory structural elements of the labor market. The state ideology accompanies the socio-economic development of society. The formation of labor motivation holds the dominant position in the organization of the labor market. State policy in relations on the organization of the labor market is a set of management decisions of the authorities, which form the state ideology among other things. The state, when realize its interests in the sphere of labor legislation, should actively use the so-called advisory type of legal regulation of labor relations. The proposed analysis may become a crucial point for future legal research in the field of labor market.

Conclusions. Positive motivation to systematic long-term employment, as well as social responsibility of business are the main tasks of state ideology as a key element of labor market. The formation and consolidation of such ideology will make it possible to apply the provisions of labor legislation more accurately in accordance with its meaning and purpose.

### 1. Introduction.

A significant number of legal scholars believe that the concept of "labor market" is socio-economic and is not subject to regulatory consolidation. Despite the fact that the legislation on population employment in the Russian Federation [1] mentions this term many times, certain authors (Golovina, Lushnikov and others) celebrate the self-sufficiency of this concept is outside the scope of law and do not consider it necessary to raise the question of its normative definition.

It seems that this phenomenon still has a normative potential and requires its consolidation, at least, to determine about what "product" there are market relations in the labor market. For example, Danilin believes that "the labor market can be defined as a set of socio-economic and legal relations arising and functioning in the implementation of demand and supply of human ability to work (labor)" [2, p. 58].

That's not a good point. Due to the prohibition on the level of international legal principles to consider labor as a commodity, since this property is inseparable from the personality of its bearer and is inherent only to man, the modern labor market should be defined as the job market. At the same time, neither the concept of a vacancy nor its characteristics are established by law. Therefore, the solution to many problems of labor market organization could be offered through the regulation of both the market itself and its structural elements.

2. Definition of the concept of science of law and elements of the labor market. Mavrin points out: "the Definition of the labour market suitable for use in legal science should contain elements specific to legal categories... the object of the labor market; subjects of the labor market; the nature of the relationship between the subjects about the object" [3, p. 59]. Economic theory reveals the concept of the labor market through a system of relations about the conditions of employment, the use and exchange of labor for life. This concept includes the mechanism of its self-realization in the form of supply and demand, functioning on the basis of information about the price of labor (wages) [1, p. 39]. Soviet labor law, in order

not to take risks with the "bourgeois" term, which was criticized for its potential danger allowed in its interpretation of trade in "living goods", instead of the concept of the labor market used a different designation – the movement of labor (personnel) or (re)the distribution of labor.

Stavtseva in 1974 noted that "in real life, economic, socio-legal and demographic processes are interrelated, and this should be borne in mind when studying the legal regulation of the rational distribution of public labor in the country – and more. Knowledge and determination of the number and qualification composition of the labor resources available to the economic region, region, Republic and country – an objective necessity arising from the systematic organization of social production" [4, p. 25].

Pashkov also pointed to the "need to improve the legal forms of training and distribution of labor, the adaptation of labor law to the changing conditions of social production" [5, p. 130-131]. A similar idea was formulated by Pashkov in co-authorship with Magnitskaya, when scientists wrote that "the possibilities of legal impact on the provision of full employment in public work are not exhausted. There is an urgent need for direct legal regulation of a number of issues, as well as for strengthening the indirect impact of the right to employment processes" [6, p. 71].

Urzhinsky, arguing that from the first years of existence of the domestic labor legislation, the norms affecting the labor market were issued taking into account the needs of the economy, also noted that the legal regulation of employment is necessarily based on the knowledge of the relevant economic laws [7, p. 6].

Economists, in turn, call structural elements of the labor market:

- a) legal norms, economic programs, state market ideology and other management decisions, formalizing and fixing the labor market system;
- b) labour market actors;
- c) the mechanism of self-regulation of the labor market and external employment organization;
- d) the mechanism of identification and accounting of unemployment, social protection of the able-bodied population from the negative consequences of lack of demand in the labor market and the organization of reduction of the number of unemployed in the economy from among the able-bodied population;
- e) market infrastructure – public and private employment agencies of any type and name, focused on mediation in the organization of labor supply and demand, as well as authorities responsible for social security of the unemployed and their adaptation to market conditions [8, c. 107-109; 1, pp. 39-51].

3. State ideology as an element of the labor market and its connection with the state policy in the sphere of labor and employment.

It follows from the above that in the system of mandatory structural elements of the labor market, an important role among other information flows is to be played by the state ideology that accompanies the socio-economic development of society. It may contain the basic discourse of legislation or, on the contrary, be aimed at "smoothing the corners" of political and socio-economic reforms with the silence of the true goals and objectives set by the party of power and / or the government.

It is also possible to use the general attitude of the population towards the law and its application with a default of the goals and objectives of the construction of the labor market and employment, as well as with the use of false information or a specially created "legend". Combinations of different forms and methods of influence on the mass consciousness of the population are also acceptable, including on the basis of knowledge about the laws of manifestation and the level of perception (criticality) of the collective mind from many areas of humanitarian knowledge.

Previously, under the conditions of monopoly (state monopoly on the means of production), our country could use various methods of influence on the labor market, including forced-veiled movement and redistribution of personnel, punitive, educational and political sanctions for parasites, alcoholics and other marginal elements. However, for a market economy, this type of impact is practically excluded, since the basis of market movement is, among other things, the competitive advantages of employers of various forms of ownership, and the state, with such a clear punitive-administrative approach, will lose its advantages and, as a result, will not achieve its goals.

Consequently, the dominant position in the system of organization of the labor market is the formation of labor motivation, due to the constantly changing and increasing its social significance of the content of international legal norms on the prohibition of forced labor and the practice of its identification and eradication. Since "the movement of labor force is directed by methods of indirect legal impact on the participants of social relations, in particular by establishing material and moral incentives to work" [5, p. 7], their search and use become priority elements of the method of legal regulation of labor and social security relations.

The legislator also provides employment stimulation with the provisions of the Law of the Russian Federation "on employment in the Russian Federation" and the Federal law "on education in the Russian Federation". For example, through the state order for vocational training( retraining), correlation of levels of education with the requirements for a particular professional activity, refusal to recognize an unemployed person who refused within 10 days from the date of registration with the employment service in order to find a suitable job from two options for suitable work (article 3 of the employment Law), etc.

The government declares certain areas of their own policies in the field of employment (article 5 of the Law on employment), such as the implementation of measures promoting the employment of citizens experiencing difficulties in job search (persons with disabilities; persons released from institutions executing punishment in the form of deprivation of liberty; minors aged 14 to 18 years; persons of pre-retirement age (two years before the onset of the age of eligibility of entering the labor old-age pension, including ahead of schedule appointed labour old-age pension); refugees and internally displaced persons; citizens dismissed from military service and members of their families; single and large parents raising minor children, disabled children; citizens exposed to radiation as a result of Chernobyl and other radiation accidents and catastrophes; citizens aged 18 to 20 years with secondary vocational education and looking for work for the first time), prevention of mass and reduction of long-term (more than one year) unemployment, combining the efforts of labor market participants and coordination of their actions in the implementation of measures to promote employment, etc. Also, the forecast of the balance of labor resources is made.

We should agree with V. G. Soifer that the "systematic analysis of employment legislation, developed over many years of employment of unemployed citizens, is evidence of the continuing priority of one kind of employment work under an employment contract over other types of... With this kind of employment... the link to the information about the jobs and activities of entities in their formation, accounting, reporting, quoting, booking, and so on., as well as the certification of workplaces, carried out in order to ensure their compliance with the requirements of the rules on labor protection and social insurance" [9, p. 55-56]. Although some forms of employment of citizens through ensuring their self-employment are already beginning to be used gradually, their organization is less formalized and diverse, which, of course, is connected with the very specifics of self-employment.

Many authors put emphasis on social security the nature of employment assistance [10, p. 23-26; 11, p. 211-212; 12, p. 21-22; 13, p. 22-25; 14, p. 73-81]. Of course, this is one of its most important aspects, but not the main one. From the point of view of the logic of the construction of the labor market, the state administrative impact on employment is of paramount importance, including through the reduction of unemployment, labor adaptation of the unemployed population, professional orientation and stimulation of the country's labor resources to productive activities in the economy.

So, at the Federal level, the state encourages employment (Article 7 of the Law on employment) through the development and implementation of Federal programmes in the sphere of employment of population, development of the forecast balance of labor resources of the Russian Federation, determining the list of the territories with the tense situation on the labour market, to inform citizens and employers about the situation on the labour market in the Russian Federation, the rights and guarantees in the field of employment and protection from unemployment, etc. It also has the ability to organize employment through the provision of housing or targeted subsidies (for example, when searching for specialists to work in rural areas), the promise (normative consolidation) of various kinds of privileges of sectoral nature, social advertising, the organization of training of the unemployed necessary in the labor market professions and specialties (definition of the list of priority professions (specialties) for vocational training and additional

professional education of unemployed citizens under article 7.1-1 Of the law on employment-the authority of the authorities of the subject

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