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Thesis defended by Castel Myriam "Subcontracting and Employment Law : Essay on corporate liability in the firms' network." under the supervision of Ms Castets-Renard Celine IRDEIC

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Defended Thesis Subcontracting and
Employment Law : Essay on corporate liability
in the firms' network



Defended Thesis of Myriam Castel Subcontracting and Employment Law : Essay on corporate liability in the firms' network

A b s t r a c t

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Since the beginning of twentieth century, subcontracting has fundamentally changed the way productions are organized. Subcontracting offers a gain of productivity and flexibility for corporations. It also provides workforce and thereby reduces drastically the costs. Furthermore, the corporation veil prevails purchasers from work related liabilities. Nowadays, with the European single market, and especially the use of the freedom of establishment and the freedom of services, it has become easier for firms to develop the productive network offshore and to postpone workers from others Member States. These evolutions turn out to be the source of many industrial accidents, revealing the accentuated risks of subcontracting for workers. Therefore, the matter of how to protect subcontractors' workers and to reduce the risks generated by the subcontracting process has arised. The only way to create a sustainable network of subcontractors is to enact common values through the contract and to implement legislations on shared liability of all the players. The purpose of this essay is to study the legal tools to develop corporate social governance in the subcontracting network and the effects of this liability on Labour Law and Tort Law.