

Marcel ZERNIKOW

Born on 13th July 1988 in Berlin

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t @MarcelZ17

Academic curriculum vitae



EDUCATION

- Oct 2019 - Postdoctoral research** (University Paris I Panthéon-Sorbonne – associated researcher at the IRJS research department, University of the State of Rio de Janeiro/UERJ)
Research project: *Comparing Intraregional Private International Law with that of States: A Comparative Study about the Law of the European Union, Mercosur and their Member States*
Secondary projects on *Labour Law, European Union Law and Comparative Law*

Research Stay at the Max Planck Institute for Comparative and International Private Law, Hamburg
- Oct 2019 PhD in International and European Law** (Professor Etienne PATAUT, Paris I Panthéon-Sorbonne University)
Thesis: *Conflict of Law Rules Confronted with the Internal Market. A Study of the Private International Law of Employment of the European Union* (in French, 619 p.)
- Feb-April 2019 Academic Visitor** at the **University of Oxford**, Institute of European and Comparative Law, *Maison française* of Oxford
- March 2018 Research Scholarship** at the **Max Planck Institute** for Comparative and International Private Law, Hamburg
- 2014 French Bar (Entrance) Examination**
- 2013 Master of Labour and Employment Law** (Toulouse I Capitole University)
Optional Course: Private International Law
The International Mobility of Workers within a Group of Companies: Contractual Aspects (Thesis)
- 2011 Bachelor of Law (Private Law)** (Toulouse I Capitole University)
- 2008-2010 German Law (“Grundstudium, Hauptstudium”) & French Law, Double Curriculum**
Optional Courses: Sociology of Law, History of Law, Employment Law, Private International Law
Humboldt University of Berlin (2008-2009) / University of Heidelberg (2009-2010)

ACADEMIC RESPONSIBILITIES

TEACHING

2019-2020 – **Visiting Professor Programme, University of the State of Rio de Janeiro (UERJ, Brazil)**

Processo civil internacional (Post-Graduation, contributions in English)

Teoria geral dos precedentes judiciais no processo do trabalho (Post-Graduation, contribution in Portuguese)

O direito internacional privado e o direito da União europeia (Post-Graduation, in Portuguese, one-week seminar)

2017-2019 – **Lecturer (ATER), Paris X University of Nanterre**

Private International Law (Master 1st year)

supervision of Master’s theses

Collective Employment Law (Master 1st year)

Individual Employment Law (Bachelor 3rd year)

2014-2017 – Teaching Assistant, Paris I Panthéon-Sorbonne University, Paris X University of Nanterre

Employment Law (Bar Examination Preparation)	Employment Law - Employment Conditions (Master 1 st year)
International and European Social Law (Master 1 st y.)	
Private International Law (Master 1 st year)	Individual Employment Law (Bachelor 3 rd year)
Economic Law of the European Union (Master 1 st year)	Family Law (Bachelor 1 st year)

2013-2014 – Teaching Assistant, Toulouse I Capitole University

Private International Law (Master 1st year)

CONFERENCES

* « **Webinar** » (**Comissão de Direito Internacional do Instituto dos Advogados da Bahia, Brazil** – The EU's Competence for Employment Law : Towards a European Labour Market?, contribution in a roundtable with Pr. É. Pataut, Pr. S. Robin-Olivier, *I Congresso Virtual de Direito Internacional e Relações Internacionais*, 18th November 2020 (English)

* **University of Nantes (in collaboration with CIELO Laboral, CNRS, UMR Droit et changement social) – online congress, France** – Le rôle de la loi du lieu d'exécution du travail dans la détermination de la loi applicable à la relation de travail (The Role of the Law of the Habitual Workplace while Determining the Law Applicable to Work Relations), *3rd World Congress of CIELO Laboral « Le travail mondialisé »*, 24th and 25th September 2020 (French and Portuguese)

* « **Webinar** » (**in collaboration with ASRDT, UFRGS, PUC-RS, Escola Judicial), Brazil** – Panorama das legislações laborais francesa e alemã com enfoque nas medidas de manutenção do emprego (Panorama of French and German Labour Law with a focus on measures guaranteeing stability of employment), contribution in a roundtable with Pr. J. Lahera Forteza, G. Machado Dray, *I Seminário Internacional da ASRDT Trabalho e direito do trabalho na pandemia: vivências e reflexões*, 3 August 2020 (Portuguese)

* « **Webinar** » (**in collaboration with ASADIP, ABDI etc.), Brazil** – Covid-19 & futuro do trabalho na ordem global: aspectos de DIP, contratos de trabalho, terceirização e proteção do trabalhador (Covid-19 & the future of work in the global order: Aspects of Private International Law), *Direito internacional privado e Covid-19: Mobilidade de Pessoas, Comércio e os Desafios da Ordem Global*, 21st May 2020 (Portuguese)

* « **Webinar** » (**in collaboration with CIELO Laboral & IPOJUR), Brazil** - Le droit du travail français et l'état d'urgence sanitaire (French Labour Law and the State of Health Emergency), contribution in a roundtable with Pr. D. Lantarón Barquin, Pr. M. Tiraboschi, D. Abrunhosa e Sousa, *Panorama e perspectivas do direito do trabalho frente à pandemia de Covid-19*, 29 April 2020 (Portuguese)

* **University of Nice (in collaboration with CNRS, IUF, AIDE), France**: Existe-t-il une composante sociale des libertés de circulation ? (Does a Social Component of the Freedoms of Movement Exist?), 23rd and 24th May 2019 (French)

* **University of the Republic of Uruguay**: Les tribulations du travailleur détaché : le rattachement au pays d'origine ou au pays d'accueil ? (The Tribulations of A Posted Worker: Links to his Home or Host Country?) – *2nd World Congress of CIELO Laboral « Fourth Industrial Revolution and Globalization »*, 12th and 13th October 2018, scholarship by CIELO Laboral/ISST, Paris I Panthéon-Sorbonne (French)

* **University of Bucarest, Romania**: La motivation de lutter contre le dumping social dans la réglementation du détachement de travailleurs (The Justification of Combatting Social Dumping in the European Legislation on Posting of Workers), Franco-Romanian University PhD workshop, 11th June 2018 (French)

* **Queen Mary University of London, United Kingdom**: Overriding Mandatory Provisions in European Private International Law of Employment, PhD workshop, 19th April 2018 (English)

* **Paris X – University of Nanterre, France:** Vers un régime moins protecteur des travailleurs détachés ? (Towards Less Protection for Posted Workers?) – CEDECE Colloquium « *Les migrations dans l'Union européenne* », November 2017 (French)

PUBLICATIONS

Articles

* « Le rôle de la loi du lieu d'exécution habituelle du travail dans la détermination de la loi applicable à la relation de travail » (The Role of the Law of the Habitual Workplace While Determining the Applicable Law to Work Relations), *to be published* (Spain, in French)

* « O direito do trabalho francês frente ao estado de emergência sanitária: reflexões sobre a efetividade do direito à proteção da saúde dos trabalhadores » (French Labour Law under the State of Health Emergency: Reflections on the Effectiveness of Workers' Right to Health Protection), A. Agra Belmonte, L. Carreiro, Y. Frediani (coord.), *X Congresso Internacional da ABDT : crise econômica e social e o futuro do direito do trabalho – Anais do Congresso*, Matrioska Editora, 2020, Anais da Academia Brasileira de Direito do trabalho (Brazil, in Portuguese)

* « O direito do trabalho francês frente ao estado de emergência sanitária » (French Labour Law under the State of Health Emergency), *e-Revista Tripalium*, Vol. II, Num. 2, 2020, p. 41 (Uruguay, in Portuguese)

* Existe-t-il une composante sociale des libertés de circulation ? (Does a Social Component of the Freedoms of Movement Exist?), J.-S. Bergé, G. Giorgini (ed.), *Le sens des libertés économiques de circulation*, Larcier, 2020, p. 257

* Vers un régime plus protecteur des travailleurs détachés ? (Towards More Protection for Posted Workers?), M. Benlolo-Carabot (ed.), *Union européenne et migrations*, Bruylant, 2020, p. 108

* Les tribulations du travailleur détaché : le rattachement au pays d'origine ou au pays d'accueil ? (The Tribulations of A Posted Worker: Links to his Home or Host Country?), *Revista de Direito do Trabalho Ed. Especial*, 15-7-2019, p. RR-25.1 (Brazil)

* La consécration d'un salaire minimum légal en Allemagne (The Adoption of a Minimum Wage Act in Germany), *www.droit-allemand.org*, April 2016

Common Articles

* « Panorama das legislações laborais francesa e alemã com enfoque nas medidas de manutenção do emprego durante a crise devida à Covid-19 » (Panorama of French and German Labour Law with a focus on measures guaranteeing stability of employment), *submitted to a selection committee* (Brazil, in Portuguese)

* L'identification des crises de l'espace de liberté, de sécurité et de justice, in « Les crises de l'espace de liberté, sécurité, justice » (Identifying Crises of the Area of Freedom, Security and Justice), H. Labayle, J. I. Ugartemandia Eceizabarrena (ed.), *European Inklings*, n° 12, 2017, p. 351

* Les principes de l'espace de liberté, de sécurité et de justice (Principles of the Area of Freedom, Security and Justice), *RTD Eur.* 2016, p. 589

Collective Studies (contributions)

* La financiación de los sindicatos en Francia (Financing Trade Unions in France), M. E. Casas Baamonde (dir.), J. C. García Quiñones (coord.), *Informe jurídico sobre la financiación pública de los sindicatos con inclusión de modelos de derecho comparado*, University Complutense of Madrid, 2020 (Spain, in Spanish)

Legal Columns

* The Legal Qualification of Platform Workers: A Breakthrough in France? (Cass. Soc. 28 November 2018, no. 17-20.079, *Take Eat Easy*), *to be published*, possibly in Brazil (in English)

* Une baisse des salaires pour les fonctionnaires de l'Etat grec après la crise... sauf à l'étranger (*Wage Reductions Imposed to Greek Civil Servants after the Crisis...Unless to those Working Abroad*) (ECJ, *Nikiforidis*, C-135/15, 31st October 2016), www.droit-allemand.org, July 2018

* Le décompte des effectifs au sens de la directive dite « licenciements collectifs » (*Counting the Number of Employed Workers in the Sense of the Directive « Collective Redundancies »*) ECJ, *Balkaya*, C-229/14, 9th July 2015), www.droit-allemand.org, September 2016

* La « cogestion » allemande est-elle conforme au droit européen ? (*Does German Co-Determination comply with EU Law?*), www.droit-allemand.org, September 2016

* L'accès aux prestations sociales pour les citoyens de l'Union européenne (*Entitlement To Social Assistance for EU Citizens*) (ECJ, *Jobcenter Berlin Neukölln c./ Nazifa, Sonita, Valentina et Valentino Alimanovic*, C-67/14, 15th September 2015), www.droit-allemand.org, September 2016

Others

* (with L. Cardoso Barzotto, L. Stocker Pereira da Cunha), « Possibilidade de um 'direito de retirada' no atual contexto pandêmico? », *Jota*, 11th June 2020 (Brazil, in Portuguese)

LANGUAGES

German and French (*mother tongue level*)

English (*fluent*)

Portuguese (*very good, in progress*)

Spanish (*B2 – 2013 University of Buenos Aires*)

October 2020