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硕士学位论文

劳务派遣: 行为规范与就业效应

Labor Dispatch: Behaviour Regulation and Employment Effect

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摘要

在未来相当长一段时期内，我国的劳动力市场将处于供大于求的状态。缓解因岗位空缺而带来的巨大的就业压力，是我国目前必须要面临的社会问题。促进就业是保障和改善民生的头等大事。涉及群众的切身利益，关系改革发展稳定的大局，具有十分重要的政治、经济和社会意义。劳务派遣作为灵活就业一种方式，既可以满足企业对临时性劳动力的需求，又可以满足求职者对灵活多样的就业方式的需求，在我国的促进就业中有望在减少摩擦性失业、调节劳动力供需错位方面成为行之有效的调节系统之一。

近年来劳务派遣在我国迅速发展，其对就业的影响引起了人们的广泛争论。在回顾国内外相关文献的基础上，本文分析了劳务派遣三方主体的法律关系和权利义务，以及劳务派遣制度的优势；介绍了国内劳务派遣业的现状，并指出了我国劳务派遣存在的相关问题；重点从理论层面研究了劳务派遣对就业规模的影响，并对其背后的原因进行了分析。研究结果显示：劳务派遣对企业解雇成本的降低，并没有对就业规模产生显著的影响，但是劳务派遣可以有效降低企业人力资源管理成本、直接用工成本和用工风险，而解雇成本只是其中的小部分成本，这将对用人单位的雇佣量决定产生间接影响，并扩大企业雇用规模。所以，劳务派遣对就业规模的影响在总体上是积极的。

规范的劳务派遣是一种多赢的用人制度。它既能满足企业效率最大化和成本最小化的需要，又有利于在宏观上扩大就业规模，减轻社会就业压力。针对我国劳务派遣存在的问题，在总结国外劳务派遣业发展经验的基础上，本文分别从法律、劳务派遣三方主体以及政府的角度提出了规范发展的政策建议。

关键词：劳务派遣 解雇成本 就业规模 行为规范

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Abstract

In the future for quite a long time, China's labor market will be oversupplied. It's a social problem to ease the great pressure of employment caused by lack of positions. It is urgent for us to promote Employment to ensure the well-being of the people and improvement of their lives. It involves the personal interest of masses and matters to reform to develop stability. And it has very important political, economic and social significance. As a way of flexible obtain employment, labor dispatch can meet the need of company's temporary labor demand, and also the need for flexible employment. It's hopeful to obtain an effective regulation system to reduce the frictional unemployment and adjust the supply and demand of the labor force.

In recent years, dispatching in China has a rapid development and causes widespread debate over its impact. After review the related literature at home and abroad, this paper analyses the three main legal relation and rights and obligations of dispatching and its advantage. Introduces the present situation of domestic labor dispatching industry, and points out the problems related. Study the labor dispatch's influence for labor market, and also the causes behind it. The research results show that labor dispatch reduces the cost of layoff for enterprise, but it doesn't have the great influence for the scale of employment. It can reduce the cost of human resource management, direct labor cost and risk of employment. And the cost of layoff is only small part of whole cost reduced. It has indirect influence for the amount of employment.

Normative labor dispatch is a multi-win system. It can meet the need for maximizing efficiency and minimizing the total cost, and it can expand the employment, and alleviate employment pressure. Aiming at the problems existing in labor dispatching, on basis of summarizing foreign labor dispatching industry development, this paper give the policy suggestion from the law, the tripartite main body, and the perspective of government.

Key words: Labor Dispatch; layoff cost; employment scale; behaviour regulation

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