

## **Abstract**

### **Name of the diploma thesis in English: Compensation for detriments of accidents at work in terms of practice and judicature**

This diploma thesis deals with the topic of compensation for detriments caused to employees by an accident at work. Diploma elaborates the quoted topic with respect to the legislation in force in December 2018 and reflects the plentiful jurisprudence related to the subject. The author has met the compensation for detriments related to occupational injuries as part of his work at law office. The reason for choosing the topic was mainly the author's interest in the issue of accidents at work and the claims brought with those accidents.

The aim of this work is to give a comprehensive explanation of the issue of compensation for detriments caused by work accident. The diploma is going to answer questions about specific rights of subject, how to define these claims and to calculate their amount and also which specific obligations related to work accidents must be fulfilled by the employee and the employer.

The first chapter deals with the liability for damages caused by work accidents and also with the employer's possibilities for liberation. The chapter also includes an explanation of the employer's liberation with regard to alcohol-consuming employees who are not in state of drunkenness.

The second chapter contains an interpretation of the concept of injury arising from accidents at work.

The author focus in the third chapter is on the concept of work accident, on its positive and negative delimitation. Although the thesis deals with the topic of work accident, the author also included the definition of occupational disease and an article on the distinction of these legal institutes in this chapter.

The main part of the work, enumeration of the individual compensations of the detriment caused by the work accident, is included in the fourth chapter. Most of the space was devoted to

compensation for loss of earnings after termination of incapacity for work. In this chapter, the author gave a more detailed view on the calculation of individual compensation for accidents at work. In the context of a one-off reparation for family members of the worker who died in the cause of an work accident, this chapter contains an article on the compensation under the Civil Code and an article comparing both types of compensations. In the conclusion of this chapter, the author comments on the proportionality of the amount of these compensations and the validity or repeal of the Decree of the Ministry of Health No. 440/2001 Coll., on the compensation of pain and social impediment.

The final fifth chapter of this thesis is devoted to the individual rights and obligations of the employee and the employer related to work accidents. For the employer's individual obligations, the author also stated the amount of fines that the labor inspection may impose on the employer in case of non-fulfillment of the obligation.

**Keywords:** work accident, compensation for detriments, rights and obligations of the employee and the employer