

FLEXIBLE PERFORMANCE FORMS OF DEPENDENT LABOUR – ABSTRACT

The paper deals with individual flexible forms of the dependent labour and their legal regulation in the framework of the Czech law. As a hypothesis a claim is stated, that the flexibility is in general very low, or more precisely that the legal framework regarding flexible forms of dependent labour is highly rigid. The method of analysis of primary and secondary sources is used in order to examine the claim.

Introduction of the paper is concerned with theoretical excursion into manifestation of flexibility in the labour law, or more precisely in the area of chosen topics which closely relate to the theme of flexible forms of dependent labour. Flexibility is examined in context with important phenomena occurring in labour law: flexicurity, protective and organisational functions of labour law, subsidiarity of civil law to labour law, liberalisation etc.

Partial conclusions concerning individual institutes are presented in topical chapters, whose layout is chosen accordingly to the basis of current prevailing concerning doctrine. Considerably more attention is given to those flexible forms, whose future progress could be anticipated. This way, an area for research is shown. These areas include for example joint work duty, on-call duty and distance-duty. A complex outlook on the issue of flexibility of the dependent labour in general is presented together with other already established forms.

A mean for verification of the hypothesis is examination of the level of flexibility of individual forms themselves. This is accomplished through analysis of partial attributes of individual forms, their development and obstructions given to them, and furthermore by examining similar flexible forms and their attributes in competing legal frameworks of other European states.

The conclusion of the analysis is that the hypothesis of non-flexibility and strong rigidity is towards certain individual forms in a certain manner correct but cannot be taken as truly general, especially towards the issue of flexibility of dependent labour as a whole. From conclusions given the suggestions *de lege ferenda* are presented which could help with the increase of flexibility and legal certainty of both sides of the private labour law.