

Working Time and Remuneration in the Healthcare Sector

Abstract

This thesis deals with selected aspects of labour law in the healthcare sector. The author focuses mainly on such areas of labour law that are most often discussed in the healthcare by both the professional public and healthcare professionals themselves. This is particularly the case of topics of working time and remuneration. The adherence to the legal regulation of working time is an essential requirement of the legislator for the employers. The provisions of the Labour Code governing the layout of shifts, overtime work and on-call duty are crucial particularly in healthcare and a higher standard of compliance monitoring is necessary. Thus, the part focusing on the topic of working time is not limited to an evaluation of the current factual situation only, but also presents findings as to whether the practice actually complies with the legal requirements. Another part of this thesis is devoted to the subject of remuneration, which is closely related to the issue of adherence to rules on working time in the healthcare sector. These two aspects of labour law in the healthcare sector are interconnected, as a violation of labour law regarding working time occurs often due to low remuneration. The thesis offers a comprehensive theoretical interpretation as well as describes the current situation in practice. The author also focuses in more detail on the differences in remuneration of employees who are remunerated by salary and employees remunerated by wages. She also points out the specific examples of differences in the amount of their remuneration and the evolution of these differences over time. In the final chapter, the author deals with collective bargaining, collective agreements and the activities of trade unions in this context. This chapter builds on the previous chapters in a logical way and aims in particular to provide insight into possible solutions to the identified inconsistencies in healthcare practice with labour law regulations. The attention is focused also on the Czech Trade Union for Health and Welfare, which plays a key role in ensuring better working conditions for health care workers.