

Abstract

This thesis deals with a topic of the legal significance of a medical opinion. The aim of the work is to analyse the current legal regulation of medical opinions, create a comprehensive interpretation and evaluate the sufficiency and unambiguity of their legal regulation.

The topic connects two important and indispensable fields - law and medicine. In addition to the importance and practicality of the topic, the author also chose it because she had participated in a research within the project: "Medical opinions of occupational health service providers and their importance for ensuring safety and health at work of employees", identification sheet No. V11- S4. At the end of the work there is a brief summary of the information obtained in the research.

The work is divided into four chapters, which follow each other in both content and logic.

The introductory chapter introduces the legal framework of the issue of medical opinions. It does so by mentioning relevant national, international and European legislation.

Chapter two marginally describes occupational health services, health care providers, occupational health examinations and a contract for the provision of occupational health services.

The main subject of the medical opinions is comprised in chapters three and four. First of all, there is a detailed analysis of the procedure of extradition, through its content to a possible judicial review, which captures the development of case law. The central point of chapter three is the nature of the medical opinion and especially its development in the decision-making practice of courts, as it is nowhere quite clearly defined in the current legislation. Chapter four captures the view and development of the opinion of courts on the importance of medical opinions, specifically the importance of medical opinions as a basis for termination of employment, respectively the question of when a medical opinion is an eligible basis for giving notice. Furthermore, the importance of the medical opinion as a basis for the payment of severance pay and assessment of health status for social security purposes.

Finally, the findings of the work are summarized and at the same time the legislation is evaluated.

Key words: medical opinion, occupational health services, notice for health related reasons