

Discrimination as a negative phenomenon in labor relations in the Czech Republic and Slovakia

Abstract

The aim of the rigorous thesis is to regulate in detail the often discussed and serious topic of discrimination, especially the negative phenomenon of society and to draw attention to one of the key principles of labor law, namely the prohibition of discrimination in employment relations and detailed regulation of discriminatory aspects in Czech law and in Slovak in the context of international law. Discrimination in the negative sense is a phenomenon unfavorable and unacceptable to society, but it occurs in society throughout a persons life for various reasons. Therefore, democratic societies are constantly bringing new ways and possibilities of solutions to prevent, detect and detect the phenomenon. The work focuses not only on the detailed theoretical level of discrimination in comparison with the opposite required and in legal principles the main applied concept - equality, also on the practical area associated with personal experience in court proceedings, also pointing out the possibilities to defend against discrimination and existing judgments in in this area, but also within the European Union.

The work is divided into three basic parts, where the first deals with the precise specification of the concept of discrimination, including its division according to established legal theories, both in general and drawing attention to the field of labor law. Attention is also paid to the principles of equality, detailed division, forms and types of discrimination. The second part is devoted to legislation and complex legal regulation of discrimination in the Czech legal system and the Slovak legislative and legal area with the use of interpretations of legal experts and attention to international legislation, which is in many cases binding on both countries. The last part deals with specific forms of unequal treatment recognized so far by legal theory, their more detailed categorization and description and possibilities of defense of individuals affected by discrimination against this certain negative phenomenon in a democratic society, focusing on most defense methods available at the time for victims of discrimination. decision-making practice of courts in anti-discrimination disputes, focusing also on established case law, in decision-making practice in the Czech Republic, Slovakia and in several interesting cases of the European Court of Justice.

Key words: discrimination, prohibition of discrimination, mobbing, bossing, bullying, equal treatment, labor law