

Title of the thesis: Labour law issues in the area of professional sports

Abstract

This thesis concerns the relationship between labour law and the specifics of sports and sports activities as a mass society-wide phenomenon with a significant overlap into law. Legislation in the Czech Republic still does not follow the global trend in the area of status of professional sportsmen, which is oriented towards the explicit recognition of sportsmen as employees so the sportsmen are provided with the highest amount of rights possible as the weaker parties in relation to sports clubs. On the contrary, the position of the Czech sportsmen within the legal system is still unclear and the desired clarification is not provided even by the relatively extensive case law of the Supreme Administrative Court. In the vast majority of cases, the Czech sportsmen use the status of self-employment.

In general, this thesis will focus on professional team sports, especially the football environment, whose legal framework provides the most suitable sample to demonstrate theoretical conclusions contained herein. For the purposes of comparison, the practice of Great Britain and its legal structure of sports environment will be analysed.

The first part of this work will focus generally on sports and its specifics, mainly its separation into professional, performance and amateur sports. The second part will concern the analysis of sports law as a stand-alone legal discipline. In this segment of the thesis, the key consideration will be the introduction of particular sports law systems at the international, regional and local level and the concept of sports law formed by the rules of sports organizations. The third part, as the focal point of the thesis, will analyse the position of professional sportsmen in the view of the Labour Code, the Civil Code and tax related regulations. Among other things, the author will analyse whether the activity of professional sportsmen evinces the attributes of dependent work according to the applicable laws and case law. In the fourth part, the author outlines a possible way to remedy the current insufficient status using the knowledge acquired by analysing the British regulation.

Key words: labour law, professional sports, dependant work