

# **The Employment of People with Disabilities**

## **Abstract**

This thesis deals with the legal regulations governing the employment of people with disabilities in the Czech Republic. The topic is discussed primarily from the employer's point of view. One of the objectives of this work is to demonstrate the benefits of employing people with disabilities to (potential) employers and to offer an overview of the instruments the Czech legislation offers to compensate the employers for the potential extra costs incurred by employing persons with disabilities and to motivate the employers to employ such people.

The thesis starts with the definition of a *person with disability*, including the meaning of this term in important international documents, as well as in strategic documents of the European Union and some of its institutions. It shows that the concept of *disability* is evolving and there is a demonstrable shift from a medical to a social concept of disability in European case law.

The thesis also provides an overview of active employment policy measures and instruments designed to improve job opportunities available to people with disabilities. Furthermore, the thesis discusses the employers' rights and obligations, their co-operation with the Labour Office and penalties arising from any breach of their obligations. Moreover, it also touches on the concept of "social entrepreneurship".

The thesis ends with reflections *de lege ferenda* regarding the current legal regulation from the employers' perspective and emphasizes the persistence of practical difficulties connected with employing people with disabilities despite the fact that many measures were implemented in the Czech Republic on the basis of its international obligations and European Union law. With regard to the fact that the number of people with disabilities is increasing as the population gets older, the employees' retirement age is being pushed back, the definition of the term *person with disability* is broadening and demands for *accessibility* increase, this thesis shows to the employers that the legislation regarding people with disabilities concerns a growing number of employees and that employers (but also manufacturers of certain categories of products and providers of some categories of services) should take note of disability legislation, the prohibition of discrimination on the grounds of disability and the principle of equal treatment.

**Klíčová slova: a person with disability, the employment, the benefits of employing people with disabilities**