

Termination of the employment relationship by the employer

Abstract

The dissertation focuses on termination of employment relationship under Act No. 262/2006 Coll., Labour Code of the Czech Republic, namely termination by the employer. It therefore focuses on the notice of termination of the employment relationship, the immediate termination of the employment relationship, the cancellation of employment relationship during the probationary period and the closely related issue of invalidity of the above legal acts.

The dissertation is divided into a general part and a special part.

The general part (1-3) first gives an overview of the basic features of the applicable legislation on termination of employment relationship by the employer and considers its function (purpose), then offers a brief insight into the legislation regarding termination of the employment relationship by the employer in the Republic of Austria, the Federal Republic of Germany and the Slovak Republic and finally briefly summarizes the starting points of alternative approaches to termination of the employment relationship.

The main focus of the dissertation is the special part (4–7), which focuses on the notice of termination, the immediate termination, the cancellation during the probationary period and the invalidity of the above legal acts, examining in particular the problematic aspects and moments of valid legislation as well as the case law (sometimes citing real-life cases from the author's legal practice) and proposing modifications *de lege ferenda*.

In the special part of the dissertation, e.g. following proposals are formulated: amendments to the provisions of Section 52 of the Labour Code (said section lists the reasons for which the employer is entitled to terminate the employee's employment relationship), legal stipulation of the possibility to withdraw immediate termination of the employment relationship or several changes concerning the concept of a deficient termination of the employment relationship (as a term denoting collectively such legal act being invalid, ineffective or void), including, for example, amendment to Act No. 89/2012 Coll., the Civil Code, laying down a specific (deferred) commencement of the limitation period of the employee's claims for salary compensation.

Klíčová slova: the termination of the employment relationship, the employer, the Labour Code