

Abstract

Thesis Title: **Liability in Labour Law**

This diploma thesis deals with the issue of liability in labour law. The aim of the thesis is to evaluate the legal regulation of liability in selected areas in the light of current legal regulation as valid in Czech Republic. The thesis is divided into two key parts. The introduction chapters are devoted to the interpretation of generally used terms regarding the legal liability in labour law and also its specifications. This part of the thesis focuses also at the system of prevention, including responsibilities of employers and employees during its execution, and at basic functions of labour law with focal point on the protection function that pervades the whole system of labour law. The conclusion of this first half deals with the summary of current legal regulation of employer's and employee's liability in Czech labour law. The detailed analysis of selected topics, in the view of labour law, is presented in the second part of the thesis. These include remote work, home office and job sharing. In case of remote work and home office we speak about flexible forms of work performance. Despite the popularity and rich use of these abovementioned forms, they are almost omitted by the legislator. Legal regulation is to be found only in one single paragraph of Labour Code, however the specific regulation for remote work performance is missing. Job sharing represents a new that was plentifully discussed by the experts and in this case, it can be only observed how the implantation into practice will succeed. The application and comparison of general principles closely analysed in the first part is performed in the second half as well. Further on, the considerations *de lege ferenda* regarding the questions that are not deeply or insufficiently solved by the legislator are presented in the last section of this part.

The legal regulation of labour law liability is generally stable on the long-term basis and supported by numerous court case-laws. The legal theory is worked out in detail and commonly discussed. As basis for this thesis not only technical publications were used, but also articles, collections from conferences and as already mentioned also the court case-law. The final piece of the thesis is devoted to conclusion of current legislation regarding liability in labour law and also to the comparison of employer's and employee's liability and their position in Czech labour law.

Keywords:

labour law, liability, atypical forms of employment