

ABSTRACT

Name of the thesis : General employer's obligation to compensate for damage

The topic of the thesis is the general obligation of the employer to compensate for damages, which together with other types of employer's liability forms a whole that assumes responsibility for compensation for damage incurred by the employee in labor relations.

In order to grasp the topic, a general civil law interpretation of the term liability, including types of liability, is made in the introductory part of the thesis, followed by attention

A necessary condition for the establishment of labour law liability is an employment relationship – the relationship between the employee and the employer. The term "employment relationship" is subject to interpretation, both in the form of an individual and in the form of a collective employment relationship, while also mentioning the specifics that characterize employment relationships.

In order to make the introductory part of the thesis complete and to create the prerequisites for the interpretation in the main part of the thesis, the terms "damage" and "non-pecuniary damage" are explained.

The main part of the thesis begins with an analysis of the assumptions of the employer's responsibility, i.e. the interpretation of the terms "performance of work tasks" and "direct connection with the performance of work tasks". This is followed by an introduction to the general obligation of the employer to compensate for damage and its position in the entire system of employer's liability in labour law and then its interpretation according to individual legal provisions.

An integral part of the main part of the thesis is the work with case law, which adds a practical dimension to the theoretical interpretation and demonstrates legal situations on a number of factual circumstances, which are often the subject of only theoretical interpretation.

The thesis concludes with an attempt to compare the general employer's obligation to compensate for damage with similar legislation in the Republic of Austria. Within the framework of the interpretation, the system of sources of labour law in Austria is briefly introduced, as well as the way of establishing labour relations (types of employment contracts) and the liability of the employee and the employer for damage in labour relations.