

I engage in my thesis in discrimination in the labour law of the Czech Republic. First, I make distinction between positive and negative discrimination. Negative discrimination means such treating with individual which is not acceptable in society because is based on inequality, denying of rights of individuals or particular groups and this different (unequal) treatment is not based objective and reasonable grounds. In the labour law is it objective reason which insist in the nature of work. Positive discrimination (affirmative action) means that different treatment with individual may seem as unequal but it has a different aim than negative treatment. The purpose of negative discrimination is to deny rights of certain individuals or groups based of discriminating grounds.

I state that special legal regulations were received into labour law recently, particularly in reaction of actual requests form side of European Union where is observance of equal treatment regarded with member states as one of the high priority of social politics. The requests of European Union were projected in Czech labour law generously. So called harmonization's amendment of Labour Code brought line of innovations. The contribution responds to presented government bill that is supposed to make changes in existing legislation.

The thesis also presents legal regulations of prohibition of discrimination in Employment Code. Existing legal protection in Labour Code contains rule of equal treatment but no effective prohibition of abuse of law. Labour Code refers to new Code on Equal Treatment but this Code has not been adopted. New Code on Equal Treatment brings detailing of basic concepts, especially definitions of equal treatment, direct and indirect discrimination and harassment. Into legal regulations is taking understandability and into legal relations security. The author rates positive the government bill in the part where harassment is defined as

discrimination. As example of abusing of law the author states various forms of persecuting in working relationships, like mobbing, bullying or harassment (including sexual harassment). In connection with reversed burden of proof the author warns of possibility to interpret differently the question if according actual legislation in Labour Code is it possible consider harassment as discrimination.

To sum it up I should say that the aim of this work was to demonstrate the law regulation of the right on equal treatment in employment relations in the Czech Republic along with some of the relevant aspects. As it was pointed out above, the current employment legal regulation together with the legal instruments for effective realization of the right on equal treatment cannot be considered as to be satisfactory. All we can do is to hope that the legislators will succeed in setting all the relevant legislation so that the right to equal treatment in employment relations becomes the right with real and efficient execution fully respected by others.