

Causes of the Low Number of Employment Disputes and Their Possible Solutions

Abstract

This thesis deals with the issue of the low number of employment disputes in the Czech Republic and seeks answers to the questions of why employees and employers in the Czech Republic relatively rarely turn to courts or other bodies to defend their rights. The thesis aims not only to describe the existing problems but also to offer specific proposals on how to make the system of judicial protection of labor rights more accessible, efficient, and better adapted to the needs of the modern labor market.

The thesis is divided into several parts. The introduction defines the concept of an employment dispute and briefly describes the historical development of judicial or extrajudicial decision-making in labor matters in the Czech lands. This is followed by an introduction to the current legal framework, which includes both judicial and alternative dispute resolution methods. The main core of the thesis consists of defining the causes of the low number of labor law disputes in the Czech Republic. These causes include both systemic obstacles (e.g., the length and costs of court proceedings, low legal awareness), economic factors (e.g., fear of job loss, the situation on the labor market, legal representation costs), and social and cultural factors (e.g., resolving conflicts internally, workplace relations, historical experience, distrust of courts).

This is followed by an analysis of the effectiveness of the Czech system of employment dispute resolution according to the criteria defined by the International Labour Organization, and a comparison with the legal systems of Poland, Germany, and Austria, where employment disputes are more common and the legal framework exhibits different features. Based on this analysis, *de lege ferenda* considerations are formulated, i.e., proposals for possible legislative and institutional changes that could lead to more effective resolution of labor law disputes in the Czech Republic. These proposals concern both changes within procedural law (e.g., court fees, reimbursement of litigation costs, class action lawsuits, labor courts) and alternative dispute resolution methods (mediation, arbitration, arbitration committees, labor arbitrators).

Key words:

1. Employment disputes
2. Alternative dispute resolution methods
3. Comparative analysis