

Agreements on work carried out beyond employment

Agreements on work carried out beyond employment are a sort of complementary option how to manage work of smaller extent according to legislation. This thesis tries to demonstrate this legal institution pointing out that although Labor Code provides quite small attention to it, opportunities of its adaptation are wide.

The introductory chapter denotes my reasons for choosing this theme and it also outlines a trend this work follows.

Chapter Two presents evolution of agreements on work carried beyond employment in Czech legal order and then reasons why this institution is treated precisely in Labor Code.

Chapter Three provides simple comparison of agreements on work carried beyond employment and employment itself and notifies earlier differences between them, which are still referenced even today without reason.

Chapter Four deals with agreements itself and adapts its general characteristics. Subchapter One determines restrictions for both employee and employer, which they both are duty bound to comply. Subchapter Two precisely defines under which paragraphs in Labor Code can these agreements be found and what these paragraphs prescribe.

Extensive chapter Five names particular types of agreements and then deals with its individual adaptation. This chapter consists of two subchapters, which are dedicated to individual types of agreements and several subchapters, which adapt concrete problems.

Following chapter – chapter Six – denotes liability for damage. It's divided into two subchapters, which relates to liability for damage of employee and employer.

Chapter Seven shifts focus a bit out of the gist of this thesis. It mentions other possible options how to perform same type of work as with agreements on work carried out beyond employment.

Last but one chapter – chapter Eight – looks at agreements in the eye of the insurance. It is divided into two subchapters, which are dealing with particular types of insurance.

Last chapter is dedicated to conclusion. It summarizes adaptations of agreements in Labor Code and its inconsistency. It reports that despite its long-term tradition, opinions about its adaptation are still not unified.

Aim of this thesis was to perform efficient interpretation of agreements on work carried out beyond employment, warn against its problematic parts and try to suggest possible solutions. In spite of the fact that sometimes the solution isn't fully unambiguous, it generally succeeded to find out the right interpretation.

Klíčová slova

zákoník práce, dohoda o provedení práce, dohoda o pracovní činnosti

Labor Code, agreement to complete a job, agreement to perform work