

Resumé:

In my rigorous work I dealt with the legal arrangement of the special working conditions of juveniles and minors. These conditions are being legally arranged since over two centuries. One of the characteristic signs in the development of this legal arrangement is enlarging the legal protection of working minors as well as of juveniles resulting namely in shortening the working hours for minors, determinations of the minimal age for taking a job, determinations of the obligatory school attendance duration as well as the inhibition of certain works and workplace which are dangerous for juveniles.

The development of the legal arrangement of the above mentioned working conditions is strongly affected by legal documents from the field of the European as well as international law arranging the fundamental human, social and economical rights. These international documents complete and enlarge the Czech legal arrangement of the special working conditions of the juveniles.

The Labour code no. 262/2006 Sb. with the relating legal rules provide a special legal protection since these juveniles are not yet physically and mentally adult enough and thus their sound and safe development has to be protected. These special working conditions differ from general conditions for other employees and manifest before all in determining the lower age for entering job (i.e. 15 years) and furthermore the juveniles are expected to have terminated the obligatory school attendance. Within the framework of these special working conditions the juveniles are not allowed to work overtime, in certain cases not to do nightwork, underground work or coalmining, as well as to work in an atmosphere inadequate to their physical and mental level. According to the Labour code the juveniles have to undergo the medical examination before starting the job or before changing the kind of work in the same enterprise.

According to the Labour code the working hours for juveniles have been determined with 30 hours/week. The reality, however, enforced the updating of the

Labour code and the working hours have been raised to 40 hours/week. The legislator preferred in this case the reality requirements and raised the working hours for the young employees thus improving the competitive conduct on the employment market. Nevertheless the legal protection of the young employees has been narrowed.

A special legal regulation adjusts the work of the juveniles under 15 years of age. It concerns only the activity in the area of art, culture, advertising and sport; this activity is subjected to the Labour office consent, must be adequate to the age of the juveniles, must not be dangerous, must not inhibit their education and must not damage their proper physical and mental development. The Labour offices have to check if the above mentioned conditions are not being damaged; if these conditions are violated the Labour offices are authorized to impose a fine up to 2.000.000,- Kč.

In the reality there are a lot of young employees with only terminated primary education or with unfinished secondary education who find a job only with difficulty and that is why they have to be registered at the Labour office. There are various reasons why the juveniles do not continue on studying. It depends before all on the family as well as on the school. The Labour office is helpful in finding a job, however mostly without success, as the most part of these juveniles are not interested in any job and rely on social insurance benefits from the side of the State.

The new Labour code no. 262/2006 Sb. has released regulation concerning the working hours for the juveniles as well as the duty for the employers to require the statement of juveniles legal representative before closing an employment agreement or after terminating this contract from the side of the employee. The legal order nevertheless provides the young employees as well as minors a sufficient legal protection. It is important to observe the appropriate legal regulations and to check the performance of the legal rules by legally enforcement.