

## **Abstract**

### **Employer's liability for damages of an employee's health**

The purpose of my thesis is to analyze contemporary legal regulation of employer's liability for damages of employee's health with its former regulation in the labor code from 1965 and its future regulation in the code 266/2006 Sb.

The thesis is composed of eleven chapters.

Chapter one is introductory and characterises the basic sources of law in this sphere. The chapter is subdivided into three parts – International agreements, European law and National legal regulation.

Chapter two examines a description of terms occupational accident and occupational diseases. This chapter is subdivided into three parts. Part one gives a description of occupational accident, damage and causality between occupational accident and damage, which are necessary preconditions of employer's liability for occupational accident. The subsequent part is about occupational diseases and the employer's liability for them. In this part is also a list of occupational diseases. The third part of the chapter gives an attention to special institute of endangerment by occupational disease.

The subsequent chapter is about dues of employer and employee by the occupational accidents and diseases.

Chapter Four concentrates on problem for employer's liability and the employer's release from liability. The release from liability can be absolute or partial. The chapter also mentions the situation, where the release is not possible.

Next chapter characterizes the deadlines, which are important in different situation of this sphere.

Chapter Six characterises the system of legal insurance of employers.

Chapter Seven and Eight explicate and detail particular compensations which belong to the employee or to the surviving person. In part 7.2.2 I analysed the interpretation of some legal regulation by our doctors of medicine. Their assessments are very important to specify the height of the damages of an employee's health.

Subsequently chapter deals with quarrel at law.

Chapter Ten explains a brief description of new statute, which contains regulation of accident insurance. This code will completely change the current conception of liability of an employer for damages caused by industrial accidents and occupational diseases.

The last chapter characterizes the legal regulation of the accident insurance in the states of EU.