

## **The instant termination of employment**

The purpose of my thesis is to analyze legal regulations of instant termination of employment, as the one of the legal form of the termination of employment. This exceptional instrument for the termination of employment can be applied only from serious reasons, stated by Czech labour code. The thesis is composed of ten chapters, each of them dealing with different aspects. The First Chapter attends to the basic questions relating to employment between employer and employee and above all introduces the options for the termination of employment. The Second Chapter presents just the instant termination of employment and consists of two subheads. First of them focuses on legal form of immediate termination of employment in general, second one analyzes legal form of this institute, which anticipates current legal status. Chapter Three concentrates on instant termination of employment by employer, which can be used only from two reasons – employee's final conviction to imprisonment in definite length for commission of a crime and employee's infringement of duties in a gross manner. This chapter is subdivided into parts. The above mentioned reasons are described in the first two parts. Third subhead examines the cases, where the instant termination of employment is excluded for employees with disadvantaged status. Chapter Four looks at the instant termination of employment by the employee. Also there are two reasons, for which is possible to terminate the employment, videlicet adverse health condition and non-payment of wages. Chapter Five pursues solving special cases, which occur by concurrence of different forms of termination of employment relating the same employee. The Sixth Chapter illustrates, why is not possible according to the valid legal form repeal the instant termination of employment. For the validity of instant termination of employment is necessary to abide formal demands for this legal act. These issues are mentioned in the parts of Chapter Seven. Concretely it is necessity of written form, definition of the reason, for which the employment is immediately terminated, the need for approval by the trade unions, or discussion about the instant termination of employment with the trade unions and also the necessity of proper delivery of the instant termination of employment to the adverse party of employment relationship. Chapter Eight provides analyses concerning the obligations to comply with deadlines for accession to instant termination of employment on the part of both the employer and employee. If the mentioned formal terms of instant termination of employment are not infringed, it is an invalid legal act, and is necessary

to obtain its invalidity by civil court in fixed period. Questions relating to invalid termination of employment are pointed out in Chapter Nine. The Chapter Ten discusses proposals for future legislation of the instant termination of employment and focuses on the arguments that speak on behalf of the change of current legislation or on the contrary retaining its current form. The conclusion devotes to the summary of valid legal form of instant termination of employment and to the assessment of appropriateness such legal form with respect to need to increase the degree of flexibility in the employment relationship.