Summary

The aim of this thesis is to give an analysis of liability for damage in the Czech labour law, viewed by the practise of the courts. The thesis is composed of seven chapters, each of them dealing with different aspects of liability for damage in labour law.

Chapter one is subdivided into two parts. Part one describes liability for damage in general and it’s specifics and functions in labour law. Part two deals with how the Labour Code governs prevention of damage. Chapter two looks at binding nature of case-law in the civil law from a different point of view.

Chapter three deals with all kinds of the liability of an employee. It is subdivided therefore into four parts. The first one that explores General liability of an employee, is divided into another six parts, each focused on one of the basic conditions of liability for damage in labour law, namely: employment relationship, breach of legal obligation, damage, causal connection, fault and performance of working tasks (together with following acts in direct connection with it). The following three parts focus on special kinds of the employee’s liability. Part two is concerned with Liability for a shortfall in things entrusted to an employee, part three looks at Liability for loss of things entrusted to an employee and, eventually, part four biefly mentions Liability for nonperformance of the duty to avert damage. Chapter four describes three kinds of the employer’s liability for damage. Part one focuses on his General liability, part two on Liability for damage to employees’ things, part three explains his Liability in connection with averting damage.

Chapter five looks at chosen issues connected with compensation for damage, such as amount of damages, ways of compensation for damage, discussing the amount of damages required by employer from employee and employer’s right to claim damages from the person who is liable under the Civil Code. Chapter six explores the use of court’s right to proportionally reduce certain damages due to specific cases.

Finally, chapter seven is concerned with limitation of actions, the period of limitation and issues connected with the use of this legal institute.