

Summary

Liability for a damage in the practise of the courts:

The aim of the thesis is to analyse liability for damage in the Czech labour law with an emphasis on the case law. The thesis contains examination of various aspects of liability for a damage in the labour law with the highlight on a practice of the courts. There are five chapters included in the thesis. The first one begins with the general conception of the liability in the Czech law. The liability for damage with the specification of its basis is described next. The next part points out that there are basically two kinds of the liability for damage: the liability of an employee and the liability of an employer. The ending of the first chapter is dealing with the significance of the case law in the continental Europe system, particularly in the Czech law.

The second chapter characterises the liability for a damage of an employee. The General liability of an employee with a detail analysis of the basis of the liability, which can be found through the whole thesis, is presented firstly. In the next part focuses on the basic requirements for the formation of the distinctive liabilities for a damage, the Liability for a shortfall in things entrusted to an employee and the Liability for a loss of the things entrusted to an employee. The last part of the second chapter discusses the competence of the Czech courts to alter the amount of the damages and with a discussion between employee and employer over the amount of damages.

The third chapter concentrates on the liability for a damage of an employer. At the beginning the General liability of an employer is described. In the next part characteristics of the Liability for a damage to employees' things and the Liability in a connection with an averting damage can be found.

There is depicted the set-off debts in the field of the labour law and highlighted the difference between the instrument in the labour law and the civil law in the fourth chapter. The last fifth chapter looks at the comparison of the liability for a damage in the Czech labour law and Slovak labour law. It compares mainly the distinctions that arose after the separation of the former united state.