

ABSTRACT

The subject of this rigorous thesis is the institution of the labour liability of the employee for damage caused to the employer. The reason that led me to choosing this topic was initially my own experience which I had gained quite early on after being employed as an articulated clerk. The core of this experience was a mistake in calculating the amount of our client's receivable. Due to this error of mine our client lost the chance to acquire the entire amount of the receivable for a certain period of time. It was in this moment that I have realized that every employee can quite easily and without intention cause damage to his/her employer. I became interested in this field including the possibility for a commercial insurance for this instance. With regard to the above I am of the opinion that the institution of labour liability of the employee for a damage caused to the employer should interest every employee and every employer even before any such damage arises.

The goal of this rigorous thesis is to analyse its topic, the labour liability, in detail including how it fits into a broader topic of legal liability as such and in general into legal labour relations. I am also focusing on characteristic features and functions of labour liability that is both the liability of the employee for the damage caused to the employer and the liability of the employer for the damage caused to the employee. Additionally I deal with the question of preventing damages under labour law. I also describe individual elements or preconditions to establishing labour liability. The main body of this rigorous thesis consists of an analysis of individual types of employee liability for damages caused to the employer including possibility to insure such obligation of the employee to reimburse the damage and including legal arrangements regarding the lapse of employer's claims for damage reimbursement. The final part of the rigorous thesis deals with comparison of Czech regulation of this institution with Slovak and Polish legal regulation of the same. The comparison method was used in most instances. The main goal of this rigorous thesis is to introduce an integrated overview of legal regulations of the given topic.