

Abstract

Flexicurity in the Netherlands – possible implementation of the concept in comparative perspective

This diploma thesis deals with the concept of Flexicurity in the European and Dutch context with possible implications for the Czech Labour Law. The first part is concerned with a short historical overview of the matter, discovering presence of the notion of flexible and secure Labour arrangements in the contemporary Czech legislation. Second part analyses the understanding of Flexicurity as a strategy on European level, promoted in an open method of coordination. The next part focuses on the theoretical concept of security and flexibility of the Labour relations, inevitably combining these integral parts in the strategy of Flexicurity.

Dutch concept of Flexicurity, heavily diverging from the former Danish model, is the main focus of the fourth chapter. The Dutch regulation is approached with keen focus on ideas which were behind the recodification. Central pieces of legislation are discussed.

Sample areas with importance for the comparison are selected from Czech and Dutch legal systems and then considered in detail in the fifth part. Position of Trade Unions, job security with regards to protection from dismissal and use of atypical labour contracts are compared and analyzed. The main differences are outlined and presented.

Following parts of the thesis are concerned with the proposals to amend the Dutch Labour Law presented by the Bakker commission (2008), which, after heavy scrutiny, are being considered for application by the Dutch government in the recent time.

The conclusion of the thesis summarizes the paper with possible applications of certain legal aspects of the Dutch system which could be used in the Czech Law. It is proven that the main differences between the countries and their Labour market policies are of ideological and socio-economical nature. The specific Dutch model of consultative economy plays an important role. Therefore, minor conceptual changes are introduced as possible inspiration for the Czech legislation.