

ABSTRACT

The purpose of my thesis is to provide a comprehensive view on the issue of discrimination based on sex in labour-law relations. The aim of my thesis is to investigate why discrimination is still present in society despite all the effort made by the international organisations, legislators and non-governmental organizations. Therefore, the main objective of this work is to analyse the current position of women in society, the causes of why discrimination based on sex is emerging and to find out whether the status of women has improved over the decades and in which direction it is developing.

The thesis is composed of seven chapters, each discussing different aspects of gender discrimination. The first chapter is an introductory part providing a brief look at the historical developments of the issue in the Czech Republic and abroad. It also examines individual areas of labour-law relations in which discrimination often occurs.

The second chapter defines basic terminology used in the thesis, i.e. “equality”, “direct and indirect discrimination”, “sex”, “gender” and “labour-law relations”.

The third chapter describes various international organisations such as The United Nations, The International Labour Organization and The Council of Europe that are active in the field of fighting discrimination and the scope and importance of the legislation adopted by them.

Chapter Four analyses the legislation concerning discrimination in the European Union framework. The chapter is divided into two parts, the first one deals with the development of the anti-discrimination legal provisions in primary law. The second part deals with the anti-discrimination directives, including a new draft of the Directive on the quota for women on supervisory boards.

Chapter Five evaluates the Czech legal context. Individual subchapters outline both constitutional and legal framework of the prohibition of discrimination. A significant part of this chapter is devoted to amendments of the Czech legal system in accordance with EU anti-discrimination legislation and to the content, significance and achievements of the Antidiscrimination Act adopted in 2009.

Chapter Six points out the most important cases contained in the case law of The European Court of Human Rights, The Court of Justice of the European Union, The Czech Constitutional Court and Czech general courts.

The final chapter refers to the different kinds of protection against discrimination. The individual sections present a list of judicial and extrajudicial forms of how to defend discrimination and which institutions can provide victims of discrimination with legal advice.

Finally, the conclusion summarises the issue of discrimination based on sex in labour-law relations and its future developments.