

Summary

The theme of this thesis is “Contractual Obligations in Private International Law” and the subtopic is “Employment contract”. Within such a defined theme, the thesis examines how Czech courts interpret employment contracts established under the US law.

The first chapter outlines the different conceptions of the law in the Czech Republic and the United States of America as a result of different legal and historical development.

The second chapter discusses the Czech Private International Law and its position within the Czech Private Law, because a Czech court basically applies Czech conflict rules.

The third chapter focuses on two particular disputes of private relationships with an international elements that Czech courts discussed and decided. The subject of both disputes were to assess the termination of employment and other related issues.

The aim of the last chapter is to consider these disputes in the light of current legislation. In order to do that I apply Act on Private International Law, as well as Regulation on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels I bis), then Act on Private International and Procedure and the US Labour Law. Furthermore, I also apply mandatory rules of Regulation on the law applicable to contractual obligations (Rome I).

The aim of this thesis was also to evaluate whether the provisions of the Czech Labour Code, which limit the termination of employment, are the imperative ones. According to overall conclusion, it can be said that these Czech Labour Code provisions, enumerated in § 363, are imperative provisions within the meaning of Rome I Article 8. Therefore, pregnant women and parents on maternity or parental leave are under the protection of these imperative rules and the termination of employment in such cases would be considered void.