

This thesis is focused on a contractual freedom in employment relations, especially upon formation, changes and termination of the employment relationship. The contractual freedom is the key principle of private law, therefore also of labor law, and the expression of the contractual freedom is the freedom of an individual in his choice whether to enter into an employment relationship, who to enter with, what content would the employment relationship have and when and how to terminate this relationship.

The contractual freedom upon formation, changes and termination of an employment relationship is necessary to be limited due to protection, safety and certainty of employees and also in the public interest. One of the objectives of this thesis is to think about how should be this restriction of the contractual freedom limited. In this work there is also a description of a historical development of a regulatory autonomy of the will of the parties and a description of a statutory regulation of the formation, changes and termination of an employment relationship. Another objective of this thesis is to reflect on the impact of extensive recodification of private law, that occurred in recent years, on the formation, changes and termination of the employment relationship. This thesis consists of an introduction, 8 chapters further divided into sub-sections, and a conclusion.

The first chapter defines labor law and the right to work and focuses on its constitutional foundations.

The second and the third chapters address historical foundations of regulation of an employment relationship, historical development of labor law integration into the system of law, development of the relationship between civil and employment law, and then changes caused by the recodification of private law into the area of labor law.

Chapter four discusses the ways of regulation of employment relationships through mandatory and non-mandatory standards.

The fifth chapter is dedicated to the relationship between flexibility of employing and security of employees and therefore to the term "flexicurity".

The key chapters are chapters six, seven and eight. Chapter six is focused on the formation of the employment relationship, chapter seven on its changes and chapter eight on the termination of the employment relationship. These chapters describe the current legislation and its impact on the contractual freedom restriction and there is also a theoretical reflection on some of the labor law institutes and on the appropriateness of a contractual freedom regulation through these institutes.

The conclusion of the thesis contains a summary of the work and an assessment of the fulfillment of the objectives.