

The thesis deals with the topic of transfer of rights and obligations arising from employment relationship. On the European level this institute is governed by Council Directive 2001/23/EC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses. On the domestic level, the regulation can be found in the Labour Code in Chapter XV, Part Thirteen in § 338 et seq. The thesis concerns with both regulations and examines the implementation of the Directive into Czech law. It also compares the approach of CJEU and Supreme Court of Czech republic to this issue.

The topic is at first briefly introduced in the introduction. The second chapter clarifies the basic terms. Core of the thesis is the third and in the fourth chapter. Big part of the thesis is devoted to defining the scope of the regulation, that means the determination of cases, when it is applicable. The first part of the third chapter describes the regulation of the directive and the development and current view on this issue of CJEU. The directive applies in cases of transfer of an economic entity which retains its identity. The second part of the third chapter is devoted to its equivalent in the Czech law. The Labour Code requires as a main condition transfer of activities or tasks of the employer. The fourth chapter contains in its individual subsections information on the implications of the transfer. Employees are protected against loss of employment and deterioration of their working conditions. The obligation to inform and discuss the circumstances of the transfer with the employees' representatives is of high importance. The conclusion summarizes the results of this thesis, the current Czech law is assessed and suggestions de lege ferenda are offered.