

ABSTRACT

This thesis focuses on the rules governing the protection of workers in case of transfer of employer in the European Union law and in the Czech law. The aim of this thesis is to analyze the implementation of the Directive 2001/23/EC into the Czech legal order. The thesis consists of three chapters.

The first chapter briefly describes the origin and evolution of the European Union, EU institutions, competence of the Court of Justice of the European Union, sources of the European Union law and the principles governing the relationship between the EU law and national legal order. It also describes the main features of the employment relationship.

The second chapter focuses on the legal rules governing the protection of workers in case of transfer of the employer at the European Union level. The first subchapter explains the historical development of the legislation, Directive 77/187/EEC and its amendment (Directive 98/50/EC). The second subchapter defines the personal, territorial and temporal scope of the Directive 2001/23/EC. The third subchapter focuses on the interpretation of the criteria of the subject-matter of the Directive 2001/23/EC conducted by the Court of Justice of the European Union. The fourth subchapter describes the pillars of the protection of employees in case of transfer of the employer (transfer of rights and obligations arising from the employment relationship and the employment contract, prohibition of dismissal in connection with the transfer, information and consultation of employees concerned).

The third chapter deals with the protection of employees in the Czech law. Particular subchapters are devoted to: process of implementation of the Directive 2001/23/EC and to its subject-matter. It analyzes the means of implementation of the Directive 2001/23/EC by the Czech Republic.

The conclusion of this thesis includes an evaluation of the implementation of the Directive 2001/23/ES and suggests possible improvements.