

Abstract

In my thesis I concentrate on the topic of the equal treatment and the prohibition of discrimination. The reason why I have chosen this subject matter is for its topicality and constantly increasing significance. The equal treatment, as well as the prohibition of discrimination, has to be respected in labour relations to create respectable conditions for employees and equal opportunities for job applicants. In practice, these principles support also better productivity in a workplace, because the work environment, where the law is maintained, is the healthy and prosperous one. However, the reality is different and these principles are not always enforced. That is the reason why discrimination or unequal treatment still exist today and it is not phenomenon, which would be typical only for relations between employers and employees or job applicants. Therefore, the international, European and interstate legislation is evolving constantly in this area and it is changing in an effort to reach more efficient application in practice. The aim of this thesis is to analyse applicable legislation of the equal treatment and the prohibition of discrimination and its influence on labour relations.

The whole thesis is divided into introduction, four separate chapters, which are subdivided into particular subchapters, and conclusion. The first chapter is always a need to dedicate to important terms, which are appearing a lot in this text. Those terms are significant for the general understanding of every thesis. That is why there is no difference either in my thesis. I have made the goal to define the terms such as equality, discrimination, labour relations, employer, employee and chief employee.

The second chapter concerns the issue of discrimination and equal treatment specifically within the international law. This part consists of three subchapters and each one of them deals with a particular international organization, which contributed somehow to ensure the prohibition of discrimination and the principle of equal treatment at international level. These above mentioned international organizations reached this securing by international conventions approved by them. These conventions are discussed further in the second chapter as well.

The next chapter is focused on the law of the EU as far as it refers to the questions of non-discrimination and equality in labour relations. Chapter three also divides to three main subchapters, which are subdivided further too. The first

of these subchapters is devoted to the primary law. The second subchapter follows up the secondary law. In the secondary law, the issues of unequal or discriminatory treatment are solved in the antidiscriminatory directives. The last subchapter deals with the case law of Court of Justice of the European Union (former European Court of Justice), which became a contribution to antidiscriminatory policy of the European Communities and later the European Union.

The fourth and final chapter concentrates on the legislation of the Czech Republic and on the principle of the equal treatment and the prohibition of discrimination regulated in it. This chapter is composed of seven other subchapters. The first of them deals with mentioned principles, which are adjusted in the constitutional law of the Czechoslovakian Republic and the Czech Republic. The second subchapter analyzes the regulation incorporated in the labour code from 1965, which was effective until the end of the year 2006. Following subchapters focus on applicable legislation to the 31st of October 2015. In this part of the thesis, the current labour code, act about employment and antidiscriminatory act are further explored. Sixth subchapter examines individual available legal tools of protection against discrimination regulated in the Czech law. The last subchapter concerns the case law again, but this time it is about the case law of the Constitutional Court of the Czech Republic and the general Czech courts. Here there are stated those judgements, which refers to the subject matter of discrimination and unequal treatment of employees or job applicants more significantly. In the very end of the thesis the current international, European and even the Czech legislation in the area of parity and antidiscrimination are summarized and evaluated.