

ABSTRACT

Name of the thesis: Employee Liability for Property Damage and Harm To a Person

The aim of this thesis is to analyze employee's liability for damage in a broader historical context, extending also to the theory of law, to distinguish the specifics of labour law liability from the civil law liability and to define the prerequisites for the emergence of different types of employee's liability for damages and to elaborate on them in detail, especially through scientific literature and case law.

In the first chapter, I describe labour law in brief historical context relevant for the topic, with reference to key changes in the development of labour law legislation. In accordance with aforementioned, in chapter two I then focus on the theory of liability, namely liability for damage, and then in chapter three I analyze in detail the liability for damage as regulated in the Act No. 262/2006 Coll., Labour Code.

Chapter four strives to outline the functions of liability for damage in employment relationships and defines the prevention of damage. Chapter five then enumerates the prerequisites for arising of the employee's liability for damage and also focuses on definition of related legal terms. Chapter six analyzes different types of employee's liability for damage: General liability, liability for non-performance of the obligation to avert damage, liability for a shortfall in things of value entrusted to an employee and liability for lost things. The specifics of each type of liability, the scope of damages, limitations to arising of the liability and the burden of proof are described in detail.

Finally, chapter seven and eight additionally discuss the limitations of employee's liability and the right of the court to reduce the amount of damages and the limitation period.

Text of this thesis is finalised to the date of October 30, 2015, thus reflecting not only the adoption of Act No. 89/2012 Coll., The Civil Code, but also the amendments to the Labour Code related to the Civil Code, the latest of which substantially amends the terminology regarding liability (compensation for damages).