

ABSTRACT

In this Master's thesis there is discussed the subject of redundancy payment and other forms of compensation in labour-law relations. In individual chapters there are described different types of compensation, which the current labour law knows and at the same time there are mentioned even compensations for which employees shall have the right according to the previous legislation. Only marginally there are mentioned compensation provided within the civil service.

The Master's thesis is divide into seven chapters. In the first chapter there is performed the systematic classification of compensations, which corresponds with the content of this thesis.

Second chapter is focused on the general matters connected with severance payment such as the origin of claim for redundancy payment, difference between contractual and statutory redundancy payment, paying of redundancy payment or return of redundancy payment. There is perform also the comparison with redundancy payment according to the Act No. 65/1965 Coll., Labour Code in effect until 31st December 2006.

Third chapter is focused on manners of the termination of labour relation establishing the claim for redundancy payment. In detail there are analysed manners of the termination of labour relation by an employer and termination of labour relation by an employee, including the termination of labour relation by agreement. Emphasis is placed on the termination of labour relation because of reasons according to the Section 52 letters a) to d) of the Labour Code. In the conclusion there is also mentioned the immediate termination of an employment by employee, which does not establish the claim for severance payment according to the current legislation.

Fourth chapter is focused on the matter of redundancy payment in the regime of insurance and tax payments. It deals especially with the matter of the inclusion of redundancy payment in the base for the payment of social security and contribution to the state employment policy and public health insurance. Also the relevant court decisions are mentioned.

In the fifth chapter there are processed selected matters of redundancy payment, which were not mentioned in previous chapters. There is mentioned the origin of claim for redundancy payment in case of contracts for works and works performed outside the full-time employment, termination of an employment in case old age pension, origin of claim for redundancy payment in case of recall from a leading position and during termination of employment in relation to agency employment.

In the sixth chapter there are analysed other forms of compensation in labour-law relation connected with the termination of employment. In the first subchapter there is mentioned severance payment according to the Act No. 65/1965 Coll., Labour Code in effect until 31st December 2006 and then there is severance payment according to the Act No. 312/2002 Coll., on officers of territorial self-government units. In the end of this chapter there are mentioned claims arising from qualification agreements and non-compete clauses.