Abstract

As the title already suggests, this rigorous thesis is focused on the invalid termination of an employment. The aim is to answer questions of legal defects of the juridical act leading to the termination of an employment relationship which are concerned with the recodification of the Czech private law made by the Act no. 89/2012 Coll., the Civil Code. The Civil Code as a lex generalis brought into the Czech legal order expressly provisions not only about invalid juridical acts, but also about putative juridical acts. These distinguishing consequences of defects of any juridical acts must be reflected in the matter of the termination of an employment relationship. The crucial part of this rigorous thesis is therefore a description and analysis of defects of juridical acts in general and their specifics when terminating an employment relationship. Another equally important part is the analysis of the procedural context associated with the claiming for invalid or putative juridical acts aimed at termination of an employment relationship in the civil proceedings. This rigorous thesis provides a comprehensive view of the institutes of invalid and putative termination of an employment relationship in the context of applicable judicial decisions and even through a description of some practical situations that may occur when terminating an employment relationship.