

Název diplomové práce v anglickém jazyce

Employee's liability for damage with respect to the case law

Summary

The purpose of my diploma thesis is to analyse the main aspects of employee's liability for damage in labour law with respect to the current legislation and current case law. By using the analytic and descriptive methods the valid legal provisions are described and evaluated. The thesis is composed of eight chapters, each of them dealing with different aspects of liability of an employee. Chapter One is introductory and describes employee's liability in labour law in general. Following chapters examine relevant Czech legislation and related case law.

Chapter Two presents the importance of damage prevention. The chapter consists of three subchapters. Subchapter One focuses on damage prevention and general obligations of an employee. Subchapter Two describes employee's special obligation to notify his supervisor in case of imminent damage. Subchapter Three investigates special obligation of an employee to take an action against imminent damage.

Chapter Three relates to Chapter Two. It explains employee's liability for breach of obligations to take an action against imminent damage. The chapter consists of one subchapter which addresses the issue of measure of damages.

Chapter Four is dealing with employee's general liability for damage. The chapter is subdivided into six subchapters which explain essential terms such as damage, breach of obligations, fulfilment of workload obligations, causation of damage, infliction of damage and measure of damages.

Chapters Five and Six provide an outline of employee's liability for entrusted values and objects. Chapter Five is subdivided into six subchapters and Chapter Six into four subchapters. Each subchapter focuses on elementary aspects of these kinds of employee's liability. These Chapters are the most affected by the case law so both of them concentrate on problems resulting from the case law.

Chapter Seven summarises measure of damages in different kinds of employee's liability in labour law mentioned in previous chapters and chapter Eight illustrates general and common provisions of employee's liability.

The thesis deals with the case law and its influence to the legislation. The main importance lies in affecting the current legislation by resolving and commenting statutory interpretation.

Final conclusions of my thesis are drawn in the last chapter. I reached to conclusion that current legislation could be considered as sufficient nevertheless the current legislation contains some minor deficiency. For example I suggest that new legislation increasing limitation of damages should be passed but other than that there is no need to make some considerable changes.