

# **Legal facts limiting work performance**

## **Abstract**

The aim of the final thesis is to analyse legislation of legal facts limiting work performance in Czech republic with analysis of particular legal facts limiting work performance on the side of employees and as well on the side of employers and consequences that legal facts have on another important institutes of the Labour Law.

The final thesis contains six main chapters whereas the first chapter is dedicated to definition of the employment relations and individuals terms that are fundamental not only for this thesis but also for the whole Labour Law's sector. The second chapter contains analysis of the individual kinds of the legal facts limiting performance. The third chapter is focused on the legal facts limiting work performance on the side of the employee, whereas these facts are divided into three groups. The first group contains important personal obstacles to work which are named in the Labour Code, particularly in the paragraph 191, the second group contains another important obstacles to work which are exhaustively listed by the Government Ordinance No. 590/2006 and the third group is formed by the obstacles to work reasoned by the public interest. Legal facts limiting work performance on the side of the employer are presented in the fourth chapter. This chapter was made up by five parts whereas each of the part is focused on the individual legal fact on the side of the employer that is listed in the Labour Code. Legal facts limiting work performance that are not modified in the Labour Code are the theme of the fifth chapter whereas this chapter contains six parts where the first one present the paternity leave in the Czech law, the second one is given to the issue of the strike, the third one contains the issue of lockout, the fourth one describe the system of unpaid leave, the fifth part is focused on the institute of the sickdays and the sixth one overlaps to the criminal law because the theme of this chapter is detention and the enforcement in the case of employees. The last chapter presents legal conclusions that legal facts limiting work performance has on the important parts of the Labour Law like the remuneration, working hours, trial period, holiday and the termination of the employment.

### **Key words:**

legal facts, employee, employer