

## **Abstract**

This thesis provides an analysis and comparison of the EU and national legislation concerning protection for pregnant employees from termination of employment. The main goal of this thesis is comparison of the legal protection based on the Council Directive 92/85/EHS and other legal elements incorporated in the Act no. 262/2006 Labour Code.

Pregnant woman is in very specific position in terms of employment relations, and she is considered to be a weaker party. Nevertheless, regular employee is also considered to be a weaker party, but in comparison of the legal protection between employee and pregnant employee, we will unambiguously conclude, that level of protection is considerably higher for the pregnant employee than for the regular one. And it is for a legitimate reason since a pregnant employee, during pregnancy and maternity, is endangered not only from the physiology perspective but also from social security perspective. For this reason, the legal acts concerning position of the pregnant employee, in the national or European level, are mostly in their favour. Simultaneously this thesis mentions some of the important judgements, in which courts are once again mostly in favour of pregnant employee.

This thesis analyses the level of protection of those employees and evaluates the sufficiency and potential flaws of these legal acts. When looking at the legal protection for the pregnant employee, we cannot be looking only for the specific legal acts concerning termination of employment. It is also very important to look on this problem from the wider perspective, which is in this case prohibition of discrimination. That is why this thesis also analyse the legal rule, that employer cannot treat differently to the regular employee and to the pregnant employee, and if so, it must be considered to be discrimination on the basis of sex.

At the end of this thesis, there is an author's reasoning about potential overprotection of the pregnant employee. It can very well happen, that a pregnant employee intentionally misuses the legal protection and violates the principles of morality against her employer.