

The termination of the employment in Czech Republic and Germany

Abstract

This thesis pertains to the issue of the termination of employment in the Czech Republic and Germany. The aim of this thesis is to familiarize the readers with the legal framework pertaining to the termination of employment in both countries, including analysis of relevant case law. The main focus of this thesis is the comparison of the Czech and German legal framework of termination of employment. The thesis aims to draw attention to the common and different characteristics of the legal framework of termination of employment in the respective countries and evaluate them. Moreover, the thesis deals with prospective *de lege ferenda* changes of the Czech legal framework that could be inspired by the applicable German legal framework. Furthermore, other *de lege ferenda* legislative proposals of the author are discussed in the thesis.

This thesis is divided into 5 chapters. The first chapter of the thesis provides an analysis of labour law in the Czech Republic and Germany, whereas emphasis is placed especially on the systematics of the labour law framework and the historical origins of labour law in each respective country. The second chapter pertains to the individual methods of terminating an employment relationship in the Czech Republic. Firstly, the analysis is focused on the grounds of termination the employment relationship on the basis of a legal act. Secondly, the analysis deals with the methods of terminating an employment relationship on the basis of an official decision of an authority and on a legal event. The third chapter of the thesis described the various methods of terminating an employment relationship in accordance with the German legal framework. Concurrently emphasis in this chapter is placed on the methods of terminating employment which are unavailable in the Czech Republic. Both of these chapters are concluded with an evaluation of the reasons for the invalidity of termination of employment. The fourth chapter is focused on the comparisons arising from the two preceding chapters, emphasis is placed on the main similarities and differences of the applicable legal framework in the Czech Republic and Germany. The final chapter of this thesis is focused on considerations from the perspective of *de lege ferenda* and on the possibility of implementing certain parts of the German regulatory framework into the Czech legal framework, but also on the implementation of other changes to the applicable legal framework of terminating employment in the Czech Republic.