

Summary

The Equal Treatment and the Prohibition of Discrimination of Employees in Labour Relations

I have chosen "the Equal Treatment and the Prohibition of Discrimination of Employees in Labour Relations" as a topic of my thesis due to my interest in labour law and human rights law as well as the problem of discrimination in both national and international views. I consider this topic to be very interesting and actual. In my opinion, it is apparent that the problem of discrimination has not been solved and closed yet in the society.

The purpose of my thesis is to describe, analyse and evaluate the recent antidiscrimination legislation. I have dealt with the antidiscrimination legislation on national, international and European levels while including the related judicature which has an important impact on the application practise. I have also described the system of organisations and authorities dealing with discrimination. With the view of providing a complex investigation of the topic, I have referred to the historical aspects of equal rights as well, in particular to the history of position of women in labour relations.

This thesis consists of four chapters; each of them deals with different aspects of discrimination and principle of equal treatment.

The introduction contains an explanation why I have chosen this specific topic for my thesis and also the method I have used to handle the topic.

The first chapter has an introductory character. In particular, it defines basic terminology used in the thesis (e.g. equality, gender equality, equal rights, discrimination), explains forms of discrimination, describes legal regulation of discrimination and deals with means of protection against discrimination.

The second chapter focuses on international law in the field of prohibition of discrimination. It describes how international organizations – the United Nations, the International Labour Organization, the Council of Europe and the Organization for Economic Cooperation and Development – deal with this issue. Special attention is paid to the European Court of Human Rights and its case-law.

The third chapter investigates the antidiscrimination law of the European Union. This chapter is divided into two parts – prohibition of discrimination based on gender and other discriminatory reasons, both from the perspectives of primary and secondary law. The first part – prohibition of discrimination based on gender – deals with topics such as equality between men and women in primary law of the EU, equal remuneration, equal treatment, parental leave, burden of proof at discrimination cases, social security, business, health and safety at work, sexual harassment etc.

The fourth chapter characterizes and examines relevant Czech legislation in the field of the equal treatment and prohibition of discrimination. One part of the chapter analyzes the Antidiscrimination Act. The chapter includes also a description of the Czech authorities which operate in the field of prohibition of discrimination. For a better understanding to the issue, a brief historical guide to gender equality is attached.

In the conclusion I have summed up and reviewed the problem of discrimination and equal treatment. I have appreciated the progress that has been reached but on the other hand, I have criticized the inconsonance between legislation and real practice, both on national and international or European levels. I have suggested that the impact of real labour relations should be more reflected in legislation. To make this happen, the change of thinking in the society is a condition *sine qua non*.

Klíčová slova

Pracovněprávní vztahy – Rovné zacházení – Zákaz diskriminace

Keywords

Labour Relations – Equal Treatment – Prohibition of Discrimination