

Summary

The aim of this thesis is to present a systematic overview of the legal instruments that the Labour Code provides to employers against employees who breach their duties. It is the societal interest that the obligations have been followed, and so it is in the labour process. By each breach of working obligations undesirable loss may arise to employers, notwithstanding on a possible overall decrease in the labor moral on the workplace. The Labour Code does not contain a definition of violations of duties, therefore a large role in its evaluation plays a judicial practice. Therefore much of this thesis is based on case-law.

The thesis consists of four chapters, which are further divided into subchapters and parts.

The first chapter describes the various sources from which duties of employees during the working process can occur – legislation, contracts, internal regulations of employer and instructions of the employer or the employer's senior staff.

The second chapter deals with the obligations of employees that are required to comply with. At first, attention is paid to the obligations that apply to all employees without exception, then further there are discussed specific responsibilities of senior employees and employees who provide state administration and self-government. From the very specific obligations there is part about competition ban.

The third chapter deals with directly with violations of labor obligations. First, there is brief outline of the historical development of this issue since the establishment of independent Czechoslovakia until the present. Further, there are discussed various assumptions of violations of duties, which are unlawful act or omission of an employee, fault of an employee and connection to the employment relationship. The conclusion of this chapter is focused on the evaluation of the intensity of violations of labour duties, because for proper determination of the consequences of violation of labour duties it is very important to distinguish between less serious violations, serious violation or gross violation.

The fourth chapter deals with the consequences of violations of labour duties. It describe the various legal instruments that employer may use against an employee, and the conditions for their lawful use. The biggest attention is given to the consequences that lead to termination of employment contract (termination of employment contract and instant termination of employment contract), as they represent the most significant interference with the rights and obligations of the subjects of employment relationship. There are also

mentioned financial penalties on employees that are officially forbidden by law, but nevertheless their application can occur indirectly.