

ABSTRACT

The thesis focuses on the issue of transfer of undertaking as recognized by the Acquired Rights Directive 2001/23/EC under the EU and Czech law. *The first chapter* “general introduction” offers an overview of the basic relationships that arise in the course of employment, and the basics of European law. *The second chapter* considers the rules of the transfer of undertaking under the Acquired Rights Directive and in light of ECJ case law. It defines the terms legal transfer and merger, economic entity which retains its identity, employee, transferor and transferee. Further, it considers the transferred rights of employees and the corresponding duties of employers, encompassing the right for information and consultation, protection against dismissal on the grounds of the transfer and the right for the same work conditions after the transfer. It covers a special case of transfer of undertaking in the case of transferor’s insolvency. *The third chapter* deals with the regulation of transfer of undertaking under Czech law. Firstly, the chapter introduces the development of the provisions covering the transfer in the Labour Code. It focuses on the contemporary provisions of the Labour Code. It describes the grounds for the transfer covered by the Labour Code and particular statutes such as the Civil Code, the Company Transformation Act or the Insolvency Act. Secondly, the chapter discusses the consequences of the transfer of undertaking, such as the right for information and consultation, protection against unfair dismissal, action for deterioration of work conditions or sanctions imposed by the Labour Inspection Authority. The conclusion is drawn in the *last chapter*, but particular findings are stated continually in the text. *The purpose* of the thesis is to clarify the transfer of undertaking under the EU and Czech Law and to evaluate how well the Czech Republic has accomplished its duty arising under the Treaties to transpose the directive properly.