

Fixed-term employment relationships as demarcated by Czech and French legal regulation

Abstract

The present paper analyzes fixed-term employment relationships as demarcated by Czech and French legal regulation. The purpose of the study is to discuss similarities and differences within the examined legislations, provide a basic historical background and reflect on whether the French legislation could be used as a source of inspiration for Czech law. In author's opinion, due to the frequent issues arising in connection with the application of the legal regulation of fixed-term employment relationships, this thesis could also serve as a source of interesting facts for both employees and employers.

The paper is divided into four chapters. The introductory chapter looks briefly at labour law as a distinct legal branch, highlighting some of the issues which the doctrine of labour law must contend with in the context of the re-codification of private law and defining "an employment relationship" as the basic legal term of the thesis as a whole. The second and third chapters examine the legal regulation of fixed-term employment relationships. Firstly, the Czech legal regulation is reviewed and, subsequently, the French law is explored. The parallel structure of these chapters is such that any differences in the laws may be easily identified. Emphasis is placed upon the conditions of arrangement of a fixed-term employment relationship, the determination of its term, and proceedings for cases of violation of legal provisions. The final chapter aims to assimilate concepts developed within the previous chapters and outlines the differences between Czech and French approaches to legal regulation of fixed-term employment relationships.

The French legislation in this matter is, generally, considered to be more complex and rigid, significantly limiting the number of cases wherein the employer is entitled to hire under fixed-term employment relationships. The conclusion delineates recommendations regarding the possibility of future legal regulation of fixed-term employment relationships in the Czech Republic.