

ABSTRACT

The presented thesis, titled “The liability of the employee for damage caused to the employer”, has set out to analyse, parse, evaluate legal regulations, point out application problems, to offer a clear and comprehensive interpretation of labour law issues concerning employee liability for damage caused to employer during the course of or in direct association with performing work assignments. The thesis is divided into five chapters. The first chapter is dedicated to labour law in general, in its capacity as one of the branches within the body of laws of the Czech Republic. The second chapter deals with the concept of liability within the scope of labour law. The third chapter is dedicated to labour law damage liability. The principal issue of the thesis, i.e. the liability of employee for damage caused to employer, is analysed in the fourth chapter. The last (fifth) chapter is dedicated to Slovakia legal regulations in the context of labour law. The thesis also includes an analysis of the institute of unjustified enrichment in labour law, judicial right of moderation, professional indemnity insurance, etc. The conclusion of the thesis provides a brief summary of the most fundamental moments, concepts and institutes characteristic of both special and general liability of employee for damage caused to employer, including an analysis “de lege ferenda”. The presented thesis is based on the laws in force and effect at the time of its creation, professional publications and periodicals, and legal commentaries. The legal regulation crucial for this area is the Act No. 262/2006 Coll., Labour Code, as amended, and the Act No. 89/2012 Coll., Civil Code. In order to analyse the Slovak legal provisions, the Act No. 311/2001 Coll., Labour Code, as amended, has been used. The whole text is supplemented not only by Czech but also foreign case-law.