

Agreements on work performed outside the employment relationship

Abstract

This thesis deals with the analysis of the concept of agreements on work performed outside the employment relationship after the amendment of the Labour Code, the purpose of which was to transpose the European Directive on transparent and predictable working conditions and the Work-life Balance Directive into the legal system of the Czech Republic. The thesis is divided into three chapters.

The first chapter serves as an introduction to the agreements on work performed outside the employment relationship and presents the historical context of their legal regulation of agreements and their subsequent development. The chapter also defines the basic distinction of agreements on work performed outside the employment relationship and describes their characteristic features.

In the second chapter, the summary of the sources of legal regulation is provided, both at the national and EU level. It includes a description of the content of the transposed directives on which the amendment of the Labour Code had to be based. The second chapter includes an analysis of the selected institutes and an assessment of whether their amended form responds to the mandatory transposition of the directives, goes beyond the minimum required standard of the transposed directives or whether their content is completely outside the scope of the transposed directives.

The third chapter contains an analysis of the practical impact of the transposition amendment on the regime of agreements. The chapter includes an assessment of whether the impact of the transposition amendment has been to curb the scope for abusive agreements or to expand illegal employment, and also looks at related forthcoming changes in the field of social security.

Keywords

Agreements on work performed outside the employment relationship, Amendment to the Labour Code, Labour Law