

Abstract

Title: Issues of labour relations in the healthcare sector

The thesis deals with selected labour law problems that arise in the performance of work in the healthcare sector. The introduction defines the basic terms that are necessary for understanding this thesis as a whole, especially terms from the labour law as well as terms from the medical law.

Other parts of the thesis are focused on specific areas of labour law, which have certain specificities in the healthcare sector. In particular, the specific working time in the healthcare sector, such as overtime work or on-call work. Furthermore, the issue of compulsory breaks at work, which are often not counted by health service providers towards the work performance of specific health professionals, even though they are not allowed to take a full break because their work must not be interrupted. An equally important issue in the field of employment relations in the healthcare sector is the possibility of taking additional leave, which is granted to employees who perform work that is particularly difficult and the performance of which can have a negative impact both on the physical aspect and also on the mental state.

Since one of the basic principles of the performance of dependent work in employment relationships is the payment of remuneration for such activity, the next area of this thesis is focused on remuneration. A very burning problem of the last few years has been the shortage of medical personnel and the inadequate level of remuneration paid to employees working in the healthcare sector. For this reason, an excursion was made into the area of remuneration in health care institutions belonging to the private and public sectors and a comparison was made of the different health care workers depending on the sector to which the health care institution of which they are employees belongs. Another issue related to the shortage of staff, which was the focus of this thesis, is enabling health workers to deepen and improve their qualifications and the related conclusion of qualification agreements between health service providers and their employees.

The final and most extensively described problem is the question of liability in the healthcare sector. This chapter discusses the different categories of liability in terms of the legal areas into which the liability falls. The problem of general and specific liability for damage or injury caused by a breach of a legal duty is described in more detail in the individual subsections of the last chapter.

The specifics related to the topic of this thesis and reflecting the topic of the global pandemic of the COVID-19 disease, which has appeared in the Czech Republic for the first time in the spring months of 2020 and unfortunately, even after a year and half, it is a significant negative component of our lives, which has affected each one of us and which has resulted in significant changes, restrictions and limitations affecting the health care sector.

Key words: labour law, healthcare sector, employee, healthcare provider