

## **Mediation and its use in labour relations**

### **Abstract**

In this thesis I deal with the issue of mediation and its use in the labour relations. Mediation is one of the alternative ways of dispute resolution, as the labour law is a sphere in which disputes often occur, and it is therefore desirable to look for other effective ways of resolving them than court proceedings. For this reason, in my thesis I focus on the institution of mediation and the possibilities of its use in the field of labour law. I focus primarily on the use of mediation in employment relations of an individual nature and reflect on its legal regulation in Act No. 202/2012 Coll.

In the first chapter, I provide a detailed description of mediation, its objectives, and principles. This is followed by the description of historical development in the world, in Europe and in the Czech Republic. Then I discuss the legal regulation, describe mediation trends, and list the areas in which mediation is applied.

The second chapter is devoted to labour disputes. As a criterion for their division, I use the labour relationships because of them employment disputes arise. The chapter is thus divided into labour disputes of a collective nature and labour disputes of an individual nature, supplemented by possible ways of resolving them.

The last chapter focuses on mediation in the field of labour law only, with an emphasis on individual labour relations. I describe the types of mediation according to their possible initiation, followed by their procedural aspects, including the course of mediation up to its conclusion. I also elaborate the mediation agreement and the person of the mediator with a description of the mediation tools used by him and his professional qualifications. Finally, I present the advantages and disadvantages of mediation, supplemented by the opinions of mediation experts, foreign comparison in the field of labour law, and I conclude with a reflection on possible future regulation aimed at more effective and frequent use of mediation in the Czech Republic.

**Key words:** mediation, labour disputes, labour relations.