

Informal carers in Czech social law

Abstract

Majority of long-term care for elderly persons is provided by informal carers, i.e. by relatives of other close persons. Despite informal care has significant value either for economy and society, it is omitted by the legislator over a long period. Therefore, the objective of this diploma thesis is to map the legislation affecting the situation of informal carers, to analyse it and to propose changes resulting from confronting the legislation with the actual situation of informal carers.

This thesis is structured into six chapters. The purpose of first chapter is to present basic background which briefly describes the most important social and demographic phenomena accelerating the need to address legal status of informal carers and in perspective of which the relevant legislation should be analysed. In particular, such phenomena are population ageing, gender equality, financing of social welfare systems and the situation of informal carers on labour market. In the second chapter, given the topic of this thesis, the social law is defined and areas of law affecting informal carers the most are described in more detail, i.e. social welfare law and labour law. Third, fourth and fifth chapters relevant legislation is described. Chapter three is devoted to international law rules, specifically to conventions and regulations of International Labour Organisation. Chapter four focuses on EU law, describing applicable legal acts comprehensively, considering ongoing EU social policy. Chapter five contains analysis of key legislation in the Czech Republic, taking into account draft laws amending key legislation.

Chapter six contains critical analysis of relevant legislation, considering the background outlined in the first chapter and data collected by international and non-profit organisations. It follows that the most urgent are changes in area of pensions. It is necessary to adopt changes responding to demanding nature of informal care and its economical value and ensuring decent living conditions of informal carers either during their working and later life. Within legislation changes it must be taken into account that most informal carers are women and seemingly natural caring role puts them at a disadvantage in terms of career and other development.

Key words: long term care, informal carers, social welfare, protection of employees