

# **Illegal employment and its sanction**

## **Abstract**

The topic of this rigorous thesis is illegal employment and its sanction. The thesis focuses on the analysis of situations when illegal employment and the actual performance of illegal work is enabled and furthermore it takes a comprehensive view on the sanctions against illegal employment and illegal work.

The aim of the thesis is to provide a comprehensive analysis of different types of illegal work, such as illegal employment of foreigners, non-contractual work and false self-employment. The thesis also aims to identify the causes and consequences of this issue and to analyze the possibilities to counteract this negative phenomenon. Attention is also paid to the sanctions that are associated with illegal employment and illegal work.

The thesis is structured into nine substantive chapters and can be divided thematically into four main parts. The first part deals with dependent work, examining its characteristics, features and the conditions under which it is performed. The second part deals with illegal work itself, explaining the concept of illegal work and its development within the legal system of the Czech Republic. This part also deals with the types of illegal work, including illegal employment of foreigners, non-contractual work and false self-employment. It focuses on the analysis of their legal aspects and also addresses their causes. The third part is devoted to control activities, in particular by the labor inspection authorities, and the fight against illegal work. It also deals with sanctions, both from an administrative and criminal law perspective. The final fourth part contains the recommendations *de lege ferenda*, emphasizing the need to unify the interpretation of the concept of dependent work for the purposes of private and public law, to amend the definition of unreliable employer and to establish motivational elements for foreigners who initiate the control of illegal employment. This part also addresses the need for simplification of the state administration and digitalization as one of the means to eliminate illegal employment within society.

As a result of this rigorous thesis, a deeper understanding of the issue of illegal employment and suggestions for effective preventive and repressive strategies are provided. The thesis should facilitate the discussion of this serious negative social phenomenon and provides a basis for further research and implementation of measures in the field of illegal employment.

**Key words:**

dependent work, illegal employment, illegal work, illegal employment of foreigners, non-contractual work, false self-employment