

Disability and Invalidity Pension

Abstract

The theme of disability is a sensitive topic in society, as it represents an undesirable social event affecting an individual's work capacity and consequently having an adverse impact on their financial security. The invalidity pension serves as a benefit designed to compensate for this negative consequence to some extent. This work deals with the issue of disability, particularly the invalidity pension, organized into 9 chapters.

The introductory chapter provides a brief historical overview of disability, followed by a discussion of the historical legal conditions for granting an invalidity pension in the Czech Republic. It then delves into international interventions through treaties and the membership of international organizations, of which the Czech Republic is a signatory. This chapter mentions international organizations, including the most significant international treaties addressing this issue, to which the Czech Republic is bound. Given that the Czech Republic is a member of the European Union, and its the legal regulations significantly influence the national legal framework of the Czech Republic, this aspect is incorporated into the work. The following chapter interprets the national legal regulations on disability and outlines the conditions for granting entitlement to an invalidity pension. Considering the complexity of social security legal regulations, which are intricate due to numerous legal provisions and related concepts in this field, often requiring legal expertise, it was desirable to give selected terms more thorough attention. Therefore, a separate chapter is dedicated to them. The process of handling an application for an invalidity pension, including the corrective means of objections, should not be overlooked. Any disagreement with the decision of the Czech Social Security Administration, after exhausting the corrective means in the form of objections, may undergo judicial review. Judicial review thus represents a legal control of public administration, with a chapter dedicated separately to this topic. This is followed by decisions of regional courts in administrative justice, focusing particularly on deficiencies identified in assessments, especially regarding the different rates of decline in work capacity or the determination of the type of health impairment compared to the objections procedure. Finally, the last chapter briefly explores German legal regulations, albeit marginally but intentionally, as it offers a different perspective on the issue of entitlement to an invalidity pension compared to the legal regulations of the Czech Republic.

Keywords:

disability, invalidity pension, rate of decline in work capacity, judicial review, proceedings for granting entitlement to an invalidity pension, long-term adverse health condition.