

Abstract

This thesis focuses on a comprehensive analysis of the working time and rest periods of health care workers, with the aim of evaluating the current legislation and determining whether the practice in health care facilities is in line with this regulation.

The work is based on the legislative framework of the European Union and the Czech Republic concerning working time and rest periods. It examines the application of these legislative provisions in practice and their compliance in healthcare establishments. It focuses on the analysis of Directive 2003/88/EC of the European Parliament and of the Council on certain aspects of the organisation of working time and its implementation in the Czech legal system. In addition to the Czech and European legislation, a significant part of the work is devoted to the Finnish legislation on working time in healthcare, including its practical aspects, which is in line with it, unlike the Czech one.

Methodologically, the work is based on a combination of qualitative and quantitative approaches. It uses analysis of available literature, legislative documents, court decisions and surveys among health professionals. The survey on which the practical part of the thesis is primarily based is a survey by the Society of Young Doctors published in June 2023, which provides insight into practice in healthcare settings. In particular, it quantifies overtime work among the responding physicians, with their average monthly overtime hours reaching 77 hours, more than double the threshold set by the Labour Code, with an average duty time of 26 hours. In addition, 20% of respondents reported that they are paid for overtime as on-call work. Thus, in addition to circumventing the legal regulation, this is a way that significantly harms employees financially.

The results of this work point to several key issues that concern health workers. These include insufficient compliance with prescribed rest periods, abnormal and unbearable amounts of overtime, or the misuse of on-call time to the detriment of the employee.

On the basis of the analysis, specific measures are proposed that could contribute to improving the situation. These include, for example, changes to the legal regulation of on-call time, along the lines of both Finnish and original Czech legislation, or changes to the structure of the State Labour Inspection Office's departments to ensure more effective inspections.