

## Summary

The thesis focuses on the analysis of the legal regulation of agreements on work performed outside regular employment, as amended by Act No. 281/2023 Coll., amending Act No. 262/2006 Coll., the Labour Code, as amended, and some other acts. This Act transposes Directive (EU) 2019/1152 on transparent and predictable working conditions in the European Union and also additionally transposes into national law parts of the Directive 2003/88/EC on certain aspects of working time. The thesis contains theoretical chapters on the development and frequency of agreements on work performed outside regular employment and developments in the field of dignified and transparent working conditions in Europe. It also analyses Directive (EU) 2019/1152 as the legislation for which the changes in this regulation are happening in the first place. A key output of the thesis is a comparison of the compliance of the legal regulation of agreements on work outside the employment relationship with the above-mentioned directives.

It follows from the theoretical chapters that agreements on work performed outside regular employment represent a specific type of employment obligation for Czech labour law, which could be called, despite some differences, in principle “zero hours contracts”, i.e. relationships without a guaranteed amount of paid work. It is also concluded that they are popular and widely used in practice. The chapter on dignified working conditions in the European context then shows that this issue has always been present in integration projects, not only in the case of the European Union but also in the Council of Europe, even if it has only gradually gained ground.

By analysing Directive (EU) 2019/1152, the thesis concludes that it is a significant milestone in the field of decent and predictable working conditions. The approach taken by the European legislator differs from the previous concept of directives in the field of labour law, as it is a general, overarching piece of legislation with the ambition to affect all relations of a labour law nature in the European Union. At the same time, and for this reason, the directive contains many relatively vague formulations. It can therefore be assumed that the Court of Justice of the European Union will play a major role in ensuring that the objectives and spirit of the directive are achieved by interpreting this legislative act and assessing the compatibility of national legislation with it.

Based on the analysis of the changes made in the Labour Code by the transposition act No. 281/2023 Coll., it is concluded that Directive (EU) 2019/1152 is at least imperfectly implemented. The legislator erroneously proceeded on the premise that the obligation to schedule working time of these employees would result in these contracts becoming entirely or predominantly predictable work within the meaning of the Directive (EU) 2019/1152. However, such conclusion is incorrect. The Transposition Act therefore does not implement part of the provisions of Directive (EU) 2019/1152, which are mainly aimed at such specific relationships. Similarly, the regulation is also arguably inconsistent with the aforementioned Directive as regards the issue of obstacles to work on the part of the employee, remuneration and the provision of certain specific types of wage compensation. The additional transposition of Directive 2003/88/EC in relation to working time, rest periods and holidays is then more than 20 years late.