

The legal status of professional athletes from the perspective of labour law

Abstract

This thesis addresses the legal status of professional athletes from the perspective of labor law. The aim of the thesis is to examine whether the activities of a professional footballer can be classified under the Labor Code regime, or whether the relationship between a professional footballer and the club they are contracted to can be regarded as one between an employee and employer, and whether such a relationship constitutes the performance of dependent work. The thesis is structured into several sections. The introductory section of the thesis presents sport as a social phenomenon. It then defines the concept of sport, outlines the classification of sporting activities, and explores the definition of sports law. The subsequent chapter is dedicated to the legal status of professional athletes, identifying the legal frameworks within which they may pursue gainful employment. A separate subchapter addresses the legal status of underage professional athletes. The third chapter forms the core of the thesis, as it discusses the concept of dependent work, including its defining characteristics and conditions. The chapter aims to determine the applicability of labor law to the legal status of professional athletes. Additionally, it identifies legal institutions that are not easily applicable to the performance of professional sports activities. The final section of the thesis examines case law pertaining to the status of professional athletes, focusing on both the potential classification of their activities under the Labor Code regime and the taxation of income derived from such activities. It also considers the legislative framework in Slovakia, where the Act on Sport has been in force for several years, and discusses how Czech lawmakers might be inspired by this model to incorporate the legal status of professional athletes into the Czech legal system. The thesis concludes by proposing possible solutions to improve the current legal and employment status of professional athletes.

Keywords: professional sport, dependent work, legal status of professional athletes