

Summary

The topic of my work is workplace injury. The goal of this work is comparison of two main approaches to this topic that have been discussed over the past years, namely – the employer`s responsibility versus accidental insurance of employees. The first one mentioned is effective in Czech republic and the second was meant to be effective from 1st January 2008 but it was postponed three times (last time to 1st January 2015) and it is now considered to be canceled. The goal is to understand why and to determine which of the systems better suits the purposes of a workplace injury regulation in Czech Republic.

At the beginning I start with a brief historical background (from the year 1989) of the regulation for better understanding of the need for new legislation. Next I am going to achieve the goal of this work by describing the first system by detailed analysis of the effective regulation – explaining terms such as liability, workplace injury, exemptions from liability, types of compensation and also present few a court decisions on the matter. Then I am going to describe the second system by explaining the differences that the accidental insurance of employees act (266/2006 Coll.) would bring if it ever becomes effective. For a more detailed description I would also present the regulation of a workplace injury in Poland where the second system is effective for over ten years so it provide better understanding on how the accidental insurance of the employees works in practice. Again I am going to explain the key terms (such as liability and others) as they are understand by a labor law experts there and present the Polish court decisions to compare the development of the case law.

In the last chapter I therefore compare the both system to come to a conclusion that there are no main differences between them (from a legal point of view) and I present my own opinion on why the act is (probably) going to be canceled. I also express my own humble wish for a return of the idea of necessity of the accidental insurance of employees as it is in line with trends that are present in the European workplace injury regulation.