

Abstract

Trade unions organizations in employment relations

The thesis deals with trade union organization as the most important representative of employees in collective employment relations. The purpose of this thesis is to describe a task of trade union organization as a legal subject from the view of legal theory, as well as from the view of contemporary legal regulation which has recently been substantially changed due to the recodification of private law. These contemporary amendments change a status of trade union organization as a legal person. These amendments have been followed by many interpretative difficulties. The thesis further describes activities and rights of trade unions as a subject with regard to first, the last amendments in legislation and second, the current jurisprudence.

The thesis is divided into five chapters:

The first chapter is focused on a position of trade unions in collective labour law, their specificities according to legal theory, historical background of trade association, international and domestic legislation of the right to trade association, position of trade union organization as a legal subject and other aspects such as hierarchy among trade union organizations.

The second chapter deals with traditional rights and obligations of trade unions in collective labour relations such as right to information, to discuss, to co-decision, to control, to participate in process of legislation and to represent its members before courts, except collective bargaining.

The third chapter concentrates primarily on collective bargaining as the most effective instrument in order to achieve social harmony, and also as the most important right of trade unions. Collective bargaining is analysed in a sense of a formal process of concluding a collective contract and also as an informal dialogue between an employer and employees who are represented by trade unions – so called social dialogue.

The fourth chapter looks into a collective contract, which is a traditional outcome of collective bargaining. The chapter provides basic information about types of collective contracts and, first of all, about a role of trade unions in the process of their conclusion, during their duration and with regard to their termination.

The last chapter focuses on collective disputes, their process and a solution. Collective disputes are divided first, into collective disputes regarding the conclusion of collective contract

and second, the other collective disputes. The emphasis here is put on the right to strike as a traditional coercive means used in collective disputes.