

Abstract

The topic of this thesis is employee's claims in the case of work accidents or occupational diseases, because the assessment and determination of damages is still an actual issue.

The first part of the thesis deals with theoretical introduction and definition of terms which are material for the whole thesis. The first part defines the liability in labour law, the liability of employee and employer, work accidents and occupational diseases and mainly the employer's liability for damages and non-material damage caused by work accidents or occupational diseases to employees.

The next chapter focuses on insurance which is obligatory for all employers who employ at least one employee. This insurance is important in case of the employer becomes liable for damage or non-material damage caused by work accidents or occupational diseases. The insurance is important especially for small and medium-sized employers for whom the compensation could be liquidating and could lead to the termination of their activities.

The most important chapter of the thesis is the chapter concerning individual types of employee's claims for damages or non-material damage which arise from work accident or occupational disease, or claims of survivors of employee in case of employee's death, and their assessment. The most significant and the most problematic is the claim for pain and weakening of employee's social position because of the difference between the legal regulation of this claim in the labour law and the legal regulation in the civil law. Therefore there is also a different assessment.

The last chapter of the thesis is the comparison between the legal regulation of the Czech Republic and the legal regulation of the France. This chapter is mainly focused on differences of both legal regulations.