

# **A Job Seeker and the Labour Office of the Czech Republic**

## **Abstract**

The PhD thesis focuses primarily on the legal regulation of the Employment Act affecting the issue of job seekers within the activities of the Labour office, especially in the process of employment intermediation and in receiving unemployment benefits.

The introductory theoretical interpretation of the fundamental social right guaranteed by the Charter of Fundamental Rights and Freedoms, i.e. the right to work, is followed by a treatise on unemployment and its development. A compact overview of this issue is given by a summary of the concept of employment policy in the Czech Republic and within the European Union and its state management within the Czech Republic.

The main part of the thesis presents an analysis of individual provisions of the Employment Act from the practical point of view of the job seeker. It defines his rights and obligations starting by submitting an application for mediation of suitable employment to the Labor office register. These are discussed in detail in relation to the main instruments that the job seeker may encounter during registration, such as “appropriate employment”, “serious reasons”, “temporary incapacity to work”, “non-conflicting employment”, “illegal work”, etc. The thesis contains a detailed analysis of the conditions and obstacles to inclusion in the job seekers register. Furthermore, the thesis provides a list of the most frequent violations of the job seekers’ obligations that lead to the exclusion from the register of the Labor office. The thesis also provides an analysis of the application problems and the most common mistakes in the employment mediation process by the job centers and proposes possible legislative solutions *de lege ferenda*.

In this context, the entitlement to unemployment benefit and its granting, payment and eventual repayment and individual instruments and measures of active employment policy are discussed.

The topic is analysed in relation to related legal norms, methodology of the Labour office of the Czech Republic, decision-making practice and the latest case law of administrative courts.

Comparison with the German legislation showed that the two concepts of the state employment policy and the processes of employment intermediation in both

countries are similar. On the other hand, this thesis points to the individual differences that can become an inspiration for a possible change in our legislation.

**Keywords:**

Employment Act

Job seeker

Unemployment

Unemployment benefit