

Age Discrimination in Labour Law

Abstract

The topic of this thesis is discrimination on the grounds of age in labour law. Age as grounds for discrimination is very specific, because belonging to a certain age group changes as a person ages. Making some distinction on the basis of age is also still seen as acceptable in society. Stereotypes and negative bias connected to certain age groups are still prevalent and the work environment is one of the places where these negative attitudes can manifest themselves in the form of discriminatory action.

The main aim of this thesis is to provide an overview of the current legal framework which deals with the prohibition of age discrimination in labour law on the international, European and national level and afterwards to systematically analyze the relevant case law of the Court of Justice of the European Union. Lastly the thesis also touches on the case law of the Czech national courts.

The thesis is divided into an introduction, four main parts and a conclusion. The first part deals with defining the terms relevant to this thesis. Those are in particular terms such as equality and equal treatment, direct and indirect discrimination, positive discrimination, multiple discrimination and age discrimination.

The second part is dedicated to the legal instruments dealing with age discrimination on the international level, in the law of the European Union and finally in the law of the Czech Republic as well. Identifying the relevant legal provisions is especially important for determining the framework on which the case law analyzed in the following parts is based.

The third part of the thesis analyzes the case law of the Court of Justice of the European Union which tackles age discrimination in labour law. The structure of the analysis is based on the structure of the Court's decisions and it tries to identify the most important questions the Court of Justice of the European Union has to deal with when deciding cases related to this topic.

The fourth part mentions some interesting case law of the Czech national courts that deal with age discrimination in labour law.

The conclusion summarizes and assesses the previous findings and evaluates the conclusions reached in the previous parts of the thesis.

Klíčová slova: age discrimination, equal treatment, labour law