

ABSTRACT

The topic of the presented thesis is the legal regulation of equal treatment of men and women and prohibition of discrimination on grounds of sex (gender) primarily in labour law relations and to a certain extent also in some areas of social security law. The main objective of this paper was to create a quite comprehensive but not too theoretical study on the above-mentioned theme which would be focused on the respective enactment both in the legal order of the Czech Republic and in the law of the EU and in several documents of international law.

Before starting the actual construction about the relevant legal regulation the thesis deals with the presentation of some fundamental issues connected with the subject, first of all the explication of the concept of equality and various ways it can be approached, the major demonstrations of unequal opportunities of men and women on the labour market and the historical evolution of women's status in society. Further on the paper focuses on the explanation of the complicated concept of discrimination and its particular forms (above all on the distinction between direct and indirect discrimination) which are being analysed making use of the respective case law of the Court of Justice of the EU.

The actual account of the legal enactment of equal treatment and prohibition of discrimination based on gender commences with the analysis of several selected documents of international law, subsequently the regulation of equal opportunities contained both in primary and secondary EU law is being laid out in relatively considerable detail. The closing chapter of the thesis is dedicated to the legal regulation of the prohibition of discrimination in the Czech Republic and to the relevant judicial decisions of higher Czech courts. It also attempts to critically evaluate the implementation of the respective EU directives into the Czech legal order as well as the level and quality of the practice of Czech courts when making decisions about discrimination cases.