The role of the state in labour relations on the example of the Czech Republic

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The state plays a key role in ensuring the adequate conditions in the labour market.

The primary objectives are:

1) to protect an employee as the weaker contractual party

2) to provide an employer with a suitable and effective tool for organisation and management of employees’ work

3) to maintain high levels of employment
The main roles of the state

- State as a rule-maker and legislator
- State as an arbiter of labour disputes
- State as an inspector of labour relations
- State as an employer in the public sector
- State as a partner in tripartite negotiations
State regulating labour relations
State as an arbiter of labour disputes

1) Individual labour disputes

2) Collective labour disputes
Settlement of individual labour disputes

1) Civil proceedings

2) Mediation

3) Arbitration
# Civil proceedings

<table>
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<tr>
<th>Year</th>
<th>Total amount of legal claims in civil proceedings</th>
<th>Out of it: labour disputes</th>
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As time moved on …

Labour disputes - 1989

12%

Labour disputes - 2014

1%
A growing number of individual labour disputes stays unsettled!

Possible solutions:

1) to reform civil proceedings
2) to improve existing methods of ADR
3) to introduce a new method of ADR
New method of ADR

Goals: fast, flexible, simple, inexpensive

2 stages of ADR – 1) conciliation
   2) arbitration

Challenges:
1) to determine the object of the disputes
2) based on either individual or joint request
3) financial participation of the state and/or the parties
4) requirements regarding the qualification of conciliator/arbitrator
“The courts of this country should not be the places where resolution of disputes begins. They should be the places where the disputes end after alternative methods of resolving disputes have been considered and tried.”

— Sandra Day O’Connor