

## Summary

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The additional employer's liability for accidents at work

The subject of the thesis concerns the matter of employer's additional civil liability in the cases of accidents at work. The compensation of damages related to accidents at work is the subject of the regulation of social security law. Damages caused by accidents at work are generally compensated by the benefits of the insurance against accidents at work, which is the part of social security system. The aim of these benefits is to compensate the damages caused by the accident at work. The loss or reduction of remuneration for work due to short-time incapacity for work are compensated by sickness benefit, rehabilitation benefit and sometimes by training pension. In case of long-time incapacity for work the employee is entitled to get disability pension and under certain circumstances - the right to nursing benefit. The employee is also provided with the health services such as compensation of the costs of dental care and vaccination or orthopaedic supplies. Non-recurrent compensation of insurance against accidents at work is related to the detriment of employee's health and can compensate personal damages. The type and the amount of the social security benefits enable to set the extent of damages compensated by them. Due to schematic formation of the amount of social security benefits from the insurance against accidents at work there might be situations when they do not compensate the full extent of the employee's damage caused by the accident at work. The question arises whether the employer's liability could occur. The aim of the thesis is the analysis of the acceptability of the employer's liability for the damages caused by accidents at work. The present regulations of social security law and labour law do not contain the regulation regarding the acceptability of such liability. It is stated in the thesis that employer's liability is acceptable despite the lack of precise regulation. The analysis of the way how the system of the compensation of damages caused by accidents at work was formed, the principle of full compensation function of tort liability and functional interpretation of Labour Code regulations regarding the compensation of the damages caused by accidents at work draw to conclusion of the acceptability of employer's liability for such damages. Such liability is one of additional feature. The employer can be held reliable in case of accident at work under the Civil Code regulations. The relation of civil law and social insurance law is analyzed especially regarding the extent of the damages compensated by the social security benefits and the prerequisites of them in comparison of the principles of tort

liability according to the Civil Code regulations. The prerequisites of the employer's liability for the damages caused by accidents at work and the prerequisites of the social security benefits differ and therefore the fact that the employee obtained benefits from the social insurance against the accidents at work does not mean that the employer can be held responsible under the Civil Code regulations. The employer's liability is limited to the extent of damages that are not compensated by the benefits from the insurance againsts the accidents at work.