



SAFE WORK

A manual for foreigners and workers
in helping professions

SAFE WORK

A manual for foreigners and workers in helping professions

Authors:

Mgr. Čech Valentová Eva

Mgr. Čížinský Pavel

Mgr. Holíková Klára

Mgr. Hradečná Pavla

Jelínková Marie, PhD.

JUDr. Rozumek Martin

Mgr. Rozumková Pavla

Published by:

Sdružení pro integraci a migraci (Association for Integration and Migration)

Organizace pro pomoc uprchlíkům (Organization for Aid to Refugees)

Multikulturní centrum Praha (Multicultural Center Prague)

Prague, 2014

This publication was created as a part of the '**Foreign employees on the labour market**' project, which is being realised by the Association for Integration and Migration (SIMI), in cooperation with the Organization for Aid to Refugees (OPU) and Multicultural Center Prague. The project's foreign partners are Caritasverband für die Diözese Osnabrück in Germany and Anti-Slavery International in the United Kingdom.

Financed by the European Social Fund through the Operational Program Human Resources and Employment and by the state budget of the Czech Republic.

TABLE OF CONTENTS

FOREWORD	4
SECTION 1 SELECTED TYPES OF STAY IN THE CZECH REPUBLIC	5
SECTION 2 EMPLOYMENT ENTREPRENEURSHIP RECOVERY OF OUTSTANDING WAGES	10 15 17
SECTION 3 SAFETY AT WORK WORKERS' CLAIMS IN THE CASE OF DAMAGE TO HEALTH CIVIL LAW CLAIMS FOR WORK-RELATED INJURIES AND OCCUPATIONAL DISEASES STATUTORY LAW CLAIMS TOWARDS THE STATE	18 20 21 21
SECTION 4 WOMEN AND PARENTS OF SMALL CHILDREN IN THE LABOUR MARKET MATERNITY AND PARENTAL LEAVE FURTHER PROTECTION OF EMPLOYEES RELATED TO MATERNITY	22 23 26
SECTION 5 EMPLOYEE REPRESENTATIVES AND EMPLOYERS	28
SECTION 6 COMMUNICATION AND SAFETY FOR CZECH EMPLOYERS AND SUPERVISORS OR MANAGERS	29
SECTION 7 ADDRESS BOOK – IMPORTANT CONTACTS	32
SECTION 8 ANNEX – EXAMPLES OF FORMS TO BE FILED	36

FOREWORD

Dear readers,

By way of introduction, let us briefly outline the nature and structure of this publication in an effort to provide guidance for your subsequent smooth orientation in the text.

The manual you are holding has been prepared for you by three non-profit, non-governmental organizations. It aims to facilitate the integration of foreigners, eliminate discrimination against this group and contribute to achieving the goal of upholding equal rights of everyone, regardless of nationality. The authors come from the Association for Integration and Migration, the Organization for Aid to Refugees, and the Multicultural Center Prague. Without exception, each and every one of the people involved in the creation of this material brings with them many years of experience, having worked for the non-profit sector in the field of migration. With due consideration, thus, the decision was made to aim the texts directly to foreigners themselves. Given the way individual issues are approached, this material can, and hopefully will, serve a number of other people, too. You may be the staff member of a non-profit organization, or you may be involved with the trade unions, or maybe you just meet foreigners in the private sphere. Either way, together, we can find answers to questions which arise from the everyday life of foreigners in this country. On the following pages, you will find relatively detailed instructions to accompany you in the moments when problems arise. Ideally, one should get acquainted with the information included here beforehand, as it is crucial to be informed and guided in a timely manner.

Our experience shows that even situations that seem to end in a stalemate may actually offer a surprisingly simple way out, so a solution may be found. One just needs to know where to start, whom to go to or whom to completely avoid, how to be prepared and know one's rights, and what may occur and how certain situations can be prevented, if undesirable. All of this, we believe, can be found in our manual.

The manual has been created specifically with regard to foreigners and those who have to deal with the labour market in the Czech Republic. That is why the very first chapter addresses questions connected to issues of residency. It goes without saying that one's legal residence represents an absolutely crucial precondition for subsequent participation in the legal sphere of the labor market. Following that, the second chapter covers the issue of the employment of foreigners. It addresses the commencement as well as the termination of employment, various conditions connected to the employee-employer relationship, as well as further closely related phenomena, such as the recovery of outstanding wages, defense against being discriminated against and a description of the risks associated with the so-called "švarcsystém" (in which a person officially provides services as a self-employed businessman, yet in reality they have the status of an employee: thus, the employer saves money on social security and health insurance payments) and with precarious employment. The third chapter deals with a subject that could stand on its own; it is safety at work. It contains, among other things, advice for work-related accidents and cases of occupational disease. Since some of the issues connected to the area of labour law relate only to women, for whom the legislator therefore in some cases admits a greater level of protection, the fourth section addresses exclusively female foreigners with issues such as pregnancy, breastfeeding, child care, maternity or parental leave. Besides that, it brings practical hints for finding healthy family – work balance in women's lives. Since it is not only women who take care of the children, some of the topics mentioned here are of course of relevance for men as well. The fifth and sixth part represent purely practical chapters which provide both contacts and descriptions of important organizations and bodies mandated to play a proactive role in the matters of foreign employment (Labour Offices, Labour Inspectorates etc.), as well as model contracts, claims and complaints to be used in cases when things are not as they should be and when legal or administrative action has to be taken to settle a dispute in the field of labour law.

The manual has been created as a part of the project Foreign Workers in the Labour Market, supported by the ESF within the operational programme, Human Resources and Employment. It is important to note that the data presented are relevant as of January 1st 2014 at the latest. Since it is very likely that soon a change in legislation will occur, and consequently a change in practice will follow, as it is usually the case with foreigner issues, we recommend that you follow the web pages of our organizations where we try to keep all the necessary information up to date – now and in the future as well.

We would like to express our wish that the lives of all of you who are foreigners to this country may take the right direction – and if not, that you will be able to find a solution to both small and great problems smoothly, in accordance with the law and to your satisfaction. We hope that our manual will become one of your reliable guides. And having in mind those of us who form the majority of society, we believe that this publication will provide instructions on how to help level the playing field for those with a lower starting position: In this case caused by a differing travel document, ID or nationality.

We live here together, and only together can we meet the challenges that integration brings.

On behalf of the authors,
Mgr. Pavla Hradečná

SECTION 1

SELECTED TYPES OF STAY IN THE CZECH REPUBLIC

Nationality and family relations to EU citizens are important aspects on which the residence status of a foreigner is based.

It is important to distinguish between these categories:

1) THIRD-COUNTRY NATIONALS (OUTSIDE THE EU) WITH VISA REQUIREMENTS

- **Short-stay visas** (for stays of up to 90 days)
- **Long-stay visas** (for stays of over 90 days)
- **Long-term stays**
 - for the purpose of doing business
 - for the purpose of employment
 - for the purpose of a family living together in the Czech Republic
- **Permanent residence**

2) FOREIGNERS WITHOUT VISA REQUIREMENTS

3) EU CITIZENS AND FAMILY MEMBERS OF EU CITIZENS

1) Third-country nationals (outside the EU) with visa requirements

SHORT-STAY VISAS (for stays of up to 90 days)

They are visas that are valid for one or more entries and give the right to stay in the territory of the Schengen area for the period indicated in them. The length of the uninterrupted residence or the total length of successive stays in the territory of the Schengen area must not exceed 90 days within every 180 day period. It is necessary to distinguish between various purposes of stay (e.g. employment, family reunification, etc.). Short-stay visas are decided upon by the competent embassies. The application must be filed with a Czech embassy in the country of origin, or in another country where the applicant has either long-term or permanent residence. Some foreign nationals (e.g. US citizens) may apply for this type of visa at any Czech embassy.

The application must include:

- completed application form for a Schengen visa
- valid travel document
- photos
- supporting documents:
 - documents supporting the purpose of residency (e.g. in the case of employment it is possible to provide an employment permit or reference number of the application for the issuance of employment permit)
 - documents relating to accommodation or evidence of sufficient resources for accommodation
 - documents demonstrating that the applicant has sufficient means of subsistence both for the duration of the intended stay as well as for the return
 - information allowing the embassy to assess the applicant's intention to leave the territories of the Member States before the termination of the applied-for visa (e.g. a booked return ticket)
- proof of travel health insurance (it does not need to be a comprehensive health insurance)

When filing the application, the applicant may be asked to have biometrics taken (fingerprints): this may be the case at those embassies which have the so-called **Visa Information System (VIS) running**.

Invitation

Short-stay visas can be applied for upon an invitation to visit the Czech Republic, which needs to be verified at the foreign police department which has territorial jurisdiction over the area where the inviting person is residing. An invitation can be issued by either natural or legal person residing in the Czech Republic. If the inviting person is of foreign nationality, s/he must have a residence permit in the CR. The inviting person agrees to cover the costs associated with food, accommodation and residence of the invited foreigner as well as his or her departure.

Means for the stay

The availability of means for the stay can be demonstrated in a number of ways: by submitting documents that certify the payment of services connected with the stay in the territory; by providing a document stating that the services will be provided free of charge; or by proving to have the following amounts of money available: For a stay of up to 30 days: 0.5 times of the amount specified as the monthly subsistence minimum (2200 CZK for the year 2014) for one day of stay (for instance, for 30 days, this makes $30 \times (0.5 \times 2200) = 33000,-$ CZK).

For a stay exceeding 30 days: 15 times the subsistence minimum (2200 CZK for the year 2014) with this amount being increased by twofold of the subsistence minimum for each additional month of the expected stay in the territory beyond the 30 days (for instance, for 90 days, this makes $(15 \times 2200) + 2 \times (2 \times 2200) = 33000 + 8800 = 41800,-$ CZK). Having the requested funds available can be demonstrated also by presenting your employment contract containing information about your wages.

Proof of accommodation

Both a lease agreement, as well as a written confirmation (potvrzení o zajištění ubytování) must be signed by all real owners of the real estate (apartment, house, etc.), or by the person authorised by the owner to conclude a lease agreement.

An administration fee is to be paid for the submission of the application. A short-stay visa duration may be extended by the police, yet the total length must not exceed 90 days.

The visa application shall be submitted 3 months ahead of the planned trip at the earliest. Most applications are decided upon within 7–15 days. In some cases, this period may be extended to 30 days and in exceptional cases up to 60 days.

LONG-STAY VISAS (for stays exceeding 90 days)

Given the purpose of your stay in the Czech Republic, we distinguish long-stay visas for the purposes of employment, business, family reunification, studies, exceptional leave to remain and other. The application can be filed with a Czech embassy in the country of origin, or in another country where the applicant has either long-term or permanent residence. Some foreign nationals (e.g. US citizens) may apply for this visa at any Czech embassy.

In case of a visa application for an exceptional leave to remain, you apply **within Czech territory**.

The application must include:

- completed application form (black in color)
- valid travel document
- photos (if your picture is not to be taken as part of the biometrics)
- proof of accommodation during your stay in the territory
- travel health insurance for the duration of your stay (it is presented only at the moment when the embassy confirms that the visa has been granted and that you are to come to have the visa attached to your travel document)
- upon request – document comparable to proof of having no record in the Criminal records system (not for foreigners younger than 15 years of age), medical report that you do not suffer from a serious illness
- document confirming the purpose of the stay, i. e.
- for long-stay visas for the purpose of employment either an employment permit or the reference number of the application for an employment permit and the identification of the Labour Office where the employment permit has been applied for; and the means to stay
- for long-stay business visas also the proof of entry to the trade register or trade list, and the means to stay in the territory
- for long-stay visas for the purpose of studies a confirmation of admission to a program of study and the means to stay.

The decision will be issued within 90 days from the date of the submission of the application (in complex cases within 120 days). The validity period of long-stay visas is 6 months (during this time, the foreigner may apply for long-term residence permit in the Czech Republic).

Means for the stay

For a stay exceeding 30 days: 15 times the subsistence minimum (2200 CZK for year 2014) with this amount being increased by the twofold of the subsistence minimum for each additional month of the expected stay in the territory past the first 30 days (for instance, for 90 days, this makes $(15 \times 2200) + 2 \times (2 \times 2200) = 33000 + 8800 = 41800,-$ CZK).

Watch out! For business visas exceeding 90 days of stay, an amount equal to 50 times the subsistence minimum has to be proven available.

How to prove you have the requested means available:

- by a bank statement or a statement by another financial institution released in your name
- by another document on your financial situation from which it follows that you have the required amount of money available
- by a valid internationally recognized credit card

Proof of accommodation

Both a lease agreement, as well as a written confirmation (potvrzení o zajištění ubytování) must be signed by all real owners of the real estate (apartment, house, etc.), or by the person authorised by the owner to conclude a lease agreement.

LONG-TERM STAYS

Long-term stay for business purposes

This type of residence can be applied for if you are either a self-employed person in the Czech Republic (OSVČ, a freelancer registered with the trade register), or if you are a statutory authority (executive director, manager) or member of the statutory bodies of a company or cooperative.

The application is to be filed either at a branch of the Ministry of the Interior according to where your place of residence is, or at a Czech embassy.

The application must include:

- completed form (green in color)
- valid travel document
- proof of accommodation during your stay in the territory
- 2 photos
- proof of registration in the appropriate register (e.g. trade or business register)
- proof of availability of funds for residence
- if you are self-employed (OSVČ): confirmation that you do not have arrears on taxes or on social security premiums, or on contributions to the state employment policy
- If you are the manager or business partner of a company or cooperative: confirmation that the company/cooperative has no arrears on taxes, social security premiums, or the contribution to the state employment policy.
- upon request: submission of income tax assessment.

The decision will be issued within 60 days from the date of the submission of the application.

Long-term stay for the purpose of employment

Employee cards

From 2014 onwards, instead of long-stay visas for employment purposes and so-called green cards, employee cards will be issued. The opportunity to apply for an employee card will be open to the applicants willing to fill one of the positions listed in the so-called register of job vacancies, available to employee card holders. This list will be available on the pages of the Ministry of Labour and Social Affairs of the Czech Republic.

Currently, long-term stay for the purpose of employment can be applied for, if you are working in the Czech Republic as an employee and if your employment permit has been extended.

The application is to be filed either at a **branch of the Ministry of the Interior** according to where your place of residence is, or at a **Czech embassy**.

The application must include:

- completed form (green in color)
- valid travel document and, possibly, a photograph
- proof of accommodation
- contract with the future employer and
- documents confirming competence for exercising the profession

The Ministry of the Interior will decide upon the application for an employee card within the time period of 60 to 90 days. The card is issued for a maximum of 2 years (or for the duration of the employment relationship).

Long-term stay for the purpose of the family being together

This type of stay may be applied for by:

- a spouse;
- minor or adult dependent child of a foreigner with permitted residence or of an asylum seeker;
- minor or adult dependent child of the spouse who is a foreigner with permitted residence or who is an asylum seeker;
- minor in the foster care (or a similar type of substitute family care) of a foreigner with residence permit or in the position of asylum seeker, or in the care of his or her spouse;
- parent, grandparent or guardian of a minor;
- lonely foreign national over the age of 65, or, regardless of age, a lonely foreigner who cannot take care of himself or herself for health reasons, if it is the case of family reunification with a parent or child legally staying in the territory.
- a foreigner who, prior to entering the territory of the Czech Republic, has resided in the territory of another Member State of the EU as a family member of a blue card holder (long-term residence permit for employment purposes requiring high qualification).

The person with whom the foreigner reunites should have a long-term or permanent residence permit and should have stayed in the territory of the Czech Republic for a minimum period of 15 months (in the event of the reunification of spouses, each of them must have reached the age of 20 years) or the person needs to be a blue card holder or successful asylum seeker.

If the application is submitted within 3 months of having been granted asylum, such an application only needs to contain the following documents:

- completed form
- valid travel document
- 2 photos
- proof confirming family ties.

The application can be submitted at a Czech embassy, or at a branch of the Ministry of the Interior, according to the respective place of residence, if you possess a visa allowing you to stay in the Czech Republic for over 90 days, or if you have a long-term residence permit for another purpose.

This application must include:

- completed form (green in color)
- valid travel document
- 2 photos
- proof of accommodation
- document confirming family ties (birth certificate, marriage certificate, etc.).
- consent of the parent /legal representative /guardian, if a child is reunited with another person (consent does not need to be submitted in the event that this is not possible for reasons independent of will, or if the child is already staying in the territory of the CR)
- proof of availability of funds for residence
- travel health insurance.

The decision will be issued within 270 days from the date of the submission of the application to the embassy, or, in the case of cohabitation with an EU blue card holder, within 180 days, and within 60 days for an application submitted in the territory. The validity period covers one year at minimum.

Proof of accommodation

Both a lease agreement, as well as a written confirmation (potvrzení o zajištění ubytování) must be signed by all real owners of the real estate (apartment, house, etc.), or by the person authorised by the owner to conclude a lease agreement.

Funds for the stay

The availability of financial means must be demonstrated by proving the net monthly income of you and the persons assessed together with you. The required amount of the total income for jointly assessed persons is composed as follows:

- of the subsistence minimum (for year 2014, it is 3410,- CZK; if you are assessed jointly with another person, then it is 3140,- CZK and for the second person as well as for any following persons, a distinction is made according to their age: 2830,- CZK for persons aged 15 years and older, if it is not a dependent child; 2450,- CZK for a dependent child aged 15 to 26 years of age; 2140,- CZK for a dependent child from 6 to 15 years of age, and 1740,- CZK for a baby up to 6 years of age); and
- the cost of housing, i.e. the amount which you can prove to be paying for rent, including the utilities – water, electricity, or an adequate amount of the so-called normative cost of housing under Section 26 of the Act No. 117/1995 Coll., on State Social Support.

An example: When you live together with two children of 10 and 3 years of age, and including utilities you pay 13000 CZK for rent, the required amount you must prove for a net monthly income totals to $3140+2140+1740+13000=20020,-$ CZK.

The persons assessed together are the persons you share a household with (e.g. children, parents, spouse, partner), unless they state in writing that they do not live with you permanently and the cost of their needs and your needs are not covered together.

PERMANENT RESIDENCE

Permanent residence can be applied for after 5 years of uninterrupted temporary stay in the territory of the Czech Republic. Without compliance with the condition of 5 years of uninterrupted temporary stay in the Czech Republic, permanent residence can still be applied for under certain exceptions, e.g. for humanitarian reasons, for reasons deserving special considerations, in some cases following the end of proceedings on international protection, etc.

The application can be submitted at a branch of the Ministry of the Interior, or in some cases at a Czech embassy.

If submitted in the Czech Republic, the application will be processed within 60 days. In the case of submitting it at an embassy, the whole process may take up to 180 days.

The conditions to be fulfilled are similar to those in place for the application for a long-term residence permit. An extra requirement is to pass a test on the Czech language. In some cases, the test is not required (e.g. for people aged 65 years of age and older).

2) Foreigners without visa requirements

Without a visa, you can reside in the Czech Republic for a 90 day period during every 180 days. If you want to engage in profit-making activities in the Czech Republic (be it entrepreneurship or employment), you have to arrange for a respective visa or residence permit.

3) EU citizens and family members of EU citizens

EU citizens can stay on Czech territory without any limitations. **As an EU citizen, you can apply for** a confirmation of a temporary stay for EU citizens. Following 5 years of uninterrupted stay in the territory, you **have the option** to apply for a permanent residence permit. If you are an EU citizen and at the same time a family member of another EU citizen, you may apply for a permanent residence permit after just two years of uninterrupted stay; the condition being that you have been a family member of an EU citizen for more than 1 year.

If you are EU family members of an EU citizen, you can apply for temporary residence in the Czech Republic as EU citizen family members, or, if you meet the legal conditions, you can apply for permanent residence.

TEMPORARY RESIDENCE

This type of stay can be applied for in the Czech Republic at **a branch of the Ministry of the Interior**.

The application must include:

- completed form (purple in colour)
- valid travel document
- purpose of the stay
- photos
- proof of accommodation
- if the purpose of your stay is not employment, business or another profit-making activity, you also need a confirmation on health insurance.

If you are a family member of an EU citizen, you need to provide a document proving this relationship (e.g. a marriage certificate).

A decision will be issued within a period of 60 days. The temporary residence permit card is issued for 5 years, or for an indefinite period of time. The card is issued free of charge.

PERMANENT RESIDENCE

Permanent residence can be applied for after 5 years of uninterrupted temporary stay in the Czech Republic or after two years of uninterrupted temporary stay in the territory if you have for at least 1 year been the family member of a Czech citizen or of an EU citizen with a permanent residence permit issued for the territory of the Czech Republic, and in other cases stipulated by law.

The application is submitted at a branch of the Ministry of the Interior.

The application must include:

- completed form (purple in colour)
- valid travel document
- proof of meeting the condition of uninterrupted length of stay or another condition stipulated by the law necessary for permanent residence to be granted
- photos and proof of accommodation.

A decision will be issued within a period of 60 days. The permanent residence card is valid for 10 years, and it is possible to have it extended repeatedly.

SECTION 2

EMPLOYMENT

In order to be employed in the Czech Republic, you must possess the following:

- residence permit for the territory of the Czech Republic (e.g. short-stay or long-stay visa, or residence permit; residence permit is not needed by EU citizens)
- employment contract concluded in writing for the period for which the job shall be exercised, or a contract of service (in Czech called agreement to perform work, dohoda o provedení práce – DPP, or agreement to complete a job, dohoda o pracovní činnosti – DPČ)
- some foreign nationals who neither come from the EU nor have permanent residence here, need also an employment permit issued by the labour office or such an authorisation to stay which implies the right to be employed: a blue card or an employee card.

As an employee you have the right to the same working conditions and the same wages that are normal for Czech citizens!

1) EMPLOYMENT RELATIONSHIP

Commencement of an employment relationship

Prior to concluding a contract of employment, the employer is obliged to notify you of the rights and obligations, which will result from the employment contract, as well as with the conditions of work, the wages and terms and conditions for the payment of wages. **Before signing a contract, consult its content with a lawyer, a non-governmental organization or with a trade union organization.**

The employment relationship is established on the day specified in the employment contract as the day of your commencement of employment. **Do not commence employment without a signed written contract of employment.**

On the other hand, if you are working without a written contract of employment, it does not mean that your work would be illegal, only you will have more difficulties to prove what exactly you have agreed on with your employer.

Watch out! Do not work as an employee while holding a trade certificate and being officially self-employed: such a way to reduce health and social security payments is called “švarcsystém” and it would be considered illegal work!

Duration of employment relationship

The employment relationship lasts for the period specified in the contract. If such a period of time is not specified in the contract, your employment relationship lasts for an indefinite period.

Termination of employment relationship

Following the termination of an employment relationship, the employer shall issue to you a proof of employment. If you request an assessment of your work performance, your employer is obliged to issue it within 15 days.

An employment relationship may be terminated by:

- (a) Mutual agreement
- (b) Dismissal
- (c) Immediate dismissal
- (d) Dismissal during probation period
- (e) Expiration of the period for which it was concluded
- (f) Expiration of your permit to stay in the territory of the CR (the very day)
- (f) Expiration of your employment permit in the territory of the CR (the very day)
- (h) The entering into effect of a judgment imposing the sentence of expulsion from the Czech Republic (the very day)

(a) Termination of employment relationship by mutual agreement

An agreement on the termination of an employment relationship always has to be concluded in writing! You must receive a copy of such an agreement. Before the agreement is signed, always consult a lawyer. Never sign an agreement if you do not agree with the termination of employment. Do not sign an agreement on the termination of employment if the real reason for termination entitles you to severance pay. **We are happy to provide advice about under which conditions you are entitled to severance pay!**

When you terminate an employment relationship by mutual agreement without giving serious reasons, your unemployment benefits will be reduced (in the case that you are entitled to them).

(b) Termination of employment relationship by dismissal

Notice of dismissal always needs to be issued in writing!

An employer can only give you notice of dismissal for reasons listed in the law.

You can give notice to an employer for any reason or without giving reasons. When you give notice without giving a serious reason, your unemployment benefits will be reduced. It is best to hand a notice of dismissal to your employer in person. An employer must, upon request, confirm the receipt of the notice in writing.

The notice period: The employment relationship expires with the notice period coming to an end (2 months at minimum). The period of notice begins on the first day of the calendar month following the delivery of the notice (e.g. if you receive a notice of dismissal on 10. 4., your notice period begins on 1. 5.).

An employer cannot give you notice, among others, when you are on sick leave (you have to have a sick note from a doctor who certifies you are sick), pregnant or while on maternity or parental leave (3 years at maximum).

(c) The termination of an employment relationship by dismissal with immediate effect (being “sacked” or “fired on the spot”)

This is an exceptional way to terminate an employment relationship. It must always be issued in writing and a precise reason must be given, which may not be changed afterwards. The employment relationship ends upon the receipt of the notice of dismissal.

The employer is allowed to terminate your employment relationship in such a manner only in the following cases :

- you have been convicted by a final judgment for intentional criminal offenses or you have been convicted with imprisonment penalties which result in detention for a period longer than 1 year
- you have been convicted by a final judgment for intentional criminal offenses committed while performing work tasks or in direct connection with them, and your sentence comprises imprisonment penalties which result in detention for a period not shorter than 6 months
- you breached an obligation arising from the labour legislation and regulations relating to the work performed by you in a particularly grave manner

The employer cannot immediately terminate the employment relationship with you, if you are pregnant or on maternity or parental leave (3 years at maximum).

You can immediately terminate the employment relationship, among others, if the employer has been owing you your pay for more than 15 days since its due date. If you terminate your employment relationship with immediate effect, you are entitled to compensation for wages at the level of average earnings in the time that corresponds to the duration of the period of notice.

(d) Termination of employment relationship during probation period

Probation period must not exceed 3 months.

Such a termination of an employment relationship must be issued in writing; giving reasons is not required. The employment relationship ends either upon the receipt of notice, or on the date specified in the notice of dismissal.

During the probation period, your employer may not terminate the employment relationship in the first 14 calendar days of temporary incapacity to work (quarantine).

Annulment of employment termination: If you believe that your employer has terminated your employment relationship in an unlawful manner, you can communicate in writing that you want to continue to be employed. In such a case, the employment relationship is not terminated and the employer must continue to pay you compensation at the level of average wages, until a court decides upon the validity of the employment termination. You have to file an action within 2 months from the date of the supposed termination of your employment relationship. **An unlawful termination of an employment relationship can be decided upon by the court only!**

2) EMPLOYMENT CONTRACT

An employment contract establishes an employment relationship between you and your employer. An employment contract is very important especially because of the accurate job description (what exactly are your work duties for the employer going to be), description of working hours and of your wages for the work performed. In the case of a future conflict between you and your employer, it will serve as proof of evidence in settling the dispute.

An employment contract must always be concluded in writing. It must contain the following:

- job description (a precise indication of what actions you will perform for the employer)
- place of work (precise address where you will be performing the work)
- date of commencement of employment
- In the contract of employment or in an amendment to it, it is advantageous for you to include a specification of the amount of the wages for the work performed and the date and method of its payment
- the contract may stipulate the length of the probation period, which may last for a maximum of 3 months, however, it must not be longer than half the duration of the contract and it must not be negotiated until after your commencement of employment.

If the contract does not stipulate what exactly your rights and obligations are with regards to the employment relationship, the employer is required to inform you in writing about these, and must do so within 1 month of the commencement of your employment at the latest. This information must include a specification of the length of vacation, duration of the notice period, weekly working hours and the schedule, wages and the method of remuneration, as well as information on the due date of the wages, and the place and manner of their payment (e.g. the money will be handed to you in person, it will be sent to a bank account, etc.).

Your employer may not force you to do work not agreed upon in the contract of employment. If your job description is to be changed, this must be agreed upon in writing.

It is always necessary for you to have one original copy of the employment contract in writing. **The employer must give you a copy of your employment contract!**

For the year 2014, the minimum wage amounts to 8500,- CZK gross per month for full-time work.

3) WORK AGREEMENTS OUTSIDE EMPLOYMENT RELATIONSHIPS

Besides an employment contract, an employer can also conclude with you a contract on services (DPP – agreement to perform work, or DPČ – agreement to complete a job). These are additional forms of an employment relationship which apply to special legislation, and they should be concluded rather exceptionally.

It is important to see that with these types of agreements, not all the rules apply which are otherwise in effect with regular employment contracts. If you for instance want to arrange for the following in DPP/DPČ agreements: overtime work, occasions when you are hindered from working by an obstacle (illness), vacation and other, you need to agree on that with the employer explicitly, otherwise you are not entitled to them. **Before you sign an agreement, consult its content with a lawyer!**

a) Agreement to complete a job (DPP)

DPP must be concluded in writing. It can be concluded only in such a case that the range of your work will not exceed 300 hours in a calendar year. If you conclude another DPP with the same employer, the overall hours per year are counted together (for instance, upon concluding with one employer a DPP for 100 hours in the given calendar year, another DPP can only be concluded for the maximum of 200 hours in the same calendar year with the same employer). However, if you want to conclude another DPP with a different employer, you have the maximum of 300 hours per calendar year at your disposal all over again.

If you need an employment permit, you must possess one also when your work is based on a DPP agreement. Without an employment permit, it would be illegal employment!

DPP must contain:

- specification of the time for which the agreement is concluded (fixed-term or indefinite)
- work description (what exactly will you do)
- specification of the place, where the work is supposed to be carried out
- the estimated range of working hours, remuneration and the conditions for its payment (it must not be lower than the minimum wage of 50,60 CZK gross per hour in the year 2014)
- It may also include the following: the possibility and manner in which the DPP can be terminated, arrangements for holidays, or specification of personal obstacles to work.

For each month in which your income will be higher than 10000,- CZK, your employer is required to pay for your social security and health insurance premiums. You are not entitled to holidays when performing work based on the DPP, yet it may be agreed upon in the written contract or in an amendment to it. You must always receive one written copy of the DPP.

Following the DPP termination, the employer is required to issue to you a confirmation of employment. If you request an assessment of your work performance, your employer is obliged to issue it within 15 days.

b) Agreement to perform work (DPČ)

DPČ must be concluded in writing. If you need an employment permit, you must also possess one when entering a DPČ. Without an employment permit, it would be illegal employment!

For the entire period for which the agreement was concluded (which is for a maximum period of 52 weeks), work performance may not exceed half of the set weekly working hours.

DPČ must contain the following:

- the specification of the agreed upon work activity
- the range of working hours (work performance must not exceed 12 hours within 24 consecutive hours)
- the period of time for which the agreement is concluded
- the remuneration and the conditions for its payment (it must not be lower than the minimum wage of 50,60 CZK gross per hour in the year 2014).

You must always receive one written copy of the DPČ.

If your contract or agreement does not contain any specification of how the DPČ can be terminated, you can terminate it either by mutual agreement or by a notice of dismissal where no reason needs to be given. In such a case, a 15 day notice period comes into effect, beginning on the day of having delivered the notice to the other contracting party. An immediate termination of DPČ is only possible in the same cases as the immediate termination of an employment relationship.

Following the DPČ termination, the employer is required to issue you a confirmation of employment. If you request an assessment of your work performance, your employer is obliged to issue it within 15 days.

4) EMPLOYMENT PERMIT

With certain foreign nationals, in addition to a residence permit, the law requires also another special permit. Such an employment permit is required for all labour relationships in terms of the labour code, performed by you in the territory of the Czech Republic, i.e. employment relationship, DPP and DPČ. You need it even if you are e.g. working on the basis of an employment contract and of a DPP at the same time, or if you possess two employment contracts, etc.

You do NOT need an employment permit if you are an EU-national or if you stay in the Czech Republic on the basis of:

- permanent residence
- temporary residence of an EU-citizen family member
- long-stay permit for the purpose of the family being together, with a family member staying in the territory on the basis of a permanent residence permit, asylum or subsidiary protection; from 2014 onwards, an employment permit will not be compulsory even for those who are entitled to a long-term stay for the purpose of cohabitation with a foreigner with a long-term stay permit
- granting asylum or subsidiary protection
- long-term residence permit of another EU-Member State national for the purpose of employment, and if it has been more than 12 months since the issuance of this permit
- long-term residence permit for the purpose of the family unification with a foreigner who has long-term resident status in the European Union in the territory of the Czech Republic or in another Member State of the European Union, and who has been, during this stay, employed in the territory of the Czech Republic under an employment permit or a green card for a period of 12 months at least
- you do not need an employment permit if you are graduates of a Czech secondary school or college / university, or if you are a full-time college or university student in the Czech Republic.

The fundamental condition for issuing an employment permit is the labour market situation and the fact that it is a vacancy which, with regard to the required qualifications or temporary lack of free workforce, cannot be filled otherwise. An employment permit has to be applied for at the regional branch of the labour office within whose remit you plan to work.

An employment permit is valid only for a specific employer (who is mentioned in the decision) and for a specific type and place of employment (if you want to work for one employer on two job positions, then you need an individual employment permit for each job; if you want to perform the same job position for another employer, you must obtain a new employment permit as well).

An employment permit is **non-transferable** (another person cannot make use of it) and it is issued for a fixed period of time, 2 years maximum. The issuance of an employment permit can be applied for repeatedly.

The procedure for obtaining an employment permit

An employment permit can be obtained before the arrival to the Czech Republic. An employment permit can be obtained either in person, or your employer or another authorized representative can obtain it for you. The one who will be representing you needs to be granted a mandate to do so.

Application for an employment permit contains:

- Information identifying you (first name (or names), last name, maiden name if applicable, citizenship, social security number (if you have been assigned one) or date and place of birth, place of residence)
- address in the country of residence and mailing address
- travel document number and the name of the authority which issued the travel document
- identification of the future employer (name, address, identification number)
- job type
- place of work and the period for which you will exercise that employment
- possibly, any other information necessary for employment performance

The application must include :

- photocopied pages of your travel document containing your basic identification data
- employer's statement on the willingness to employ the foreigner
- certified official copy (legalized by a notary!!!) of a document proving professional competence for the job to be performed in the Czech Republic (vocational certificate, high school diploma (or equivalent), college/university diploma, etc.).

Documents that are in foreign languages can be presented either as originals or as officially certified – legalized – copies, together with their official translation into Czech language.

Sometimes, documents certifying professional competence required for the job must be superlegalized (or bear the apostille) and nostrified.

Superlegalization and the apostille verify the fact that the document has been issued by the competent authority of the foreign state. Thus, the authenticity of the official stamp and signature on the document, not the content of the document as such, is checked.

Nostrification certifies professional competence required for the performance of the applied for job.

The administrative fee for the application for employment permit amounts to 500,- CZK.

Validity of an employment permit is terminated by:

- the expiration of the period for which it has been issued
- the termination of employment before the expiry of the period for which the employment permit was issued
- the expiration of the period for which you have received a residence permit , or
- if you are not granted or issued a residence permit, or in case it is withdrawn or comes to an end for other reasons.

An employment permit may be withdrawn from you based on the decision of the regional branch of the Labour Office (Úřad práce), if the employment you perform is in conflict with the permission issued, or if it has been issued on the basis of data given by you which was not true.

An employment permit may be extended only with regards to the current situation of the labour market. When assessing your application for the renewal of an employment permit, the regional branch of the Labour Office takes into consideration whether it registers such job-seekers for whom your existing job position would be appropriate in the given moment.

In order to receive an extension of your employment permit and continue working with the same employer, you must obtain both an employment permit from your regional labour office branch and a residence permit from the competent Asylum and Migration Policy department of the Ministry of the Interior.

The administrative fee for the application for employment permit extension amounts to 250,- CZK.

In addition to employment permit, from 2014 onwards, Czech legislation knows the so-called employee card, which brings with it a residence permit and also the permission to be employed in a specific position listed in the Register of vacancies which can be filled by employee card holders (see <http://portal.mpsv.cz/sz>). It is the Ministry of the Interior of the Czech Republic which decides upon the issuance of these employee cards. When a foreign national who is an employee card holder wants to work in a different position (or to increase permitted working hours), s/he must seek the agreement of the Ministry in advance.

A similar regulation also applies to the so-called blue cards: they are a special residence permit intended for foreigners who had completed at least three years of college/university education and who are salaried over at least 37.651,- CZK per month.

5) RIGHTS AND OBLIGATIONS

Contributions

The employer is required to pay for you social insurance which comprises health insurance premiums entitling you to sick pay, premiums for pension insurance and a contribution to the state employment policy. The rate of the social insurance paid by an employee is 6.5 % whereas the employer pays 25 % , amounting to a total of 31.5 % of gross wages. The insurance shall be levied on a monthly basis.

The employer is required to pay health insurance premiums for the employee: the health insurance rate for an employer is 9 %, an employee pays 4.5 %, amounting to a total of 13.5% of gross wages. The insurance shall be levied on a monthly basis.

The employer is required to calculate an advance on the income tax and levy this on your behalf. Income tax is 15 %.

Upon the termination of an employment contract or a DPČ, your employer is required to issue you an employment sheet. The employment sheet must contain the following: data on employment, whether it was an employment relationship or DPČ, the type of performed work, formal qualification achieved, time worked and other information. In case of discrepancies or obligation violations on the side of the employer you can contact the competent financial authority (finanční úřad), social security district administration (okresní správa sociálního zabezpečení), health insurance company (zdravotní pojišťovna) or labour inspectorate (inspektorát práce).

When employed, you have the right to equal treatment as other staff (e.g. with Czech citizens) and you must not be discriminated against by anyone. If in your case equal treatment has been violated or if you are discriminated against, you can file a complaint to the labour office or you can file a claim in court:

- stopping the violation of the law
- eliminating the consequences of its violation
- providing adequate satisfaction (e.g. a public apology) or
- financial compensation for non-pecuniary damage; if your human dignity was significantly reduced (the compensation amount shall be determined by the Court)

What is considered discrimination against is also harassment, including sexual harassment, being discriminated against through a third person, or so-called persecution, which means penalizing a person for having demanded their rights according to the anti-discrimination act.

Working hours and rest

You have the right to a break at work for food and rest after a maximum of 6 hours of uninterrupted work. The duration of the break must be at least 30 minutes.

Overtime work can only be ordered in exceptional cases. It must not amount to more than 8 hours in a single week.

If you are prevented from work due to illness (and have a note issued by a doctor), then do not work and stay at the address that you indicated as your place of residence at the time of illness.

Vacation

Vacation leave per calendar year is at least 4 weeks each year, but a longer period can be agreed upon. You are entitled to vacation in the case of uninterrupted work for one employer for at least 60 days in a calendar year. If you have not worked for the whole calendar year, you are entitled to a respective proportion of the leave (1/12th of the annual holiday for each complete calendar month of the uninterrupted duration of the same employment relationship).

Vacation for days worked: For every 21 days worked you are entitled to 1/12th of your annual holiday leave.

ENTREPRENEURSHIP

The difference between employment and entrepreneurship lies in the dependence or independence of the profit-making activities. While an employee carries out the so-called dependent activity on behalf of the employer, according to the employer's instructions and under his or her responsibility, an entrepreneur carries out an independent, self-organized activity. S/he exercises it on his or her own account and under his or her own responsibility. If an entrepreneur carries out a dependent profit-making activity, e.g. s/he in reality performs work in a company, it may be a case of the so-called "švarcsystém", which is illegal work.

In the Czech territory, it is possible to work as a self-employed person (a freelancer, OSVČ), if you have a trade certificate (živnostenské oprávnění), and legal residence in the Czech Republic (either in the form of a long-stay visa or a residence permit).

You can do business only on the basis of either a notifiable trade (živnost volná) or permitted trade (živnost vázaná). Both of these trade types are trades with reporting obligation only, i.e. authorisation to engage in this trade arises when you meet the legal conditions on the day of reporting with the trade licensing office.

Before you start your business, you need to fill in a registration form that can be either picked up at your local trade licensing office according to your intended place of business and filled in with an official there, or it can be downloaded over the internet. You report your business via this form, and register for paying income tax for natural persons, social insurance (pension premiums and sick pay insurance premiums) – and (if you participate in it) for public health insurance, too.

The registration must include:

- first name
- last name
- personal number (rodné číslo, social security number) – if you have been given one
- date of birth
- place of residence outside of the Czech Republic
- place of residence in the Czech Republic (in case of having permission to stay)
- place of doing business (name of municipality, its district, street name, house numbers (if applicable, two of them – the so-called “descriptive” and “orientative” numbers – číslo popisné a orientační), and zip code)
- the subject of your business, and possibly other additional information relating to the range of your trade certificate
- identification number (if one has been assigned)
- duration of authorised stay (if you reside in the Czech Republic on the basis of a visa authorising you to a stay of over 90 days, or on the basis of a long-term residence permit)
- if applicable, your requirement for an automatic change of your business address to the address of your place of residence.

Conditions to be met in order to work on the basis of a trade certificate:

- 18 years of age or more, legal capacity
- clean criminal record (i.e. the fact that you have not been convicted in final judgment for intentional criminal offenses in connection with business or with the business activities you are registering or applying for, unless you have been exonerated; this is certified by a statement of criminal records),
- furthermore, in the case of permitted trade, one needs to meet specific requirements to be entitled to it.

Notifiable trade (živnost volná): you must only meet the general conditions, i.e. you need to register and prove to have a clean criminal record statement.

Permitted trade (živnost vázaná): for its performance, apart from meeting the general conditions, you need to prove your professional competence.

If you are an EU member state citizen, you can prove your professional competence with a document recognizing your professional qualifications issued by a recognition authority under the law on the recognition of professional qualifications.

The fact that you are allowed to perform work on the basis of a trade certificate can be proven by a statement from the trade register, or if you do not have it yet, by an original copy of your registration notice, with a stamp showing the date on which the notification was delivered to the trade licensing office. The trade register is available online at www.rzp.cz.

Obligations: You must pay taxes and social and health insurance premiums.

You must keep accounts in a proper way, and each year by 31.3. you have to file a tax return for the previous year. As of 30.4., you must present an overview of your income and expenditures for the purposes of health insurance to your health insurance company; by the same date, your social security district administration must have received an overview of your income and expenditures – for the purposes of social insurance.

You can only perform the trades you are licensed for by your trade certificate.

Administrative fee

The fee for registering a trade is 1000,- CZK.

The first trade register statement is free of charge, each additional copy costs 20,- CZK for each side of a sheet of paper.

Changes to the data are reported to the trade office, subsequently, it informs the other authorities. Though it is better to make sure that the change was really reported.

In case you provide your services as part of your profit-making activities, it is very good for you to conclude a written contract with the person to whom you provide your services, e.g. on the provision of services. In the contract, you state the exact range of services provided, the conditions under which these services will be provided, remuneration, etc. **A written agreement provides a guarantee for any potential disputes and facilitates the enforcement of rights.**

Finally, always issue invoices to your clients for the services provided!!! It depends on the agreement between you and the client whether invoicing will take place monthly or as individual payments for each service provided.

RECOVERY OF OUTSTANDING WAGES

Should the employer not pay you your wages within the pay term, you can proceed as follows:

1) If you are the only one who has not been paid their wages, you can proceed by the way of court debt recovery (i.e. wages recovery) under the Code of Civil Procedure. In this case, you will have to file a complaint against your employer (within the general limitation period, i.e. within three years from the date on which the wage became due). Before filing a complaint, it is recommended that you ask the employer in writing to cover the wage claims, and draw the employer's attention to the option of their recovery via legal proceedings if s/he fails to pay. It is also worth trying to draw the employer's attention to the fact that you intend to inform the competent national authorities (e.g. labour inspectorate, labour office, customs administration and financial authority) regarding the violations of labour legislation.

The preparation of filing an action is a rather complicated legal procedure, which non-governmental organizations' lawyers will help you with free of charge or regular lawyers will be of assistance to you for financial compensation. If you are a member of a trade union in your company, the relevant trade union organization may be of help with the recovery of wages and legal assistance.

2) If there are more of you who have not been paid their wages (at least twice), and a period of at least 30 days after the due date of the outstanding wages has expired, you can submit the so-called insolvency proposal against your employer. If a staff member or someone else declares the employer insolvent, they may apply to the labour office for the payment of the outstanding wages up to the amount of three monthly salaries. Following that, the labour office enters into negotiations with the employer.

An insolvency petition can be filed with the competent court. You can do it yourself, but we recommend that you seek assistance either with non-governmental organizations' lawyers, or if you are a member of a trade union, then with the trade union organization, or with the labour office or, as a last resort, use the services of regular paid lawyers.

In the event of insolvency, your wage demands may entitle you to become a priority creditor. In this way, you can recover your wages in the longer-term and you can also greatly complicate the business of your employer, who would have to face insolvency proceedings.

When applying for the payment of outstanding wages to the labour office, you have to prove the legitimacy of your claims either by producing your employment contract, wage assessment, construction diary, witnesses, etc. The wages which you can obtain from the labour office range from the minimum wage (i.e., 8500,- CZK) up to a maximum amount of 35000,- CZK.

3) If you had worked without both an employment and a residence permit, thanks to the so-called EU Sanctions Directive (2009/52 /EC), you have a choice between filing an action and calling on the competent government authority to start procedures to recover outstanding wages.

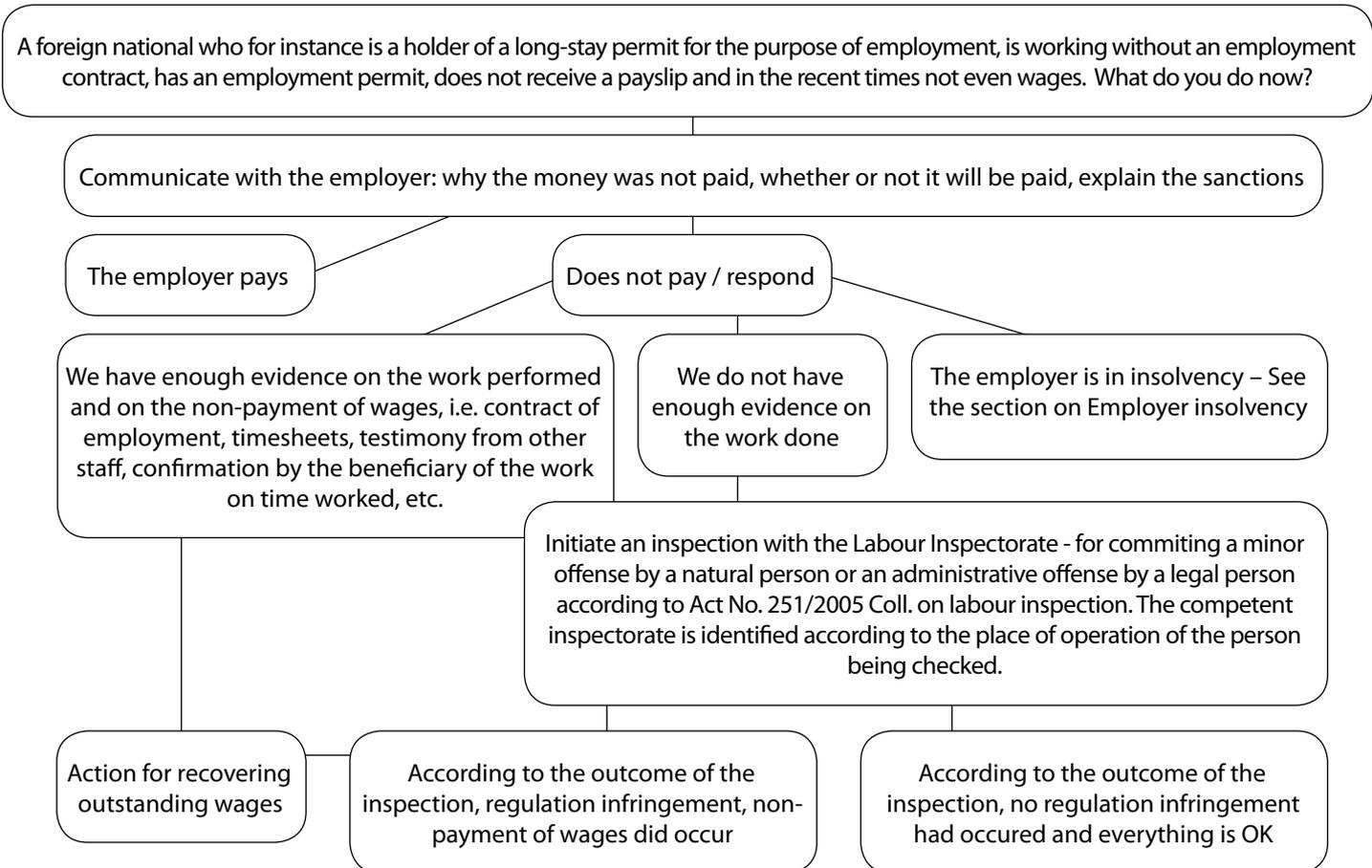
Again, we recommend that you first notify your employer on your outstanding wages, and draw his or her attention to the high sanctions imposed for illegal employment, as well as to possible criminal liability and duty to pay both back payments to public budgets, as well as to return the funds paid to the employer out of public budgets, including the resources gained through public procurement and from EU funds. Consult your course of actions with a lawyer!

It comes to your advantage if you cannot prove the amount of your outstanding wages, then the law presumes that your employment lasted for three months at minimum, for which you are entitled to wages.

Besides that, third parties (trade unions, non-profit organizations) have the right to engage on your behalf or in your support in any administrative or civil proceedings, including the recovery of wages, even in your absence from Czech territory.

If you are an illegally employed minor or you had been employed without a residence permit and under particularly exploitative conditions, you may even be granted a residence permit.

Possible steps to be taken during the recovery of outstanding wages



At any time during the course of action, an acceptable solution can be agreed upon with the employer and the authorities do not need to be involved any more.

SECTION 3

SAFETY AT WORK

Health and Safety at Work (hereinafter HSW) include several major issues, such as fire protection measures or rules for proper sitting at the computer.

As an employee or self-employed person (OSVČ a freelancer, i.e. businessman/woman), you should take care of your health at work. In order to do so, it is appropriate at least to know your basic rights and obligations as regards HSW. These are mainly:

- Obligation to take care of health and safety at work, both in the case of employment under the labour code as well as in the case of another work performance
- Worker claims in the case of personal injuries (accidents at work, occupational diseases)

OBLIGATION TO CARE FOR HEALTH AND SAFETY AT WORK

In our society, health protection is one of the key priorities and it plays a big part also in the world of work. Performance of work activities (either dependent or independent) must never lead to damage to health; health protection takes precedence over the efficiency of work performance.

No worker is required to put his or her life or health at stake at work. The only exceptions are members of security forces such as police officers or firefighters.

If you are an employee, the labour code contains a provision entitling you to refuse the performance of work which you are reasonably concerned may immediately and seriously threaten your life or health, or the life or health of other persons. Such a refusal may not be considered as a failure to meet the obligations of an employee.

If you are self-employed (OSVČ, a freelancer), the labour code does not apply to you; however, when performing independent work activities, you are no one's subordinate – and therefore no one can make you perform dangerous work. Of course, even a self-employed person has the right to protect their health at work. S/he is even obliged to do so. The new civil code generally stipulates that everyone is obliged to act so as to avoid unjustified injury of the freedom, life, health, or property of another person, if required by the circumstances of the case or practice of private life. Each work performance is no doubt a case in which this preventive obligation is imposed.

In employment, the person primarily responsible for ensuring the health and safety at work is the employer. First, the employer must comply with one of the basic principles of employment relations, which are “satisfactory and safe working conditions”.

The employer must fulfill the following general obligations:

- To ensure the protection of the health and safety not only for their employees, but for “all natural persons, who, to his/her knowledge, are present at his/her workplaces”
- To bear all the costs associated with HSW, while these costs may not be even indirectly transmitted onto employees
- To provide the employees with such working conditions that they can properly carry out their job tasks without risking damage to health or property. If deficiencies are found, the employer is obliged to take measures to eliminate them
- To evaluate the health risks of work, constantly inform employees (even those employed by other employers) about health risks, take measures for emergencies such as fire or flood and ensure preventive health care for employees
- To properly train the staff in the field of HSW. In order to minimize health impact, adapt working conditions to the needs of employees continuously and replace physically strenuous work with new procedures
- May not choose such arrangements for rewarding employees, which expose the employees to a higher risk of health damage and the application of which would increase work efficiency but lead to health and safety risk for workers
- To ensure a ban on smoking in the workplace
- In case of health risks, provide staff with personal protective equipment (e.g. safety helmets, glasses or heated jackets, detergents), and – in a working environment, in which clothing or footwear is subject to extraordinary wear and tear or pollution or serves a protective function – also with work clothes and/or shoes. The provision of this equipment may not be compensated for financially.
- To either possess the professional competence to assess and prevent risks of potential danger to life or health, or employ the so-called security officer.

Training in HSW should not be replaced by simply putting a signature beneath instructions concerning this issue. In training as well as during all instructions, ask for these to be performed or presented in a language that you understand really well!

The employer has a number of other special duties to be applied to certain employees. It is especially such employees who perform more risky categories of work. Further, these duties concern women in relation to pregnancy and maternity and under-age workers, who are, besides that, prohibited from performing certain types of work.

The above-mentioned obligations concern employers and their duties to employees. As an employee, you have the right to demand that your employer meets all these obligations. However, you must also meet certain obligations; in particular:

- to comply with the measures taken by the employer and take part in creating a secure and healthy environment (e.g. the obligation to communicate to your employer any shortcomings and deficiencies found in the workplace and all accidents at work)
- to refrain from the consumption of alcohol and other addictive substances in the workplace, and when under the influence of such substances not to enter the workplace.

If you fail to comply with your obligations in the area of HSW, you are at risk from being dismissed and being obliged to compensate your employer for damages!

For your own health and safety, comply with the instructions of your employer or superior. Use the work and protective equipment you are given!

The employer is controlled by labour inspectorates, public health authorities and other authorities entitled to imposing fines on the employer. You can make a complaint regarding the employer to these bodies. If the complaint is made in writing, the labour inspectorate is required to inform you of the result of its inspection.

If an employer penalizes an employee for filing a complaint, s/he would have committed an offense and a fine of up to 400000,- CZK would be outstanding.

WORKERS' CLAIMS IN THE CASE OF DAMAGE TO HEALTH

Even for damage to health connected to work we must distinguish whether a dependent activity – employment, or independent activity – self-employment was carried out. In the case of an entrepreneur suffering work injuries, damage is borne by him or her alone; only in the case that his or her injuries or illness were caused by another person, does s/he have the right to claim damage from this person under the civil code. From the legal point of view, in the case of an employee, damage to health can take the following forms:

Work-related injury is

- “damage to health or death of an employee, if caused regardless of his or her will by a short-term, sudden and violent effect of external forces during the performance of work tasks or in direct connection with them.” An injury may be classified as work-related independently of whether damage to the employee’s health led to an inability to work or not. External forces can mean both human (damage to health caused intentionally) as well as mechanical, thermal or chemical energy. Work-related injury can be caused by psychological factors, too (e.g. by workload, or due to conflicts). Courts recognize as work-related injury even situations of a sudden strenuous effort, as a result of which the employee suffers from personal injury (e.g. collapse or heart failure) or a work situation under significantly harder conditions.
- On the contrary, a heart attack which an employee suffered after s/he was given notice of dismissal was not qualified as a work-related injury by the court.

Under the labour code, work-related injury is also an injury which an “employee suffered for carrying out work tasks” (e.g. when the employee is out of working hours and is assaulted because of his or her job). However, an accident/injury which occurs on the employee’s way to work and back, does not qualify as work-related injury.

Occupational disease

Occupational disease arises during the exercise of a given profession; nevertheless, such a disease must be listed in the respective government regulation. For compensation for occupational disease the last employer for whom the employee had worked prior to the discovery of the disease and where the prevailing conditions gave rise to the disease shall be responsible. Given the proportion of the years worked, this ‘last’ employer can then seek a proportional compensation with those employers for whom the staff member had worked before.

Another injury resulting from the violation of legislation or from intentional acts against best practice: these cases do not classify either as work-related injuries or as occupational diseases. For illustration, let us think of a situation where the employer had not provided staff with work equipment and as a result of that, an employee fell ill with a disease; that is not listed as occupational disease.

Employer’s responsibility for damage to health is always objective, i.e. the employer is also responsible for that damage that s/he could not and did not cause.

It is sufficient that the damage to health occurred while “carrying out work tasks or in direct connection with them” (e.g. while changing into the work clothing or during a work break). The only exception to the employer’s liability is such a case when the damage was caused (also) by the injured employee. With a work-related injury, however, the labour code is even stricter on employers: Here, the employer may be entirely exempt from liability only if s/he can prove (the burden of proof is therefore on employers) that

- damage to health of the injured staff member occurred by his or her fault: s/he broke laws, regulations, or other rules or guidelines intended to ensure safety and health at work, although s/he had been duly informed about these and their knowledge and compliance with them had been consistently required and controlled, or
- damage to health was caused by the intoxication of the injured employee with alcohol or by the abuse of other addictive substances and the employer could not prevent the damage, and these facts were the only causes of the injury.

Partly, the employer may disclaim liability for work-related injury if s/he can prove (the burden of proof is once again on the employer) that the damage resulted from

- as a result of the facts mentioned above – see (a) or (b) and that these facts were one of the causes of the damage,
- because an employee acted in conflict with normal behaviour so that it is clear that, although s/he has not broken laws or other regulations (but not the general preventive obligation) or guidelines to ensure safety and health at work, s/he still acted recklessly: and this despite the fact that given his or her qualifications and experience, s/he must have been aware of the possibility of causing damage to his or her health. Normal carelessness and actions resulting from work risks are not considered reckless conduct. In these cases, the employer shall reimburse the injured employee at least 1/3 of the damage.

The employer is unable to disclaim liability even partially in the cases where an employee has suffered a work-related accident while preventing damage to the employer or while avoiding danger directly threatening life or health, unless the employee had deliberately caused that situation.

In respect to damage to health, which is not either a work-related accident or occupational disease and for which the employer is responsible, the employee must demonstrate that there has been an infringement to legal obligations (e.g. breach of the obligation to ensure safety at the workplace), and that such a breach led to the damage to health (one can imagine that such a damage could be e.g. the collapse of an employee after s/he is notified by the employer that s/he shall not be paid his or her wages). Again, it is difficult to decide whether the employer had a real option not to breach the obligation or not.

In the event of a work-related injury, the employer is obliged to document it, and to report and clarify the causes of such an accident at work, together with the injured employee and the trade union organization.

CIVIL LAW CLAIMS FOR WORK-RELATED INJURIES AND OCCUPATIONAL DISEASES

In the case of a work-related injury or an occupational disease, the employee is entitled to all of the following from the employer:

- Claim for compensation of lost earnings, both during the period in which the employee is unable to work and afterwards (plus potentially lost pension benefits); the employer must pay to the employee the difference between his or her average earnings before the injury and after (sick pay, disability pension, lower wages);
- Compensation for pain and more difficulty with future employment in society;
- Claim for reimbursing justified costs related to treatment (regardless of which country the person is treated in);
- Compensation for material damages (e.g. broken glasses or car used at work with the employer's consent); and
- In case of death – claim for compensating the costs of a funeral, living costs of the bereaved and a one-time compensation (husband and any child not provided for are entitled to CZK 240 thousand each; parents only if they lived with the deceased employee in a single household).

The employer is obliged to discuss the form and amount of the compensation with the employee and a labour union without undue delay.

If the employer does not pay these claims voluntarily, the employee must turn to the courts. The employee's rights generally become void after 2 to 3 years from the day on which the employee learns about the damage and the fact that the employer is responsible. The right to compensation for lost earnings as a whole remains valid, however – only the claims for individual (monthly) payments of these claims are time-barred. If any person suffers an injury not as an employee, but an independent entrepreneur, and if this injury was caused by another person, the entrepreneur has essentially similar rights as an employee does towards his or her employer, with the following differences:

- the injured person must prove guilt of the other party
- the claim for compensation of lost earnings may become void in its entirety if not applied in the defined period

STATUTORY LAW CLAIMS TOWARDS THE STATE

In addition to the above, injuries may also have consequences in public law. The following situations are significant from the perspective of criminal law: if a work-related or any other injury was caused as the consequence of a crime, the police (if the police learn about it, but anyone may draw attention to a case by filing charges) should start prosecuting the guilty party; the injured person may propose to the court to issue, together with a verdict of guilty, also the duty to compensate for damages (where damages are all the claims listed above). This mechanism, known as an adhesion procedure, makes it much easier for the injured to exercise their rights.

There are, however, also certain property rights that create obligations of the state towards the injured person:

- if the person becomes unable to work – s/he has the right to a sickness benefit in accordance with the Health

- Insurance Act if the person pays health insurance: for 380 days in which the person is unable to work (sometimes more), he or she is entitled to sick pay, typically at 60% of the average earnings, first directly from the employer and after 2 or 3 weeks from the Czech Social Security Office (Česká správa sociálního zabezpečení); and
- if the injury results in disability – s/he has the right to disability pension in accordance with the Pension Insurance Act:
1. Disability is defined as a long-term (usually at least 1 year) adverse health condition that led to a decline of the ability to earn money by a certain percentage (there are 3 levels of disability recognised in the Czech Republic), specified by a regulation of the Ministry of Labour and Social Affairs
 2. In order to become eligible for a disability pension, it is necessary either for this disability to be caused by a work-related injury (see above) or the person must have been paying social security insurance for a certain period (in practice, this is a specific number of years of wage-earning activities from which social insurance premiums are paid, or another time period that can be included in a pension claim); for persons over 28 years of age, the required period of insurance is 5 years.

Disability pension is calculated from the earnings of the person at the time before the disability.

SECTION 4

WOMEN AND PARENTS OF SMALL CHILDREN IN THE LABOUR MARKET

The question of how to combine work and family life is very difficult for many people and women in particular. It is natural that just like native Czechs, you are trying to balance your family and working life, keep your job and ideally also your career while having enough time to care for your child. The difficulties you are facing in this respect as a foreigner, however, may be much greater than for most Czechs.

You may have already encountered:

- more difficult access to employment;
- receiving less money for the same work than others;
- worse working conditions.

You do not have to tolerate that! The law is on your side here.

Many of you as foreign women have unfortunately encountered discrimination in the workplace. The reason is that there are two sources of discrimination working here together – foreign women are discriminated both for their motherhood and their origin.

As you can see, the barriers here are twice or even three times as high (as some employers discriminate against women in general), resulting in a minimum chance of finding dignified work.

For this reason, read carefully what you are entitled to as a female employee in the labour market and what your employer has to do or may choose to oblige.

The law explicitly says that the employer must not ask you for any information that is not directly related to your work and the basic employment relationship. This for example means that the employer is not allowed to request information on your pregnancy or family status.

If you are a woman, pregnancy and care for newborn children naturally make your position in the labour market more difficult, but on the other hand, the Czech state recognises the importance of motherhood and tries to compensate with its laws:

- If you have a child or are taking care of a child, you are under certain circumstances entitled to maternity and parental leave.
- The employer must not discriminate against you when you are signing an employment contract or afterwards.
- You are entitled to a range of benefits including the adjustment of your working hours, breastfeeding breaks or the option to be reassigned to another, less demanding job.
- No employer or any of your colleagues may treat you in a way that is considered harassing (e.g. due to your origin) or expose you to sexual harassment.

These claims are defined by the law and all employers must oblige.

Similar legal measures apply also to men who are taking care of a child.

If your employer discriminates against you, do not be afraid to defend yourself and your rights.

Means of defending yourself:

- Tell your employer that he is violating the law and demand remedy. The law says that the employer must not punish or disadvantage you in any way for lawfully demanding your rights defined by the labour code or for defending yourself against discrimination.
- You can turn to the competent labour office and submit a request for investigation of compliance with labour regulations (in cases of violations of employment regulations and protection of employers in cases of insolvency of the employer).
- You can also contact the labour inspectorate (this office investigates violations of duties arising from an employment relationship).
- In some cases, you can also seek remedy from the Ministry of Labour and Social Affairs.
- But you can also turn directly to the courts. Your charges should be submitted to the regional court (in Prague the district court and in Brno the city court) that corresponds to the place of residence of the employer whom you are suing.

MATERNITY AND PARENTAL LEAVE

The law considers maternity and parental leave significant personal obstacles preventing employees from performing their job. The important thing is that they are considered time spent working!

Maternity leave

Maternity leave is intended exclusively for economically active persons who have lost their income due to pregnancy, childbirth and subsequent child care.

Maternity leave lasts 28 weeks and starts 8 to 6 weeks before a planned childbirth. Only if you have two or more children at once, maternity leave takes 37 weeks.

Maternity leave accompanying childbirth may not be shorter than 14 weeks and may not end or be interrupted earlier than 6 weeks after the date of the childbirth.

For the entire duration of your maternity leave, the employer is obliged to keep your job position vacant. Once you return to work, the employer has a duty to give you the same job at the same workplace. Only if this is not possible (for example because your branch of the company was shut down), the employer must find another position for you corresponding to the agreed type of work defined in your contract.

Financial maternity benefit is provided to you on maternity leave. It is paid out through benefits from the sick pay insurance system. The exact rate is defined by law; currently, it is 70% of your reduced daily uniform rate per calendar day. The specific amount is always calculated by the Social Security District Administration office (Okresní správa sociálního zabezpečení) of the district where your employer is registered; the same office will be also paying the benefit.

You will receive the financial maternity benefit if you meet two conditions:

- on the day when your maternity leave starts, you are in a legitimate employment relationship and participate in sick pay insurance (or when your maternity leave starts in a protected period – see below); and
- in the last two years prior to that date, you had been paying sick pay insurance for at least 270 days.
- If you are self-employed (OSVČ), you must be taking part in health insurance as a self-employed person for at least 180 calendar days in the last year before the support period starts.

If your insured employment ended during your pregnancy, you are in a “protected period” in which you are entitled to the maternity benefit; this period lasts for as many calendar days as your last employment, but for no longer than 180 days.

The application for the benefit, which is typically filled out by your doctor, must be given to your employer. The employer will then send it to the competent Social Security District Administration office. You will receive a written notification stating that you will be receiving the benefit, for how long and in what amount. If you disagree with the amount, you may request a review of your case from the Social Security Administration; this review will be concluded by issuing a decision that you may lodge an appeal against.

You may start drawing the benefit for 7 more days after your employment ends (in a protected period).

Unemployed women are not entitled to the benefit and typically receive a parental benefit.

It is possible to alternate child care with your husband or the child's father. But you have to sign a written agreement about it.

In this case, each of you is entitled to be paid part of the financial maternity benefit. Alternating child care is possible from the beginning of the 7th week after the date of birth, and you can alternate as often as you like. For men, however, there is another condition stating that they must be taking care of the child for at least 7 consecutive calendar days.

Parental leave

According to the law, the purpose of parental leave is to help you take care of your child. Parental leave can start after maternity leave and may not last longer than until the child reaches the age of 3 years. The employer is obliged to find a job position for you after you return from parental leave, but it does not have to be the same job as before. You are only entitled to a position corresponding to the form of work agreed in your employment contract.

If you want to remain on parental leave until the child is 4 years old, you have to first reach an agreement about this with your employer.

The child's father may start his parental leave immediately after the child is born. The father does not have to be your husband, but he must be identified on the child's birth certificate.

At any time, only one parent may be on parental leave, and never both at once!

If you do not meet the conditions for maternity leave and the financial maternity benefit, you may start your parental leave immediately after childbirth and apply for the parental benefit.

Parental benefit is provided by the social security system and can be received for example during your parental leave. It is paid regardless of your income. It may not, however, exceed 70% of your previous earnings or CZK 11,500 per month.

If you meet all legal requirements, you may choose to receive this benefit over the course of two, three or four years.

Those who choose a higher benefit will finish drawing it sooner.

For some foreigners, the law requires you to stay in the Czech Republic for an uninterrupted period of one year.

This period of 365 days in the country's territory, however, does not include a period in which the person is applying for international protection and staying in a residential facility of the Ministry of Interior. It is only possible to receive the benefit if the person in question and those assessed in relation to this person have a registered permanent residency (citizens) or permanent residency (foreigners) in the Czech Republic and live there.

If the failure to meet the condition of an uninterrupted stay were to have very serious consequences, the regional office corresponding to the place of residence of the person may in justified cases grant an exception from this rule.

Citizens of the European Union are also entitled persons.

The period for which you receive the parental benefit does not have to correspond to your parental leave! Any parent who is taking care for the youngest child in a family under the age of 4, if it is in person, full-time and for an entire calendar month, is entitled to the parental benefit. The condition of taking care for a full calendar month is however considered met even when it technically is not, for example in the following situations:

- a child under 2 years of age attends a nursery or a similar facility for a maximum of 46 hours per calendar month;
- a child under 2 years of age regularly attends a medical/rehabilitation facility, kindergarten or a kindergarten class for children with disabilities, or nurseries providing specialised care for children with sight, hearing or speech impairments or with physical or mental disabilities, for no more than 4 hours per day;
- a child with a long-term disability or a child under 2 years of age with a severe disability regularly attends a pre-school facility for no more than 6 hours per day;
- a child whose sole parent or both parents are dependent on the assistance of another person, may attend a nursery, kindergarten or similar pre-school facility for no more than 4 hours per day;
- a child over 2 years of age attends a kindergarten or a similar facility without limitations.

It is important to know that the parent's earnings are not monitored, which means that you can work or earn money on the side while receiving the parental benefit.

In this case, however, the child must be cared for by another adult (grandmother, nanny etc.).

As a parent, you can choose the amount and with it also the period in which you'll be receiving the parental benefit:

- quicker drawdown – provided until the child reaches the age of 2 at a maximum rate of CZK 11,500 per month. This form can only be requested by parents who are entitled to the financial maternity benefit;
- classic drawdown – provided in the default amount of CZK 7,600 per month for 31 months; this form can only be requested by parents who are entitled to the financial maternity benefit;
- slower drawdown – provided also to parents who were not entitled to the financial maternity benefit; the paid amount is the default rate (CZK 7,600 per month) until the child reaches 9 months of age, and afterwards a reduced rate (CZK 3,800) until the child reaches the age of 48 months. The four-year option of the parental benefit is therefore provided to mothers without sick pay insurance (e.g. unemployed or students) if the father also does not meet the insurance condition.

You need to apply for the benefit with the period and amount you have selected in writing at the social department of your regional branch of the Czech Labour Office (Úřad práce) corresponding to your place of residence. The application is written on a special form. The competent office is determined from the parent's place of residence. At the Labour Office, you have to present an identification document, fill out the application, provide documentation proving your daily uniform rate (e.g. proof of income from your employer) and the child's birth certificate.

You can change the selected period and amount of the parental benefit every three months if you or the child's father paid your health insurance premiums. If not, the benefit will be paid out in the slower variant.

If you have another child, your claim to a parental benefit for the older child becomes void, even if you are entitled to a parental benefit for the newborn child immediately after birth at the same amount that until then applied to the older child. You must inform the competent office of this change to ensure the benefit is not overpaid.

If it is possible to claim care benefits (e.g. due to disability) for the youngest child in the family for whom you are entitled to receive parental benefits, you can apply in writing to receive both benefits at once.

Exceptional situations during maternity and parental leave

In the tragic event that the child dies while you are on maternity or parental leave, the leave will last for 2 more weeks after the death of the child, but for no longer than until the day when your child would have reached the age of 1 year.

If for health-related reasons, your child is admitted into care at a residential nursery or another medical facility and you return to work, your maternity/parental leave will be suspended until you take the child back in your care.

There are cases when mothers or fathers stop taking care of their child. In this case, the child is taken away from its parents and provided with foster or institutional care. The parents will be no longer entitled to maternity or parental leave.

Maternity and parental leave are your right, not your duty. The only duty you have is to inform your employer without undue delay when exactly you are going to start your maternity or parental leave.

The period of maternity leave (and the time for which a child's father is on parental leave while the mother is entitled to maternity leave) is considered time spent working. Parental leave, however, is not considered time spent working.

Mothers who finish drawing their parental benefit before the end of their parental leave will not receive any other benefit during the leave. For the remainder of their parental leave, however, they do not have to pay health or social insurance. Health insurance will be paid by the state. Personal care for a child under 4 years of age is considered a special period in terms of insurance during which insurance premiums are not paid, but the time is still taken into account in the calculation of pensions.

If mothers decide to take care of their child for even longer, insurance is again paid by the state – specifically, until 7 years of age for mothers with one child, and until 15 years of age for mothers with more children. You have to notify the competent social administration office of this fact by filling out an application; you also have to apply at your health insurance company if you want the state to pay your premiums.

The same rights of course apply to fathers who are taking care of children.

FURTHER PROTECTION OF EMPLOYEES RELATED TO MATERNITY

In addition to maternity and parental leave, the law also gives you various rights at work.

Reassignment to another job and compensatory benefit

If you are pregnant, breastfeeding or have a child under 9 months of age, and are performing work that is forbidden to you, the employer must reassign you to another position.

Forbidden work means both any type of work prohibited to all pregnant or breastfeeding women, as well as work forbidden to you specifically by your physician as dangerous to your pregnancy or maternity.

If you are pregnant, breastfeeding or have a child under 9 months of age, and are working at night, the employer must reassign you to another (day) work upon your request.

Employers are also obliged to reassign pregnant employees to another job if, based on a medical statement issued by a preventive medical facility, the pregnant employee was deemed incapable of night work.

If this new job pays less, you may ask for a compensatory benefit. This benefit is paid from health insurance and is provided to those who were reassigned to another job and through no fault of theirs are now earning less than before. Compensatory benefits in pregnancy are paid for calendar days in which you were reassigned to another job for no longer than until the beginning of the 6th week before the expected day of childbirth; in some cases, this benefit is also paid to mothers after childbirth who are reassigned to another job.

Care benefit

You are entitled to receive a care benefit if you as an employee cannot work, because you have to:

- provide care to an ill member of your household; or
- provide care to a healthy child under the age of 10 because a school or other facility for children was closed (due to an accident, epidemic or other unforeseen occurrence), the child was placed in quarantine or the person who normally takes care of the child fell ill.

Care benefits cannot be provided for children for whom (typically) the other parent has already applied for the financial maternity contribution or parental benefit, with the exception of situations in which this other person fell ill, suffered an injury, is in another situation defined by law, gave birth or was quarantined, and cannot therefore continue to take care for the child.

The care benefit is provided at 60% of your daily uniform rate. The support period for the care benefit is at most 9 calendar days. For single employees who are taking care of at least one child under 16 who has not finished compulsory school education, the support period is at most 16 calendar days.

Working conditions

Pregnant women and women taking care of a child under 1 year of age must not be ordered to work overtime.

If you are pregnant or have a child under the age of 15, you may ask your employer to shorten or adjust your working hours. The employer is obliged to accommodate your request, unless there are serious business reasons preventing it.

The employer must also take your needs into account when assigning you to shifts because you are taking care of children. The same protection again applies to men in similar situations.

Due to its nature and particularly the health risks it poses, overtime work should be an exception and only performed in cases which do not concern you at all as pregnant women or mothers and fathers with small children.

Termination of employment

In general, and not only for women, employers may not immediately terminate your employment or give you notice of termination while you are on sick leave.

Notice of termination

Employers may not give you notice of termination while you are pregnant or on maternity or parental leave.

You also cannot be given a valid notice when you have been pronounced temporarily unable to perform night work. If you received your notice before the beginning of the protected period and the time of notice ends within this period, the protected period is not included in the period of notice. This means that your employment will remain valid for the entire duration of your protected period and afterwards for the remaining part of the period of notice, unless you explicitly tell your employer that you do not insist on prolonging your employment.

This clause preventing termination of employment however does not apply to notices given due to organisational changes, relocation of the employer or other reasons for which employers may immediately terminate employment if you're not a woman on maternity or a man on parental leave (during the time for which the woman is entitled to maternity leave). If you have been given notice for one of these reasons before the start of your maternity (parental) leave and the period of notice ends during this maternity (parental) leave, the period of notice will end at the same time as your maternity (parental) leave.

You, on the other hand, may give notice for any reason or even without providing any reason at all. You may give notice at any time, even on maternity or parental leave, regardless of whether you are a mother or a father.

Invalid termination of employment

During pregnancy, maternity or parental leave (regardless of whether the mother's or the father's) before the child reaches the age of 3, your employer may not give you notice of termination, including in cases where otherwise it would have been possible to terminate your employment immediately.

Note that this protection does not apply to you if:

- you are employed for a fixed time period;
- you are in trial period;
- the employer's organisation is being closed or relocated.

Immediate termination of employment

Employers are not allowed to immediately terminate your employment if you are pregnant, on maternity or on parental leave.

You may immediately terminate your employment at any time, as described above in section 2. You however have to respect all legal requirements. You may immediately terminate your employment if you have a medical statement saying that you cannot continue to perform your job without serious threats to your health, and the employer has not given you the option of reassignment to another, more suitable job within 15 days after receiving this statement.

Using your vacation time

During maternity or parental leave, employers **may not decide when you should use your vacation time.**

If you are:

- *a female employee and ask the employer for vacation immediately after your maternity leave ends, or a male employee and ask the employer for vacation immediately after your parental leave that took as long as maternity leave ends, the employer must accommodate your request.*

Your "regular" vacation is suspended when you start your maternity or parental leave.

Significant personal obstacles

*In addition to your absence from work during maternity or parental leave, employers must also excuse your absence when you are **caring for a child under 10 years** for certain reasons defined by law, or if you are **taking care of a child instead of someone else** who had to undergo a medical examination during working hours.*

Reasons for which your employer must excuse your absence from the workplace and the need to take care of a child include the child's illness or injury, but also cases when a kindergarten or school is closed for serious reasons (quarantine, accident or epidemics).

SECTION 5

EMPLOYEE REPRESENTATIVES AND EMPLOYERS

It is generally accepted that in the relationship between employers and employees, an employee is in a weaker position. In order to compensate for this power differential, employees should organize themselves and elect representatives who will enforce labour rights and ensure good working conditions on behalf of employees towards an employer. These representatives may be:

- **employee council**
- **representative for health and safety at work**
- **trade union organization.**

Upon commencing an employment, inform yourself as to whether there are such representatives in your new employment and how they may be of assistance to you.

Employee council can be elected by employees to ensure their right to statutory information and to be consulted by management over statutory workplace matters. The council shall have not less than 3, and no more than 15 members, always having an odd number of members. The term of office of the council shall be three years, as long as the number of its members is greater than 3. The council is elected by all employees upon a proposal coming from at least one third of the employees working for the employer, and at the costs of the employer.

A representative for health and safety at work may be elected by employees to ensure their right to information and to discuss matters related to this area. The total number of these representatives depends on the total number of employees working with the employer and on the degree of risk of the undertaken work. It must, however, be possible to establish no more than one representative per 10 employees. The term of office shall be three years, and as regards the election of this representative and the termination of his or her term, the same rules apply as to the employee council election (with the exception of the rule on the number of Council members).

If there already is an employee council or a representative for health and safety at work with a given employer and a trade union organization starts up as well, the employer needs to fulfill his or her obligations with respect to all employee representatives, unless they agree between themselves and the employer on another way of cooperation.

Employee representatives are obliged to pass on information in an appropriate manner among employees at all workplaces; i.e. to inform of their activities, the content and outcomes of the information received from and given to the employer (e.g. by presenting it on a notice board, through circular letters, by holding meetings, or by informing on an individual basis). They must, however, respect the confidentiality of information specified by the employer as such.

Trade unions have the right to act on behalf of employees in employment relations, including collective bargaining, under conditions stipulated by law or by collective bargaining agreement. As the only one of possible employees' representatives, trade unions are granted the right to conclude collective agreements with the employer on behalf of employees, the right to control, to co-decision and decision-making. In practice, thus, trade union bodies shall ensure the rights of employees to receive certain information, and to have certain measures discussed (e.g. matters related to work schedules), or to find an agreement (e.g. issuance of internal labour regulations, determining the vacation schedule).

Collective agreement is entered into by the employer and a trade union organization, or by more trade unions (or a trade union federation) with several employers (or an employers' federation). In a collective agreement, it can be concluded that the staff will have more rights than those granted by law or than an individual employee had arranged in his or her individual contract of employment. Collective agreement shall be concluded for a year at least. When bargaining the collective contract, under certain conditions, the trade union organization may declare a strike.

A trade union organization must have three members at minimum and it can be established as a society (spolek, formerly civic association – občanské sdružení) by adopting the statutes and sending notification on the establishment of a trade union organization to the competent regional court. A trade union organization can only operate where it has at least 3 members who are in an employment relationship with the employer. With the same employer, there may even be a larger number of trade union organizations and the employer must then meet his or her obligations towards all these trade unions, unless another way of giving and receiving information, discussing matters or giving consent is agreed upon.

If you are not organized in a trade union organization, you are represented by the trade union organization with the largest number of members who are in employment relationship with the employer – unless you yourself specify otherwise. Trade union members only are entitled to representation in court, or one can for these purposes become an extraordinary member of a trade union organization.

Inform yourself about the possibilities of your membership and representation directly with those trade unions, which operate within your employer. Or you can also contact free counseling centers of the Czech-Moravian Confederation of Trade Unions, which are open to everybody, including non-members.

SECTION 6

COMMUNICATION AND SAFETY FOR CZECH EMPLOYERS AND SUPERVISORS OR MANAGERS

Employing foreign workers brings with it great demands on mutual understanding and communication. Our behaviour and understanding of the world surrounding us is to a large extent determined by our culture – i.e. rules, habits, behaviour etc., which we subconsciously learn from others around us and consider self-evident. In fact, even the seemingly most obvious things (such as the meaning of a smile, asking a question if I do not understand the task, coming on time etc.) are culture-bound.

When employing people from other cultures we are unlikely to completely avoid problems and conflicts.

Many of them though, can be prevented if we are open, strive for understanding and know where potential misunderstanding can be expected. Naturally not everything can be blamed on culture. Yet it is communication barriers and mutual misunderstandings which tend to be frequent causes of problems.

In embarrassing situations, humor and a willingness to find a solution are the best bridge to reaching an understanding. However, it is best to do everything possible to prevent misunderstandings in the field of health and safety at work. Understanding foreign employees is in the interest of every employer. It improves productivity, quality of work and also enhances safety in the workplace.

Several tips for reaching a better understanding.

- Open your mind to your employees and their culture. In particular, when employing people from cultural backgrounds that are more different. Do some reading on their culture, and especially on the relationship between subordinates and their superiors, on the importance of traditions, whether they perceive themselves more as a part of a group or as individuals, etc. This small time investment will yield multifold returns.
- Ask questions. There is no better tool for efficient communication than asking what is going on or why someone is doing what s/he is doing. If you consider someone's behaviour somewhat funny, surprising or inappropriate, it is best to simply ask.
- Do not count on a nod. A nod does not necessarily mean consent. Many cultures consider it rude to disagree with superiors.
- Attitude towards time. Culture affects our attitude towards time. Somewhere, coming in at 7 a.m. means being ready to work from 6.55 a.m. sharp. Elsewhere it means showing up at 7, and yet elsewhere a greater or lesser delay is tolerated. You must repeatedly and clearly explain what you expect. This does not mean that you have to give in to your employees' delays. Yet it is usually the case that they need repeated explanations and to have it written down several times.
- Values are culture-bound. People from other cultures may have a very different set of values than we do. This does not mean that their system of values (customs, traditions) is bad. It is different.
- Do not show disrespect to your workers' religion. Many people deeply believe in their religion, and what seems impossible to you, can be reality for them. If you have a problem with it, it is best that the topic of religion and related matters be avoided.
- Pay attention to gestures. The greatest part of our communication takes place nonverbally – with the help of expressions, positions and gestures. Even these manifestations are culture-bound. For some cultures, it is inappropriate to look straight in the eyes, or touch a woman even with a mere handshake, etc. Try to be sensitive to these conventions.
- Pictograms help. In particular, in the field of safety at work, but sometimes also in everyday things like the use of toilets, unpleasant or dangerous situations may arise. Do not hesitate to hang up pictograms/images where needed – and with their help clearly show the correct course of action and, by using those which are struck through, show what is to be avoided.
- Translate crucial information. Have such information that is hard to depict with the help of images, or which you consider crucial, translated into the mother tongue of your foreign workers. It pays back. The translator should know both Czech and the given language very well. When creating the text, keep in mind the education and capacity to understand of your employees. Many problems arose from the fact that the translator (often a foreigner with a better knowledge of Czech) did not fully understand what s/he was actually translating.

- Provide information in writing. If possible, spend time also on making a list of regular job tasks or creating a detailed job description and have this specification of what you expect from the staff translated. Similarly, it helps to write down and translate how work is carried out, who is responsible for what, whom to contact in case of problems, what is the working time, when are rest breaks, etc.
- An ideal combination contributing to a safe workplace are pictograms, translated texts and the use of simple words.
- Mutual understanding. For effective communication, employees need to understand your plans and expectations. You, on the other hand, need to understand what situation they are in. Some of them are under immense pressure to pay off debts, support their family, etc. In an effort to remain employed, they may expose themselves to an even greater danger. Try to prevent that.
- Rules and adherence to them. The attitude towards rules is typically influenced by culture. For instance, there are countries where the speed limit of 60 km/h is followed by everyone, others where people simply drive a little slower, and elsewhere speed restrictions do not receive much attention at all. Do not expect, thus, that the rules in place will be automatically adhered to by every staff member. There is a need to explain and repeat these over and over again. It is tedious, but necessary.
- Status of women. In different cultures, women hold very different positions. In some cultures, it is unacceptable for a woman to give orders to men. As much as we may rightly dislike such an attitude, the simplest solution usually is to make a man in charge of such a group. In other cultures, on the other hand, it may be normal that most work is performed by women and men rather hang around and loiter. You shall set clear rules in this respect and do not hesitate to reorder the work groups if necessary.
- Relationship to alcohol. In some countries, it is normal to drink at work. Put a lot of emphasis on the fact that in the Czech Republic, no one is allowed to drink at work (not even beer!). Check compliance with alcohol prohibition.
- Culture shock. Anyone who comes to another country for a longer period of time experiences to a greater or lesser degree the so-called culture shock, which is a phenomenon with a standard course of development. For someone, its progress can be very pronounced, and for others may be less prominent. Also, the length of the phases described below may vary, yet in some form it concerns everyone. In the first weeks, one experiences enthusiasm, everything is new and interesting. After a few weeks, enthusiasm begins to fade and people start experiencing their first small failures, things and institutions work otherwise than they were accustomed to and adaptation is tiresome. After a few months, there come frustration, fatigue, and distinctive homesickness. Some people leave at this point. But after this stage, what follows is an effort to adapt to the situation, to use it for their own benefit, better adaptation, and gradually growing awareness of the pros of the given society and country. It takes about a year and a half or two for people to become adapted, understand their surroundings and accept both its positive and negative sides with a certain level of understanding.
- Distrust towards superiors or towards Czechs. Some cultures tend to distrust information provided by someone considered to be foreign (even though it may be the owner of the company, manager, etc.). Therefore it is usually relatively practical if information is communicated to them by someone they already know and to whom they trust (e.g. the foreman of the group).
- You can be misunderstood. Reaching mutual understanding is a long haul. Even matters you would not think of may shape your position in the group. For example, while Czechs usually appreciate receiving an appropriate and polite explanation of what had happened, or being presented a suggestion for improvement, some cultures see superiors who discuss matters with staff and take their opinion seriously as too weak. It is not easy, yet do not let yourself be discouraged by that. If it is beneficial for the work environment, support your employees in becoming more involved, or you can appoint a spokesman of sorts who will convey the views and ideas of foreign workers.
- Everyone is unique. All information on different cultures is simplistic and generalizing, yet it is still extremely useful as it is crucial in helping us to reach a better understanding. You cannot, however, expect that all people from a given culture shall behave exactly the same way; all Czechs do not behave the same way either.
- Detailed instructions and style of work. Czechs belong among nations with the tendency to get rather more general instructions on what to do and then specify the procedure themselves. In some cultures, acting on your own is perceived negatively and people expect to be given instructions on what to do exactly and in detail. It does not need to be an expression of their particular ineptness, it is a different management and work style. Such differences can be very tiring. A solution may be to write down a detailed task description or to designate one worker to carry out the detailed work management of the group.
- Check on understanding of instructions. Upon having given instructions on what needs to be done, check to see whether these have been understood. The question, "Do you understand?" is not well-suited, because people tend to give a nod even if they do not understand. Rather, ask in the style of "What will you do first?"
- Do not be afraid to make compromises. Sometimes a real trifle can improve the situation. Some cultures have very strong dislike towards anger or swearwords. Such a thing, which from our point of view may be a banality, may be significantly detrimental to work spirits from another. Give where you can, and explain why and where you cannot give in.
- Mentors. Despite the fact that it is not common in the Czech Republic, in many countries they have a good experience with the function of mentors – more experienced colleagues who are always for some time in charge of a couple of foreign employees to help them understand how it works in the company, to answer their questions, to help

them overcome problems and try to engage them in the company and society in question. Such a mentor system contributes to a significantly better integration of new staff members.

- Follow the rules. By keeping your own promises and agreed rules, you set an example to your employees. You can not expect them to obey your commands if you breach agreements yourself.
- Time helps. Some things simply need their time. Mutual adjustment and understanding cannot set in overnight. There are things that simply take some time – and sometimes even a little more of that. Both you and your staff need time for getting used to one another.

A few tips for better communication with foreign workers:

- Show respect! (By saying “vy” in Czech.) If you talk with your employees in Czech, talk to them in such a way in which you would like to be approached yourself. The Czech that they will learn at work is most probably the language they will use when speaking to you and when speaking elsewhere.
- “Yes” does not always mean yes. Although it may drive us crazy, there are cultures where it is inappropriate to disagree with superiors or people of a higher-ranking in society or where a question is automatically responded to in a positive way. Ask a simple question to verify that you have actually been understood. It is always better to ask a question to which a reply containing a piece of information is given and not a question to which the answer is yes/no. (I.e. instead of “Will you come at 7 a.m.?” ask the question: “At what time will you come in tomorrow?”)
- The simpler the better. Have you ever noticed how complicated the Czech language is? Talk to foreigners who do not speak much Czech in very simple and short sentences.
- Speak slowly, clearly and distinctly. In Czech, what makes the language difficult is the use of various metaphors and indirect expressions. Keep your language as simple as possible and speak slowly. Foreigners have difficulties understanding rapid colloquial speech, even if they may speak relatively good Czech.
- It does not help to raise your voice. When someone does not understand when you speak normally, s/he will not understand any better when you raise your voice and shout at him or her. Raising your voice does not help.
- Do both: speak and write. Do not hesitate to both write and say a piece of information to your employees. For example, it will do no harm to equip them with a card where the date, hour and place of work are stated, although you have already told them that. In such a way you can prevent misunderstandings.
- Direct communication. Czechs have a very direct way of communication. When we want something, most of the time we do not hesitate and ask a relatively direct question, (e.g. “Can you, exceptionally, come to work this Saturday?”). In some cultures, such a direct communication is considered rude and the asked person is first confronted with a small preparatory series of information (e.g. “We’ve got a lot of work. On Saturday, one does not go to work. It would be good to have somebody to go to work this Saturday. It would be a much appreciated help. This is an exceptional situation. Can you go to work on Saturday?”). When we are aware of such a different way of communication, it does not need to be an unpleasant surprise when it takes rather long for your employees ask about the matters they are really interested in, or why they are not very good at responding to your direct requests.

Czechs on the job

Foreign employees may find the Czech work environment very different from the one which they were used to. Maybe it will be necessary to explain a few things. In the Czech Republic, it is normal to:

- Ask a question, if I do not understand something.
- When talking to someone, look into their eyes.
- Comply with the established rules.
- Treat others as equals.
- Raise polite questions or have suggestions to improve work when speaking with your superior.
- Do what is currently needed, without waiting until directly asked to do that.
- Be on a first name basis (say “ty” in Czech), for people who know each other well and who are friends. Use the last name (say “vy” in Czech) for those who do not know each other well. The superior offers friendship (saying “ty”) to the subordinate person, the same goes for the older offering to the younger. At work, most people say “vy” to their superiors (they are not on the first name basis).
- Ask direct and short questions exactly about what we are interested in. Direct short questions are normal and decent.
- It is normal to work, even when no one is directly watching us.

SECTION 7

ADDRESS BOOK – IMPORTANT CONTACTS

1. Labour inspectorates

The state labour inspection office (SUIP – Státní úřad inspekce práce) and eight regional labour inspectorates (OIP) mainly check the compliance with obligations resulting from labour legislation, including provisions on health and safety at work. In justified cases, labour inspectorates may impose fines for committing an offense of administrative or another nature.

Inspectorates provide free of charge both to employees and employers, basic information and consultation on the protection of labour relations and employment. Consultation services can be used by anyone in person, by phone, or by e-mail. Information regarding the contact points where the consultation is provided can be found on the websites of individual inspectorates. In order to raise general awareness of the issue, the SUIP designed information materials related to the issue of labour relations and working conditions, among other things, also the material “Basic information for foreigners on labour regulations in the CR” (Základní informace pro cizince o pracovníprávních předpisech v ČR).

Contacts:

State Labour Inspection Office (Central Office)

Kolářská 451/13

746 01 Opava

Phone: +420 950 179 101

E-mail: opava@suip.cz

E-registry: epodatelna@suip.cz

Web: www.suip.cz

On this webpage you will find links to individual regional labour inspectorates (OIPs), which are divided by regions as follows:

- OIP Hlavní město Praha (Prague)
- OIP Středočeský kraj (Central Bohemian Region)
- OIP Jihočeský kraj a Vysočina (South Bohemian Region and Vysočina Region)
- OIP Plzeňský a Karlovarský kraj (Plzeň and Karlovy Vary Regions)
- OIP Ústecký a Liberecký kraj (Ústí nad Labem and Liberec Regions)
- OIP Královéhradecký a Pardubický kraj (Hradec Králové and Pardubice Regions)
- OIP Jihomoravský a Zlínský kraj (South Moravian and Zlín Regions)
- OIP Moravskoslezský a Olomoucký kraj (Moravian-Silesian and Olomouc Regions)

2. Labour Offices

The labour office of the Czech Republic (Úřad práce České republiky) has an administrative division into Directorate-General and regional branches. Regional branches have further contact points in various smaller towns and municipalities throughout the country. The labour office carries out various tasks in the following areas: employment, protection of employees in the case of employer insolvency, state social support, benefits for people with disabilities, allowances for care, inspection on the provision of social services, and providing assistance in occasions of material need.

For foreigners, the most important task of a labour office is granting employment permits. When losing a job, it is necessary to register with a labour office and get into their register of job seekers. A labour office can provide a retraining course or you can apply there for certain social benefits.

Contacts:

Úřad práce ČR – Labour Office Czech Republic (General Directorate)

Karlovo náměstí 1359/1

Praha 2 – Nové Město

128 00 Praha 28

Phone: + 420 950 191 111

E-mail: posta@uradprace.cz

Web: www.uradprace.cz

On the webpage you will find links to individual regional labour offices, which are as follows:

- Regional branch for the city of Prague
- Regional branch in Příbram
- Regional branch in České Budějovice

- Regional branch in Plzeň (Pilsen)
- Regional branch in Karlovy Vary
- Regional branch in Ústí nad Labem
- Regional branch in Liberec
- Regional branch in Hradec Králové
- Regional branch in Pardubice
- Regional branch in Jihlava
- Regional branch in Brno
- Regional branch in Olomouc
- Regional branch in Ostrava
- Regional branch in Zlín

3. Customs Administration (Celní správa)

Czech customs administration is a security force which is active in the management of duties and certain taxes as well as other non-fiscal activities entrusted to it. For example customs administration collects and recovers most fines, fees and other levies imposed by other administrative authorities. Among other things, customs administration has limited powers even in the field of controls of the employment of foreigners, in particular it checks whether employers comply with all legal obligations associated with that.

Czech customs administration is comprised of General Directorate of Customs Czech Republic and 15 subordinate customs offices, which operate in individual regions and at the international Václav Havel Airport:

- Customs office Prague Ruzyně
- Customs office for the City of Prague
- Customs office for South Bohemian Region
- Customs office for South Moravian Region
- Customs office for Karlovy Vary Region
- Customs office for Vysočina Region
- Customs office for Hradec Králové Region
- Customs office for Liberec Region
- Customs office for Moravian-Silesian Region
- Customs office for Olomouc Region
- Customs office for Pardubice Region
- Customs office for Plzeň Region
- Customs office for Central Bohemian Region
- Customs office for Ústí nad Labem Region
- Customs office for Zlín Region

Contacts:

General Directorate of Customs (Generální ředitelství cel)

Budějovická 7, 14096 Praha 4

Phone: +420 261 331 111

E-mail: podatelna@cs.mfcr.cz

Web: www.celnisprava.cz

Center for basic consultations and information on the area of customs and tax issues, and other competencies of the customs administration of the Czech Republic (Centrum pro základní poradenství a informace z oblasti celní a daňové problematiky a dalších kompetencí Celní správy ČR)

Phone: +420 261 331 919

E-mail: informace@cs.mfcr.cz

4. Foreign Police Service (Služba cizinecké policie)

Foreign police is the body of the Czech Police which carries out the tasks associated with identifying illegal migration, implementing punitive measures against foreigners residing in the territory of the Czech Republic against the Act on alien residence (administrative expulsion and the placement into detention centers for foreigners), and addressing crimes committed in relation to the crossing of national borders and cross-border crime.

General Directorate of the foreign police is the management, control and methodical department for these above-defined activities, and it oversees a wide network of regional offices, which are divided into departments of foreign police (Oddílení cizinecké policie) and departments of residential matters (Oddílení pobytových agend).

Contacts:

General Directorate of the Foreign Police

Olšanská 2

post office box 78

130 51 Praha 3

Phone: +420 974 841 219 – the director's office

E-mail: krcpp@mvcv.cz

E-registry: posta.policie@mvcv.cz

Web: www.policie.cz (for contacts to foreign police departments see the section Útvary Policie ČR, which means "Police Units").

5. Ministry of the Interior, Department of asylum and migration policy (OAMP, Odbor azylové a migrační politiky)

Department of asylum and migration policy is a department at the Ministry of the Interior, under whose remit falls the field of international protection, refugees, entry and residence of aliens, the concept of integration of foreigners, state integration programme and the Schengen cooperation. Furthermore, the Department is in charge of the state organizational unit Refugee Facilities Administration (Správa uprchlických zařízení). For most foreigners, the most important task of OAMP is to issue visas and residence permits at respective departments dealing with the stay of foreigners (oddělení pobytu cizinců). In the foreseeable future, OAMP will also issue dual documents, employee cards, and decide on changes in the employment of foreigners.

Contacts:

Ministry of the Interior, Department of asylum and migration policy (OAMP)

P. O. Box 21/OAM, 170 34 Praha 7

Phone: 974 832 495, 974 832 502

E-mail (OAMP directorate): opu@mvcv.cz

Web page of residencies: <http://imigracniportal.cz>

E-mail info line: pobyty@mvcv.cz

Phone Infoline: 974 832 418 or 974 832 421

Web: www.mvcv.cz (overviews of OAMP offices that take care of the agenda of foreigner stays and of OAMP offices in asylum facilities and detention centers for foreigners – see the section About us – Trade unions).

6. Czech-Moravian Confederation of Trade Unions

Czech-Moravian Confederation of Trade Unions (Českomoravská komora odborových svazů, ĚMKOS) is the largest trade union confederation in the Czech Republic. It brings together 29 trade unions. The mission of ĚMKOS is to protect the wages, working and living conditions and rights of workers. As one of the social partners it is actively involved in tripartite negotiations with the government and employers. ĚMKOS may represent individual trade union members in labour disputes before the courts.

Contacts:

Czech-Moravian Confederation of Trade Unions (Českomoravská konfederace odborových svazů)

nám. W. Churchilla 2

130 00 Praha 3

Phone: +420 23446 1111

E-mail: info@cmkos.cz

Web: www.cmkos.cz

On the following pages you can find the list of all trade unions, and their contact details.

7. Public Defender of Rights (Ombudsman)

The public defender of rights (ombudsman) protects persons from such actions of public bodies and other institutions, where their conduct is in breach of law, does not correspond to the principles of democratic rule of law and good governance or where the authorities fail to act. The public defender of rights also carries out systematic preventive visits to such places where people can be restricted on their freedom, and seeks to achieve respect for their fundamental rights. The ombudsman also contributes to promoting the right to equal treatment and protection against discrimination. If you have a feeling that a state authority reduced your rights, you can contact the ombudsman with your complaints.

Contacts:

Public defender of rights (ombudsman)

Údolní 39

602 00 Brno

Phone: +420 542 542 888 (infoline)

e-mail: podatelna@ochrance.cz

Web: www.ochrance.cz On these pages you can also find forms for filing your complaints.

8. Non-governmental non-profit organizations working with migrants

Non-profit non-governmental organizations working with migrants provide foreigners general support and help their integration into Czech society. You can consult them in the first place for free legal and social counseling, psycho-social assistance, internet access, Czech language courses or courses in socio-cultural orientation, and many other low-threshold services, including being accompanied when dealing with the authorities.

In employment matters, these organizations will help you when looking for a job, approaching employers, drafting your CV and cover letter, preparing for a job interview, processing documentation for obtaining a work permit and residence permit, as well as with recovering outstanding wages or other conflicts or complex situations connected to your work (e.g. termination of employment, safety at work, work-related injuries, motherhood and parenting issues at work, etc.).

Association for Integration and Migration (SIMI)

Baranova 33

130 00 Prague 3

Phone: (+420) 224 224 379

Fax: (+ 420) 224 239 455

Legal department mobile phone: (+420) 603 547 450

Social department mobile phone: (+420) 603 547 450

E-mail: poradna@refug.cz

Web: www.migrace.com

Organization for Aid to Refugees (OPU)

Kovářská 4

190 00 Praha 9

Phone: (+ 420) 730 158 779

Phone: (+420) 730 158 781

Fax: (+420) 233 371 258

E-mail: opu@opu.cz

Web: www.opu.cz

Multicultural Center Prague

Náplavní 1

120 00 Praha 2

Phone: (+420) 296 325 345

E-mail: infocentrum@mkc.cz

Web: www.mkc.cz

9. Citizens advice centers

Citizens advice centers provide independent, professional, impartial and free of charge social counseling in 18 legal areas and draw the attention of competent state and local authorities to the shortcomings of legislation and to the unresolved problems encountered by citizens.

Focus is on the following areas: social benefits, social assistance, insurance, labour relations and employment, housing, family and interpersonal relationships, property relations and compensation, financial and budgetary issues, health care, education and training, ecology and environmental law, consumer protection, basics of Czech law, EU legal system, civil court proceedings, public administration, criminal law, constitutional law.

Citizens advice centers operate in all regions of the Czech Republic and they are members of the Association of citizens advice centers. Contacts can be found on the website: www.obcanskeporadny.cz.

SECTION 8

ANNEX – EXAMPLES OF FORMS TO BE FILED

The following section is of purely practical nature. It contains example forms of the most common submissions from the areas this manual deals with. The texts are in Czech for purely practical reasons. We would like to draw your attention to the fact that despite our best efforts to draft as widely applicable forms as possible, it is always advisable to consult their use with a lawyer (e.g. in one of the non-governmental organizations listed in the Address book section).

Annex no. 1 is a model employment contract. Annex no. 2 is a model agreement to perform work. Annex no. 3 is a model agreement to complete a job. Annex no. 4 is a model request for the payment of outstanding wages. Annex no. 5 is a model complaint concerning the payment of outstanding salaries.

Příloha č. 1 – Pracovní smlouva

Zaměstnavatel:

se sídlem v

IČO

zastoupený

/dále "zaměstnavatel"/

a

Zaměstnanec

jméno:

datum narození/rodné číslo:

bytem:

číslo účtu:

/dále "zaměstnanec"/

uzavírají podle ust. §33 a násl. zákoníku práce v platném znění tuto

PRACOVNÍ SMLOUVU

I.

Zaměstnanec se dnempřijímá do pracovního poměru u zaměstnavatele na dobu určitou, a to do/ neurčitou.

II.

Zaměstnanec je přijímán na pozici

III.

Místem výkonu práce se určuje pracoviště zaměstnavatele na adrese:

IV.

Pracovní doba se sjednává v rozsahu úvazku. Pracovní doba je rozvržena do pětidenního pracovního týdne. Denní pracovní doba v průběhu pracovního týdne se stanoví podle dohody se zaměstnavatelem.

V.

Mzda za práci se stanoví částkou- Kč hrubého příjmu měsíčně. Tato částka je pevnou složkou mzdy. Součástí mzdy může být dále podle pracovních výkonů zaměstnance částka osobního hodnocení, kterou stanoví měsíčně nadřízený pracovník zaměstnance podle interní směrnice zaměstnavatele pro odměňování zaměstnanců. Mzda je splatná na účet zaměstnance k dni následujícího měsíce.

VI.

Zaměstnanec se zavazuje oznámit neprodleně zaměstnavateli překážku v práci v důsledku nemoci nebo jiných důvodů. Důvod své pracovní neschopnosti musí vždy řádně doložit (např. potvrzením lékaře pracovní neschopnosti)

VII.

Zaměstnanec je oprávněn vystupovat jménem zaměstnavatele výhradně v rozsahu jemu svěřené působnosti. Je povinen dbát oprávněných zájmů zaměstnavatele a chránit jeho dobrou pověst.

VIII.

Zaměstnanec souhlasí s tím, že zpracování jeho osobních údajů bude využíváno jen pro účely pracovněprávní (pracovní smlouvy, dohody o pracovní činnosti, dohody o provedení práce) a státní správy.

Zaměstnavatel je povinen zpracovat a dokumentovat přijatá opatření k zajištění ochrany osobních údajů v souladu se zákonem a jinými právními předpisy.

IX.

Dovolená zaměstnance činí dnů v kalendářním roce. Dobu čerpání dovolené určuje zaměstnavatel podle plánu dovolených tak, aby si zaměstnanec mohl dovolenou vyčerpat zpravidla vcelku a do konce kalendářního roku. Určenou dobu čerpání dovolené oznámí zaměstnavatel zaměstnanci alespoň 14 dnů předem. Zaměstnanec je povinen čerpat dovolenou tak, aby se nepřeváděla do příštího kalendářního roku.

X.

Dle zákona 258/2000 Sb. o ochraně veřejného zdraví byl zaměstnanec zařazen podle kritéria do kategorie č. I. (tzn. práce, při nichž podle současného poznání není pravděpodobný nepříznivý vliv na zdraví).

XI.

Zaměstnanec, který není občanem České republiky, je zaměstnavateli povinen sdělit adresu v zemi trvalého pobytu a adresu pro doručování, číslo cestovního dokladu a název orgánu, který tento cestovní doklad vydal, pohlaví, nejvyšší dosažené vzdělání a dobu, na kterou byl zaměstnanci povolen pobyt na území České republiky, jakožto i případné další údaje vyžadované ustanoveními § 87 a 102 zákona č. 435/2004 Sb., o zaměstnanosti.

Tento zaměstnanec je dále povinen hlásit každou změnu těchto údajů, a to do 3 dnů ode dne, kdy tato změna nastala popř. kdy se o ní zaměstnanec dozvěděl. Zaměstnanec současně s uzavřením této pracovní smlouvy předkládá zaměstnavateli svůj cestovní doklad a případně i doklad o oprávněnosti svého pobytu na území ČR a souhlasí, aby zaměstnavatel pořídil kopie těchto dokladů a uchovával je v souladu s příslušnými ustanoveními právních předpisů.

Zaměstnanec, který není občanem Evropské unie, se dále zavazuje sdělit zaměstnavateli do následujícího pracovního dne jakékoli změny, které se týkají nebo mohou týkat jeho oprávnění k pobytu na území ČR, a to zejména existenci jakýchkoli úkonů, řízení nebo rozhodnutí úřadů dle právních předpisů upravujících právo pobytu cizince na území České republiky. Tento zaměstnanec je dále povinen na požádání zaměstnavateli prokázat, že trvá jeho oprávnění k pobytu na území ČR, a předložit všechny doklady, které jsou pro trvání tohoto oprávnění k pobytu významné.

Zaměstnanec, který není občanem Evropské unie, se dále zavazuje sdělit zaměstnavateli veškeré skutečnosti, na jejichž základě nebude potřebovat k výkonu zaměstnání povolení k zaměstnání, modrou kartu nebo zaměstnaneckou kartu (např. zahájení prezenčního studia na vysoké škole), a to do 3 dnů ode dne, kdy tyto skutečnosti nastaly.

XII.

Veškerá práva a povinnosti vyplývající z tohoto pracovního poměru se řídí příslušnými ustanoveními zákoníku práce a dalších obecně závazných právních předpisů.

Na důkaz pravosti své vůle a souhlasu s obsahem smlouvy připojují obě smluvní strany své podpisy.

V dne

zaměstnavatel

zaměstnanec

Příloha č. 2 – Dohoda o pracovní činnosti

Smluvní strany

Obchodní firma:.....

Sídlo:.....

IČ:.....

Jednající:.....

zapsaná v obchodním rejstříku vedeném Krajským soudem, oddíl, vložka

(dále jen „zaměstnavatel“)

a

Jméno a příjmení:

Rodné číslo:

Trvale bytem:.....

(dále jen „zaměstnanec“)

uzavírají níže uvedeného dne, měsíce a roku podle § 76 a násl. zákona č. 262/2006 Sb., zákoníku práce tuto

DOHODU O PRACOVNÍ ČINNOSTI

Článek I.

Druh práce a místo výkonu

1.1. Zaměstnanec se zavazuje, že bude pro zaměstnavatele vykonávat práci, jejímž předmětem je (dále jen „práce“).

1.2. Práci bude zaměstnanec vykonávat v místě

Článek II.

Rozsah dohodnuté práce

2.1. Tato dohoda se uzavírá na dobu určitou od do Rozsah práce se stanovuje na 20 hodin týdně.

Článek III.

Odměna

3.1. Odměna za práci je stanovena na Kč.

3.2. Odměna podle čl. 3.1. bude splatná dne

Článek IV.

Povinnosti zaměstnance

4.1. Zaměstnanec je povinen provádět práci osobně.

4.2. Zaměstnanec je povinen dodržovat právní předpisy vztahující se k výkonu práce.

4.3. Zaměstnanec je povinen dodržovat zejména právní předpisy vztahující se k bezpečnosti a ochraně zdraví při práci. Zaměstnanec prohlašuje, že byl seznámen zaměstnavatelem s předpisy k zajištění bezpečnosti a ochrany zdraví při práci.

4.4. Zaměstnanec má povinnost postupovat při výkonu práce v souladu s touto dohodou a s pokyny zaměstnavatele.

**Článek V.
Povinnosti zaměstnavatele**

5.1. Zaměstnavatel je povinen vytvořit pracovní podmínky zajišťující řádný a bezpečný výkon práce, zejména poskytovat potřebný materiál, nářadí a osobní ochranné prostředky, poskytnout sjednanou odměnu a dodržovat ostatní podmínky dohody.

**Článek VI.
Ukončení dohody**

6.1. Obě smluvní strany mohou tuto dohodu vypovědět, a to písemně s 15 denní výpovědní dobou, která začíná dnem doručení výpovědi.

6.3. Tato dohoda může být ukončena dohodou obou smluvních stran.

**Článek VII.
Ochrana osobních údajů**

7.1. Zaměstnanec souhlasí s tím, že zpracování jeho osobních údajů bude využíváno jen pro účely pracovněprávní (pracovní smlouvy, dohody o pracovní činnosti, dohody o provedení práce) a státní správy.

7.2. Zaměstnavatel je povinen zpracovat a dokumentovat přijatá opatření k zajištění ochrany osobních údajů v souladu se zákonem a jinými právními předpisy.

**Článek VIII.
Oznamovací povinnosti při zaměstnávání cizinců**

8.1. Zaměstnanec, který není občanem České republiky, je zaměstnavateli povinen sdělit adresu v zemi trvalého pobytu a adresu pro doručování, číslo cestovního dokladu a název orgánu, který tento cestovní doklad vydal, pohlaví, nejvyšší dosažené vzdělání a dobu, na kterou byl zaměstnanci povolen pobyt na území České republiky, jakožto i případné další údaje vyžadované ustanoveními § 87 a 102 zákona č. 435/2004 Sb., o zaměstnanosti. Tento zaměstnanec je dále povinen hlásit každou změnu těchto údajů, a to do 3 dnů ode dne, kdy tato změna nastala, popř. kdy se o ní zaměstnanec dozvěděl. Zaměstnanec současně s uzavřením této pracovní smlouvy předkládá zaměstnavateli svůj cestovní doklad a případně i doklad o oprávněnosti svého pobytu na území ČR a souhlasí, aby zaměstnavatel pořídil kopie těchto dokladů a uchovával je v souladu s příslušnými ustanoveními právních předpisů.

8.2. Zaměstnanec, který není občanem Evropské unie, se dále zavazuje sdělit zaměstnavateli do následujícího pracovního dne jakékoli změny, které se týkají nebo mohou týkat jeho oprávnění k pobytu na území ČR, a to zejména existenci jakýchkoli úkonů, řízení nebo rozhodnutí úřadů dle právních předpisů upravujících právo pobytu cizince na území České republiky. Tento zaměstnanec je dále povinen na požádání zaměstnavateli prokázat, že trvá jeho oprávnění k pobytu na území ČR, a předložit všechny doklady, které jsou pro trvání tohoto oprávnění k pobytu významné.

8.2. Zaměstnanec, který není občanem Evropské unie, se dále zavazuje sdělit zaměstnavateli veškeré skutečnosti, na jejichž základě nebude potřebovat k výkonu zaměstnání povolení k zaměstnání, modrou kartu nebo zaměstnaneckou kartu (např. zahájení prezenčního studia na vysoké škole), a to do 3 dnů ode dne, kdy tyto skutečnosti nastaly.

**Článek IX.
Další ujednání**

9.1. Práva a povinnosti v této dohodě neupravené se řídí ustanoveními zákona č. 262/2006 Sb., zákoník práce.

9.2. Tato dohoda byla vypracována ve dvou vyhotoveních, z nichž po jednom obdrží zaměstnanec i zaměstnavatel.

V dne

.....
zaměstnavatel

.....
zaměstnanec

Příloha č. 3 – Dohoda o provedení práce

Smluvní strany

Obchodní firma:.....
Sídlo:.....
IČ:
Jednající:.....
zapsaná v obchodním rejstříku vedeném Krajským soudem, oddíl, vložka

(dále jen „zaměstnavatel“)

a

Jméno a příjmení:.....
Rodné číslo:.....
Trvale bytem:.....

(dále jen „zaměstnanec“)

uzavírají níže uvedeného dne, měsíce a roku podle ustanovení § 75 a násl. zákona č. 262/2006 Sb., tuto

DOHODU O PROVEDENÍ PRÁCE

Článek I.

Druh práce a místo výkonu

1.1. Zaměstnanec se zavazuje, že bude pro zaměstnavatele vykonávat práci, jejímž předmětem je(dále jen „dohodnutá práce“).

1.2. Dohodnutou práci bude zaměstnanec vykonávat v místě

Článek II.

Rozsah dohodnuté práce

2.1. Dohodnutou práci podle čl. I. této dohody bude zaměstnanec vykonávat v období oddo
Rozsah dohodnuté práce se stanovuje na hodin.

Článek III.

Odměna

3.1. Odměna za dohodnutou práci je stanovena na Kč.

3.2. Odměna podle čl. 3.1. této dohody zahrnuje všechny náklady, které zaměstnanec s výkonem dohodnuté práce bude mít.

3.3. Odměna podle čl. 3.1. bude splatná dne

Článek IV.

Povinnosti zaměstnance

4.1. Zaměstnanec je povinen provádět dohodnutou práci osobně.

4.2. Zaměstnanec je povinen dodržovat právní předpisy vztahující se k výkonu dohodnuté práce.

4.3. Zaměstnanec je povinen dodržovat zejména právní předpisy vztahující se k bezpečnosti a ochraně zdraví při práci. Zaměstnanec prohlašuje, že byl seznámen zaměstnavatelem s předpisy k zajištění bezpečnosti a ochrany zdraví při práci.

4.4. Zaměstnanec má povinnost postupovat při výkonu dohodnuté práce v souladu s touto dohodou a s pokyny zaměstnavatele.

Článek V.
Povinnosti zaměstnavatele

5.1. Zaměstnavatel je povinen vytvořit pracovní podmínky zajišťující řádný a bezpečný výkon práce, zejména poskytovat potřebný materiál, nářadí a osobní ochranné prostředky, poskytnout sjednanou odměnu a dodržovat ostatní podmínky dohody.

Článek VI.
Ukončení dohody

6.1. Zaměstnavatel může odstoupit od dohody, jestliže pracovní úkol nebyl proveden ve sjednané lhůtě.

6.2. Zaměstnanec může od dohody odstoupit, nemůže-li pracovní úkol provést proto, že mu zaměstnavatel nevytvořil sjednané pracovní podmínky. V takovém případě je zaměstnavatel povinen nahradit zaměstnanci škodu, která mu tím vznikla.

6.3. Tato dohoda může být ukončena dohodou obou smluvních stran.

Článek VII.
Ochrana osobních údajů

7.1. Zaměstnanec souhlasí s tím, že zpracování jeho osobních údajů bude využíváno jen pro účely pracovněprávní (pracovní smlouvy, dohody o pracovní činnosti, dohody o provedení práce) a státní správy.

7.2. Zaměstnavatel je povinen zpracovat a dokumentovat přijatá opatření k zajištění ochrany osobních údajů v souladu se zákonem a jinými právními předpisy.

Článek VIII.
Oznamovací povinnosti při zaměstnávání cizinců

8.1. Zaměstnanec, který není občanem České republiky, je zaměstnavateli povinen sdělit adresu v zemi trvalého pobytu a adresu pro doručování, číslo cestovního dokladu a název orgánu, který tento cestovní doklad vydal, pohlaví, nejvyšší dosažené vzdělání a dobu, na kterou byl zaměstnanci povolen pobyt na území České republiky, jakožto i případné další údaje vyžadované ustanoveními § 87 a 102 zákona č. 435/2004 Sb., o zaměstnanosti. Tento zaměstnanec je dále povinen hlásit každou změnu těchto údajů, a to do 3 dnů ode dne, kdy tato změna nastala, popř. kdy se o ní zaměstnanec dozvěděl. Zaměstnanec současně s uzavřením této pracovní smlouvy předkládá zaměstnavateli svůj cestovní doklad a případně i doklad o oprávněnosti svého pobytu na území ČR a souhlasí, aby zaměstnavatel pořídil kopie těchto dokladů a uchovával je v souladu s příslušnými ustanoveními právních předpisů.

8.2. Zaměstnanec, který není občanem Evropské unie, se dále zavazuje sdělit zaměstnavateli do následujícího pracovního dne jakékoli změny, které se týkají nebo mohou týkat jeho oprávnění k pobytu na území ČR, a to zejména existenci jakýchkoli úkonů, řízení nebo rozhodnutí úřadů dle právních předpisů upravujících právo pobytu cizince na území České republiky. Tento zaměstnanec je dále povinen na požádání zaměstnavateli prokázat, že trvá jeho oprávnění k pobytu na území ČR, a předložit všechny doklady, které jsou pro trvání tohoto oprávnění k pobytu významné.

8.2. Zaměstnanec, který není občanem Evropské unie, se dále zavazuje sdělit zaměstnavateli veškeré skutečnosti, na jejichž základě nebude potřebovat k výkonu zaměstnání povolení k zaměstnání, modrou kartu nebo zaměstnaneckou kartu (např. zahájení prezenčního studia na vysoké škole), a to do 3 dnů ode dne, kdy tyto skutečnosti nastaly.

Článek VIII.
Další ujednání

8.1. Práva a povinnosti v této dohodě neupravené se řídí ustanoveními zákona č. 262/2006 Sb., zákoník práce.

8.2. Tato dohoda byla vypracována ve dvou vyhotoveních, z nichž po jednom obdrží zaměstnanec i zaměstnavatel.

V dne

.....
zaměstnavatel

.....
zaměstnanec

V dne

Příloha č. 4 – Výzva k zaplacení dlužné mzdy

VĚC: Výzva k zaplacení dlužné mzdy

Vážená(ý) paní(e),

tímto se na Vás obracím s výzvou k zaplacení dlužné mzdy ve výši,- Kč (slovy.....) za práci, kterou jsem pro Vás (pro Vaši firmu) vykonával(a) v (místo výkonu) , v (období).....

V (období)..... jsem pro Vás vykonával(a) práci na základě.....(ústní dohody, prac. smlouvy atd.), kterou jsem s Vámi uzavřel(a). Práci jsem vykonával(a) za sjednanou mzdu,- Kč (slovy.....) za hodinu. V (období)..... jsem odpracoval/ahodin v(místo výkonu práce), za které mi dosud nebyla z Vaší strany uhrazena mzda. Dlužná částka v současné době činí,- Kč (slovy.....).

V této souvislosti jsem Vás již několikrát telefonicky i prostřednictvím sms zpráv a emailem kontaktoval(a) a urgoval(a), abyste mi dlužnou mzdu zaplatil(a).

Na základě výše uvedeného Vás tímto vyzývám k zaplacení dlužné mzdy ve výši,- Kč (slovy:.....) v hotovosti nebo účet(tel.; č. účtu).

Upozorňuji na skutečnost, že pokud mi dlužnou mzdu ve lhůtě 15 dnů ode dne obdržení tohoto dopisu neuhradíte, budu pohledávku vymáhat soudní cestou a požádám o pomoc též příslušné orgány státní správy působící na úseku zaměstnanosti, zejména inspektorát práce. V tomto případě však bude vymáháno kromě dlužné částky ještě zaplacení zákonného úroku z prodlení, náklady soudního řízení a náklady právního zastoupení.

Pokud byste chtěl popřít skutečnost, že jsem pro Vás vůbec pracoval, pak Vás chci předně upozornit, že tímto nepravdivým tvrzením byste se pravděpodobně dopustil trestného činu podvodu dle § 209 trestního zákoníku, které se dopustí mimo jiné ten, kdo sebe nebo jiného obohatí tím, že zamlčí podstatné skutečnosti a způsobí tak na cizím majetku škodu; rovněž by přicházelo v úvahu spáchání trestného činu krádež daně, poplatku a jiné povinné platby dle § 240 trestního zákoníku. Dále Vás ubezpečuji, že skutečnost, že jsem pro Vás pracoval, jsem schopen prokázat standardními důkazními prostředky (má výpověď, svědecká výpověď Vašich pracovníků, fotografie, listinné doklady aj.), přičemž s opatřením těchto důkazů mi zajisté pomohou i orgány státní správy, které u Vás provedou kontrolu.

Pevně nicméně doufám, že naše věc se vyřeší smírně a že jsem s pozdravem,

V dne

.....
(podpis zaměstnance)

Přílohy:

Příloha č. 5 – Žaloba na zaplacení dlužné mzdy

Pan Volodymyr pracoval pro společnost XY s.r.o. sídlem v Benešově jako stavební dělník na různých stavbách v Praze, a to od června 2011 do září 2011. Písemnou pracovní smlouvu nedostal. Sjednaná mzda činila 120 Kč na hodinu, ovšem zatím dostal pan Volodymyr za svou práci pouze zálohy. Doplacení mzdy ve výši 36.800 Kč urgoval u společnosti XY s.r.o. jak telefonicky, tak i emailem a nakonec i písemně doporučeným dopisem, ale zástupce společnosti XY s.r.o. mu vždy ústně sdělil, že firma zatím nemá peníze a že ještě musí počkat. Nyní již hrozí, že se nárok pana Volodymyra po 3 letech od splatnosti mzdy promlčí: neboť mzda je dle § 141 zákoníku práce splatná vždy do konce kalendářního měsíce, který následuje po měsíci, v němž byla práce odvedena) a postupně se tak vždy po 3 letech od splatnosti mzdy za každý měsíc promlčuje (mzda za měsíc červen 2011 se tak promlčí dne 31.7.2014).

Jelikož pan Volodymyr nemá prostředky na najmutí advokáta, sepsal sám žalobu proti společnosti XY s.r.o. k Okresnímu soudu v Benešově, neboť zde má žalovaná společnost své sídlo.

Okresnímu soudu v Benešově

Masarykovo nám. 223
256 45 Benešov
elektronická podatelna – podatelna@osoud.ben.justice.cz
ID datové schránky: xg9abyu

V právní věci

Žalobce: pan Volodymyr, bytem.....rodné číslo.....

Žalovaná: obchodní společnosti XY s.r.o., sídlem v Benešově, IČ:

žaloba o částku 36.800 Kč s příslušenstvím

I.

Žalobce pracoval pro žalovanou jako stavební dělník na různých stavbách v Praze, a to od 1.června 2011 do 30.září 2011. Konkrétně pracoval žalobce na následujících stavbách (v závorce je vždy uvedena doba, kterou žalobce na každé ze staveb strávil, včetně přesného počtu hodin). Pracovní smlouva byla uzavřena pouze ústně, sjednaná mzda činila 120 Kč na hodinu. Žalovaný odpracoval pro žalovanou v rámci této pracovní smlouvy celkem 640 hodin a vznikl mu tak nárok na mzdu ve výši 76.800,- Kč. Zatím ovšem obdržel žalobce od žalované pouze zálohy v celkové výši 40.000 Kč, takže částku ve výši 36.800 Kč žalovaná žalobci nadále dluží.

K důkazu viz:

- evidence odpracovaných hodin
- kopie emailové zprávy žalobce žalované ze dne..... a odpověď žalované ze dne, ve které žalovaná tvrzení žalobce nijak nezpochybňuje
- sms zprávy od pracovníků žalované, které má žalobce uloženy ve svém mobilním telefonu
- fotografie, které pořídil žalobce při práci svým mobilním telefonem
- svědecká výpověď spolupracovníků žalobce, a to panabytem....., panbytem.....
- účastnická výpověď žalobce

II.

Žalobce doplacení mzdy urgoval u žalované jak telefonicky (např. dne), tak i sms-zprávami (tyto zprávy budou soudu předloženy při jednání soudu), tak i emailem viz výše. Tyto výzvy byly bez úspěchu, neboť žalobci bylo vždy sděleno, že žalovaná nemá dostatek prostředků a že žalobce musí se svým nárokem počkat. Naposledy žalobce uhrazení mzdy urgoval i doporučeným dopisem zaslaným žalované dne, na tento dopis žalobce neobdržel od žalované žádnou písemnou odpověď.

K důkazu viz:

- kopie emailové zprávy žalobce žalované ze dne..... a odpověď žalované ze dne, ve které žalovaná tvrzení žalobce nijak nezpochybňuje
- sms-zprávy od pracovníků žalované, které má žalobce uloženy ve svém mobilním telefonu
- účastnická výpověď žalobce

III.

Vzhledem k výše uvedenému žalobce navrhuje, aby soud vydal následující rozsudek:

Žalovaná je povinna uhradit žalobci částku 36.800 Kč spolu se zákonným úrokem z prodlení ode dne 1.11.2011 do zaplacení, a to do 3 dnů od právní moci tohoto rozsudku.

IV.

Žalobce dále soud dle § 138 o.s.ř. žádá o přiznání osvobození od soudních poplatků, a to z důvodu svých majetkových poměrů., neboť žalobce je nyní dlouhodobě bez práce a sebe a svou rodinu živí pouze z dávek státní sociální podpory a pomoci v hmotné nouzi. Žalovaný tímto žádá, aby mu soud zaslal formulář k prokázání jeho majetkových poměrů.

V Praze dne

.....
Volodymyr (podpis)



Association for Integration and Migration

Baranova 33, 130 00 Praha 3
Tel. (+420) 224 224 379, Fax. (+420) 224 239 455
E-mail: poradna@refug.cz
www.migrace.com



Organization for Aid to Refugees

Kovářská 4, 190 00 Praha 9
Tel. (+420) 730 158 779 (781), Fax. (+420) 233 371 258
E-mail: opu@opu.cz
www.opu.cz



Multicultural Center Prague

Náplavní 1, 120 00 Praha 2
Tel. (+420) 296 325 345
E-mail: infocentrum@mkc.cz
www.mkc.cz