- Act No. 262/2006 Coll. Labour Code

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(valid from January 1, 2015)

262/2006 Coll.

ACT

of 21 April 2006

Labour Code

as amended by Act No. 585/2006 Coll., Act No. 181/2007 Coll., Act No. 261/2007 Coll., Act No. 296/2007 Coll., Act No. 362/2007 Coll., the Constitutional Court No. 116/2008 Coll.

Act No. 121/2008 Coll., Act No. 126/2008 Coll., Act No. 294/2008 Coll., Act No. 305/2008 Coll., Act No. 306/2008 Coll., Act No. 382 / 2008 Coll., Act No. 286/2009 Coll.

Act No. 320/2009 Coll., Act No. 326/2009 Coll., Act No. 347/2010 Coll., Act No. 427/2010 Coll. Act No. 73/2011 Coll., Act No. 185 / 2011 Coll., Act No. 180/2011 Coll.

Act No. 341/2011 Coll., Act No. 364/2011 Coll. and Act No. 365/2011 Coll., Act No. 367/2011 Coll., Act No. 375/2011 Coll., Act No. 458/2011 Coll., Act No. 466/2011 Coll., Act No. 167 / 2012 Coll.

Act no. 385/2012 Coll., Act no. 396/2012 Coll., Act no. 399/2012 Coll., Act no. 155/2013 Coll., Act no. 303/2013 Coll., Act no. 101 / 2014 Coll., Act no. 182/2014 Coll.

and Act no. 250/2014 Coll.

Parliament passed the Act of the Czech Republic:

PART ONE

GENERAL PROVISIONS

TITLE I

SUBJECT AND DEFINITION OF LABOUR RELATIONS

§ 1

This Act

a) regulates the legal relations arising in the performance of dependent work between employees and employers, these relationships are labor relations,

b) also regulates the legal relations of a collective nature. The legal relationships of a collective nature, related to the performance of dependent work, the labor relations,

c) incorporates the relevant provisions of the European Union 1)

d) also provides some legal relations before the onset of labor relations under subparagraph a),

e) provides for certain rights and obligations of employers and employees in complying with the regime temporarily unable to work insured under the Sickness Insurance Act 107) and any penalties for its violation.

§ 1a

(1) The intent and purpose of the provisions of this Act expresses the basic principles of labor relations, which are primarily

a) the special protection of the legal status of employees

b) a fair and safe conditions for work,

c) Fair pay employees

d) the proper performance of work by an employee in accordance with the legitimate interests of employers

e) equal treatment of employees and the prohibition of discrimination.

(2) The principles of special legal protection status of employee, satisfactory and safe working conditions for their work, equal treatment of employees and prohibit discrimination expresses the values that protect public order.

§ 2

(1) dependent work is work that is performed in a hierarchical relationship of employer and employee subordination, on behalf of employers, according to the instructions of the employer and employee by the employer personally.

(2) Dependent work must be performed for a wage, salary or remuneration, costs and responsibilities of the employer, during working hours at the workplace the employer or at another agreed place.

§ 3

Dependent work can be performed only in the basic employment relationship, unless by special legal regulations 2). Labor relations are basic employment and legal relationships based agreements on work performed outside employment.

§ 4

Labor relations are governed by this Act; not use this law is governed by the Civil Code, and always in accordance with fundamental principles of labor relations.

§ 4a

(1) The derogation of rights or obligations in labor relations may be lower or higher than the right or obligation provided for by the law or collective agreement as a minimum or maximum allowable.

(2) Pursuant to paragraph 1 may lead to differing treatment contract, as well as internal regulations, to modify the employee's duties, however, may occur only by agreement between employer and employee.

(3) The provisions referred to in § 363 may be departed from only in favor of the employee.

(4) The resignation of a employee rights to him by this Act, a collective agreement or an internal regulation provides, is of no account.

§ 5

(1) The relations resulting from the exercise of public functions are covered by this Act, unless expressly provided or unless required by specific legislation.

(2) If a public function exercised in the employment relationship is governed by the employment of this Act.

TITLE II
CONTRACTING PARTIES LABOUR RELATIONS BASIC

Part 1
Employee

§ 6

An employee is an individual who is committed to dependent employment in the basic employment relationship.

Part 2
Employer

§ 7

The employer is the person for whom the individual is committed to dependent employment in the basic employment relationship

§ 8

repealed by Law No. 365/2011 Coll.

§ 9

For the Czech Republic (hereinafter "State") 6) is in labor relations and rights and obligations arising from employment relationship carries a government department 7), who on behalf of the state in the basic employment relationship (§ 3) employing staff.

§ 10

repealed by Law No. 303/2013 Coll.

§ 11

Managerial employees of the employer means employees who are at different management levels of the employer are entitled to determine and store subordinates work tasks, organize, manage and control their work and give them the purpose of binding guidelines. The head is an employee or a manager, also considered the head of the State.

§ 12

repealed by Law No. 365/2011 Coll.

TITLE III

BASIC PRINCIPLES OF LABOUR RELATIONS

repealed by Act No. 365/2011 Coll.

§ 13

repealed by Law No. 365/2011 Coll.

§ 14

repealed by Law No. 365/2011 Coll.

§ 15

repealed by Law No. 365/2011 Coll.

TITLE IV

EQUAL TREATMENT AND NON-DISCRIMINATION

§ 16

(1) Employers are required to ensure equal treatment of all employees regarding their working conditions, remuneration for work and the granting of financial transactions and other financial payments, the training and the opportunity to achieve functional or other promotion.

(2) The labor relations, discrimination is prohibited. The concepts of direct discrimination, indirect discrimination, harassment, sexual harassment, harassment, instruction to discriminate and incitement to discrimination, and cases where the difference in treatment permitted, provides anti-discrimination law 108).

(3) Discrimination is not differential treatment, unless the nature of work activities that this difference in treatment is an essential requirement necessary for the job, the objective pursued by such an exception must be justified and proportionate request. Discrimination is also not measure whose purpose is justified to prevent or compensate for disadvantages that result from individuals belonging to a group defined by any of the grounds mentioned in anti-discrimination law.

§ 17

Legal means of protection against discrimination in employment relationships governed by anti-discrimination law.

TITLE V

CERTAIN PROVISIONS ON THE LEGAL PROCEEDINGS

§ 18

If possible legal proceedings to interpret in different ways, then the interpretation most favorable to the employee.

§ 19

(1) The court shall take into account its own motion for invalidity of a legal hearing, which has not been granted the specified permission of the competent authority, in cases where it expressly provides that law or special act.

(2) Where a law to make it legal proceedings with the competent authority only discussed, it is not possible infringement declared invalid by reason only of that this discussion took place.

(3) Invalidity of legal actions can not be employees of the damage caused when an invalid solely by himself.

§ 20

If no legal proceedings taken in the form required by the law, and if already started with the performance, it is not possible to invoke the invalidity of such conduct those negotiations, which are causing or changing the base employment relationship.

§ 21

repealed by Law No. 303/2013 Coll.

§ 22

Collective agreement may be concluded only for the staff union.

§ 23

(1) A collective agreement is possible to regulate the rights of employees in labor relations, as well as the rights and obligations of the parties to this agreement. The agreement in the collective agreement, which impose obligations to employees or reduce their rights provided for in this Act, shall be disregarded.

(2) A collective agreement may enter into an employer or more employers or one or more employers' organizations on the one hand and one or more trade unions on the other.

(3) A collective agreement is

a) business, it is concluded between the employer or multiple employers and trade union or multiple labor unions operating with the employer

b) a higher level, it is concluded between employers' organizations, or 10) and the trade union or trade unions.

(4) The procedure for concluding a collective agreement, including the resolution of disputes between the parties shall be governed by the law governing collective bargaining 11).

§ 24

(1) A trade union concluded a collective agreement as well as employees who are not unionized.

(2) works with employers to more trade unions, the employer must negotiate a collective agreement with all unions, trade unions act and act with legal consequences for all employees together and in concert, unless otherwise agreed between the employer and otherwise .

§ 25

(1) A collective agreement is binding on the parties.

(2) A collective agreement is binding also for

a) employers who are members of employers 'organizations, which has concluded a collective agreement, a higher level, and for employers who during the term of a collective agreement from the employers' organizations spoke,

b) employees under a collective agreement entered into by a trade union or trade unions,

c) trade unions, a collective agreement concluded by the higher level trade union.

(3) The employee has the right of Parties to collective agreements incentives for collective bargaining for collective agreement and is entitled to be informed of the progress of negotiations.

(4) The rights, arising from a collective agreement, individual employees, apply and satisfy such other rights of employees from employment or contracts for work outside employment.

§ 26

(1) A collective agreement may be concluded for a definite or indefinite. If the expiry date under the first sentence made subject to conditions, the collective agreement must contain the latest period of its effectiveness. The collective contract can be terminated in writing soon after 6 months from the date of its effectiveness. Such notice shall be at least 6 months and begins on the first day of the month following delivery of notice to the other Party.

(2) The effectiveness of the collective agreement begins on the first day of the period in which the collective contract, and ends with the expiry of that period if the period of effectiveness of certain rights or obligations in the collective agreement is negotiated differently.

(3) Upon termination of the collective agreement parties acting on behalf of an employee ends the effectiveness of the collective agreement no later than the last day of the following calendar year.

§ 27

(1) The agreement of a collective agreement governing the rights of labor relations staff to a lesser extent than higher level collective agreements, shall be disregarded.

(2) The collective contract must be in writing and signed by the parties on the same document, or to her account.

§ 28

(1) A collective agreement can not be replaced by another agreement.

(2) It is not possible to seek the relative inefficiency of the collective agreement.

(3) A collective agreement is not possible to cancel the resignation of one of the Parties will negotiate if the Parties have the right to withdraw from the collective agreement, is of no account.

§ 29

Parties are bound by collective agreements with a collective agreement, inform the employee within 15 days of its conclusion. The employer shall ensure that the collective agreement available to all its employees.

PART TWO

Employment

TITLE I

The pre-employment relationship

§ 30

(1) Selection of individuals seeking employment in terms of qualification, the necessary requirements or special skills is the responsibility of the employer, unless a special legal regulation 12) another procedure, the conditions imposed by special law to an individual as an employee are not affected.

(2) The employer may require in connection with the negotiations prior to the employment of individuals who applied for it at work, or other persons only data directly related to signing an employment contract.

§ 31

Before signing an employment contract, the employer must inform an individual with rights and obligations, which for her contract of employment or appointment to the job emerged as working conditions, remuneration and conditions under which the work place, and obligations arising from specific legislation applicable to the work to be the subject of employment.

§ 32

In cases stipulated by special legislation, the employer shall ensure that the natural person before signing an employment contract underwent an initial medical examination.

TITLE II

Employment, Employment contracts and employment relationship

§ 33

(1) Employment is based employment contract between employer and employee, unless this Act otherwise provided below.

(2) If special legislation or the articles of association of citizens under a special regulation 109) required to fill the post held by the election of competent authority, shall be deemed to be elected as a prerequisite, preceding the negotiation of employment contracts.

(3) The appointment of the leading job is based employment in the cases stipulated by a special legal regulation 16a), unless a special law, employment is based only on the appointment of the Head

a) organizational units of the state 7),

b) organizational unit government departments

c) organizational unit of the state enterprise 13),

d) the organizational unit of the state fund 14),

e) contributory organization 15),

f) organizational unit subsidized organizations,

g) the organizational unit in the Police of the Czech Republic, 16).

(4) The appointment under paragraph 3 shall be a person who is competent according to special regulation 16b), unless they belong to the appointment of a special legal regulation is carried out at the head

a) government departments 7) Head of the parent government departments,

b) organizational unit government department head of the organizational units of the state 7),

c) organizational unit of the state enterprise director of the state enterprise 13),

d) the organizational unit of the state fund, headed by an individual statutory body, the head of the Fund 14),

e) organization funded by the founder,

f) organizational unit funded organizations 15) semi-head of this organization,

g) the organizational unit in the Police of the Czech Republic 16) Chief of Police.

§ 34

(1) The employment contract must contain

a) the type of work the employee for the employer to perform,
b) the place or places of work where work is to be referred to in subparagraph a) performed

c) the date of commencement of employment.

(2) The employment contract must be concluded in writing.

(3) If an employee does not start the day agreed to work without having prevented him from doing obstacle at work, or the employer within a week (§ 350a) know about this hazard, the employer may withdraw from the contract.

(4) From an employment contract can withdraw only as long as the employee walk over to work. Withdrawal from the labor contract requires compliance with the written form, otherwise it will not be considered.

(5) Each Party shall receive a copy of the employment contract.

§ 34a

Unless agreed in the contract for regular work travel compensation, the department's regular place of work agreed in the contract. If it is agreed the place of work more broadly than one municipality shall be considered a regular workplace community in ways that most employees start to work. Regular work for travel expenses must be agreed before a wider community.

§ 34b

(1) Employees must be assigned to work in a fixed weekly working time, with the exception of working time accounts (§ 86 and 87).

(2) An employee in other basic employment relationship with the same employer shall not perform work which is well defined species. For employers, which is the state, the first sentence only if it is the performance of work in the same organizational component of the state.

§ 35

Test time

(1) If a probationary period may be longer than

a) 3 consecutive months after the date of employment (§ 36),

b) 6 months consecutive from the date of employment (§ 36) for its executives.

(2) Test time can be arranged also in connection with the appointment of the leading job (§ 33 paragraph 3).

(3) test time can be arranged later in the day, which was agreed as the date of commencement of employment, or the date has been set as the date of appointment to the post of senior staff.

(4) to serve a probationary period may be extended later. The obstacles for full-time work for which the employee is held jobs during the trial period, and all-day holiday period, however, extends the trial period.

(5) The probationary period may be negotiated for more than half of the agreed period of employment.

(6) The trial period must be in writing.

§ 36

Establishment of employment

Employment begins on the day, which was agreed in the contract as the date of commencement of employment or the date that was listed as day of the appointment to the post of the head of.

§ 37

Information about the content of employment

(1) Unless the contract details the rights and obligations arising from employment, the employer is required to staff about their writing, not later than 1 month after the employment relationship, this also applies to changes to this information. The information must include

a) the name or names and surname of the employee and the name and address of employer is a legal person or name or the name and address of employer, if a natural person,

b) further indicate the type and place of work

c) an indication of the length of leave, or leave an indication of the determination,

d) a notice times

e) the weekly working time and its layout

f) the wages or salary and remuneration arrangements, payment of wages or salary, term of payment of wages or salary, location and method of payment of wages or salary

g) a statement of collective agreements governing the working conditions of employees, and indication of the parties to the collective agreements.

(2) If an employer sends an employee to work in the territory of another State, shall inform him in advance of the expected duration of deployment and the currency in which it will be paid wages or salary.

(3) The information referred to in paragraph 1 point. c) d) e) and paragraph 2, concerning the currency in which employees will be paid wages or salary can be replaced by reference to the relevant law, collective agreement or internal regulations.

(4) The obligation to inform employees in writing about basic rights and obligations arising from employment shall not apply to employment for less than 1 month.

(5) At the commencement of employment an employee must be familiar with labor laws and regulations and other regulations to ensure the safety and health at work, which must follow in their work. The employee must also be familiar with collective agreements and internal regulations.

§ 38

Obligations arising from employment

(1) The employment relationship is

a) the employer is obliged to assign employees work under the contract, to pay him for work done wages or salary, to create conditions for their work tasks and working conditions comply with other statutory, contract or established by an internal regulation

b) the employee must act according to instructions of the employer personally work under contract in the pattern of weekly working hours and comply with the obligations arising from his employment.

(2) The appointment, employment, based on the provisions of the agreed employment contract of employment.

(3) The employer is obliged to submit a trade union within the deadlines agreed with the report on the newly created fixed.

§ 39

Employment for a fixed period

(1) The employment lasts for an indefinite period, unless expressly agreed upon its duration.

(2) Length of service for a fixed period between the same parties may not exceed 3 years from the date of first employment for a definite period may be repeated more than twice. For repetition of employment for a definite period shall be considered as well as its extension. If by the end of the previous employment for a fixed period expired 3 years prior to working for a fixed period between the same parties shall be disregarded.

(3) The provisions of paragraph 2 shall be without prejudice to the procedure in accordance with special regulations, when it is expected that employment may last only for a certain period of time 17).

(4) If the employer made operational reasons or reasons involving the special nature of the work, on the basis of which the employer can not reasonably be required to an employee who has to do this job, suggested the employment contract of indefinite duration does not proceed in accordance with paragraph 2, provided that a different approach will be appropriate and these reasons the employer a written agreement with the union adjusts

a) detailed account of these reasons,

b) the rules of procedure of another employer in negotiating a repetition of employment for a fixed period,

c) radius of the employer's employees, which will involve a different procedure,

d) the period for which the agreement is entered into.

Written agreement with the union to replace the internal regulation only in the event that the employer no trade unions; internal regulation must contain the particulars mentioned in the first sentence.

(5) If the employer negotiate with the employee of employment for a definite breach of paragraphs 2-4, and told the employee before the termination date in writing to the employer that insists that it further employed, paid, that is of employment for an indefinite period. The proposal to determine whether the conditions set out in paragraphs 2 to 4, the employer and the employee filed with the court no later than two months from the date of the employment relationship had to end the termination date.

(6) The provisions of paragraph 2 shall not apply to a contract establishing employment for a fixed period agreed between an agency 18) and the employee to perform work for another employer (§ 307a, 308, and 309).

TITLE III

Changes in employment

§ 40

General provisions

(1) The content of the employment relationship can be changed only by agreement between the employer and the employee change.

(2) to perform work of a different species or in a place other than those stipulated in the contract, the employee is required only in cases under this Act.

(3) The provisions of § 37 shall apply mutatis mutandis here.

Transfer to another job, business trip and transfer

§ 41

Transfer to another job

(1) The employer is obliged to transfer the employee to another job,

a) If an employee lost due to their health condition according to medical opinion issued by the occupational health service provider or decision of the competent administrative authority which reviews the medical opinion, long held as the eligibility of existing work,
b) not according to the medical report issued by the occupational health service provider or decision of the competent administrative authority which reviews the medical report, then do the work to date for a work accident, occupational disease or risk for the disease, or reached if the work specified by the public health protection authority maximum exposure 19),
c) If a pregnant employee, who is breastfeeding, or employee-mother until the end of the ninth month after birth the work that the employee may be employed, or who, according to medical opinion threatens her pregnancy or maternity,
d) if it is necessary according to medical opinion issued by the occupational health service provider or a decision of the competent authority to protect public health in order to protect the health of other individuals from infectious diseases
e) if this is necessary by final decision of a court or administrative authority, other state authority or local government body,
f) If an employee working at night on the medical report issued by a recognized provider of occupational health services unfit for night work
g) if requested by a pregnant employee, who is breastfeeding, or employee-mother until the end of the ninth month after childbirth, who works at night.

(2) The employer may transfer employees to other work,

a) If the employee has given notice of the reasons specified in § 52 point. f) and g)
b) if the employees against criminal proceedings on suspicion of intentional crime committed in the course of work or in direct connection with damage to the employer's assets, and for a period until the final termination of criminal proceedings
c) If an employee has lost temporarily the requirements stipulated by special legal regulations for the performance of contracted work, but in this case, a maximum total of 30 working days per calendar year.

(3) If you can not achieve the purpose of transfer referred to in paragraphs 1 and 2 in the transfer of employees under an employment contract, it can convert zaměstnavatel in these cases, the work of another kind than was agreed in the contract, even if the employee did not agree .

(4) The employer may transfer an employee without the consent of the appropriate length to other work than was agreed, if it is necessary to avert an emergency, natural disaster or other potential accident or mitigate its immediate aftermath, and the necessary time.

(5) If an employee can not perform work for downtime or interruption of work due to adverse weather conditions, it can zaměstnavatel transfer to other work than was agreed in the contract only if the employee agrees with the transfer.

(6) When transferring employees to other work in accordance with paragraphs 1 to 3, the employer must take into account the fact that this work is suitable for him due to his health and abilities and, if possible, his qualifications.

(7) The employer shall be discussed with the employee reason to transfer to other work and time you take a transfer, if there is transfer of employees to change employment contract, the employer must give him written confirmation of the reason for transfer to another job and when it duration, except in cases referred to in paragraph 2. c) and paragraph 4

§ 42

Business Trip

(1) Working trip is a time-limited deployment of an employee by the employer to work outside the agreed place of work. The employer may send the employee to the appropriate length on a business trip only in agreement with him. An employee on a business trip works following the instructions of the head of which he sent on a business trip.

(2) Sends an employer for staff on the way to fulfilling their tasks to other organizational units (to another employer) may authorize another senior employee (another employer) that employees gave instructions to work, or the work organized, directed and controlled , the mandate is necessary to define its scope. With a mandate under the first sentence shall be an employee familiar. Senior employees of another employer but not to employees on behalf of the sending employer legally act.

§ 43

Transfer

(1) Translate employees to work in a place other than those stated in the contract is possible only with his consent, and the employer if it absolutely requires its operating needs.

(2) The task requires employees translated, his work organizes, manages and controls and guidelines for this purpose he gives the appropriate Head of organizational unit (department), the employee whose work has been translated.

§ 43a

Temporary assignment

(1) Agreement on the temporary assignment of employees to another employer with the employer may conclude the employee first 6 months after the date of employment.

(2) The secondment of employees to another employer must be given consideration; this does not apply in respect of reimbursement of expenses incurred pursuant to paragraph 5

(3) The agreement must include the name of the employer is a legal person, or the name or names and surname of the employer, if a natural person to which the employee is temporarily assigned, the date when the temporary assignment arises, type and place of work and the period for which the temporary

assignment arranged. The agreement may be negotiated for regular workplace travel expenses to the provisions of § 34 is not affected. The agreement must be concluded in writing.

(4) During the temporary assignment of an employee to work for another employer requires the employee on behalf of an employer that the employee temporarily assigned, work tasks, organizes, directs and controls his work gives him for that purpose binding guidelines to create favorable working conditions and ensures safety and health at work of the employer to which the employee was temporarily assigned. The employer may temporarily assigned employees to legally act on behalf of an employer that the employee seconded.

(5) During the temporary assignment gives employees a wage or salary, or also travel expenses by the employer that an employee temporarily assigned.

(6), labor and wage or salary employees temporarily assigned to another employer shall not be less than or comparable to the conditions of employees of an employer to which the employee is temporarily assigned.

(7) Temporary allocation under paragraphs 1 to 5 shall expire when the period for which it was concluded. Before the end of this period, the secondment agreement of the parties to the contract or to terminate an agreement on temporary assignment for any reason or without cause with fifteen-day notice period, which begins on the date on which notice was delivered to the other Party. Agreement to terminate the temporary assignment or termination of this Agreement shall be in writing.

(8) Modification of secondment are prohibited from using the agency of employment.

(9) Adjustment of secondment shall not apply in cases of deepening and upgrading the skills of 110).

Common provisions on employment changes

and return to work

§ 44

Fall if the reasons for which the employee was transferred to another job or were transferred to a different location than agreed, or if the elapsed time for which the change is agreed, the employer is obliged to include employees of the employment contract, unless it agrees with with him to change the employment contract.

§ 45

If an employee requests a transfer to another job or workplace, or a transfer to another place, as recommended by occupational health service provider is not appropriate to continue existing work place or working on the current workplace, the employer is obliged to allow him, when it allows its operational capabilities. Work and workplaces, employees are transferred, the employee must be appropriate.

§ 46

If an employer transfers an employee to another job before the contract is responsible, and the employee disagrees with such action, may convert her employer only after consultation with the trade unions. Consideration is not necessary if the total transfer time shall not exceed 21 working days in a calendar year.

§ 47

If an employee enters after the exercise of public functions or activities for the trade union, which was released to the extent of working time, or after military training or military exercises or emergency

workers after maternity leave or an employee after the end of parental leave within the period during which the employee is entitled to take maternity leave, to work, or the board if an employee to work after temporary incapacity or quarantine, the employer is obliged to include them in their original work and the workplace. If this is not possible because the original work or else the workplace has been canceled, the employer is classified under the employment contract.

TITLE IV

TERMINATION OF EMPLOYMENT

Part 1

General provisions for termination and termination of employment

§ 48

(1) Employment may be terminated only

a) Agreement

b) statements,

c) immediate termination,

d) cancellation of the trial period.

(2) Employment for a definite period is also over the agreed period.

(3) The employment of physical foreigners or stateless persons, unless the termination has no other means, ends

a) the date on which the end of their stay in the Czech Republic pursuant to an enforceable decision to cancel a residence permit

b) the date which has become final judgment imposing a punishment to those persons expelled from the Czech Republic,

c) the expiration of the period for which it was issued a work permit 20) Employee cards or long term residence permit for the purpose of highly qualified employment.

(4) Employment terminated employee's death. Termination of employment in case of death, an employer who is a natural person, modifies § 342 paragraph 1

Part 2

Agreement

§ 49

(1) agreement between the employer and the employee on termination of employment, shall cease on the date agreed.

(2) Agreement on termination of employment must be in writing.

(3) Each Party shall receive a copy of the agreement on termination of employment.

Part 3

Dismissal, notice period and notice of the reasons

Section 1

Statement

§ 50

(1) Termination of employment must be in writing, otherwise to her account.

(2) The employer may give notice to the employee solely for the purpose expressly provided for in § 52

(3) An employee may give the employer notice for any reason or no reason.

(4) Can an employer notice to the employee (§ 52), has reason to define the factual statements in such a way that it can not be confused with any other reason. Reason for termination may not be subsequently changed.

(5) The cancellation may be withdrawn only with the consent of the other Party notice of appeal and acceptance of the appeal must be in writing.

§ 51

(1) If the notice is given ends employment expiry of the notice period. The notice period must be the same for both employers and employees and at least 2 months, except under § 51a. The notice period may be extended only by agreement between employer and employee, this contract must be in writing.

(2) The notice period begins on the first day of the calendar month following receipt of notice and ending on the last day of the calendar month, with the exceptions arising from § 51a, § 53, paragraph 2, § 54 point. c) and § 63rd

§ 51a

If the testimony given by the employee in connection with the transfer of rights and obligations arising from employment relationships or moving exercise of the rights and obligations arising from employment relationships, the employment relationship ends later than the day preceding the effective date of transfer of rights and obligations arising from employment relationships or effective date of transfer the rights and obligations arising from employment relations.

Section 2

Notice given by the employer

§ 52

The employer may give notice to the employee only for the following reasons:

a) to delete an employer or in part,
b) moves to the employer or in part,
c) if it becomes redundant due to the employee the employer or the competent authority to change its tasks, technical equipment, a reduction in staff in order to increase efficiency of work or other organizational changes
d) not an employee under the medical report issued by the occupational health service provider or decision of the competent administrative authority which reviews the medical report, then do the work to date for a work accident, occupational disease or risk for the disease, or reached the decision designated in the workplace competent authority to protect public health, maximum exposure
e) If an employee lost due to their health condition according to medical opinion issued by the occupational health service provider or decision of the competent administrative authority which reviews the medical report, long-term health condition,
f) If an employee does not meet the statutory requirements for the performance of contracted work, or failing without fault zaměstnavatele requirements for the proper performance of this work, is the non-

fulfillment of these requirements in the unsatisfactory results of the work, it is possible for this reason employees give notice, only if employer at the time was 12 months requested in writing to remove them and the employee is not remedied within a reasonable time,

g) if the employees are reasons for which the employer could with him immediately terminate the employment relationship or a serious breach of obligations under the law relating to the employee performed work; for sustained less serious violations of obligations under the law governing the work can be performed to give notice to the employee if at the time of the last 6 months in connection with the breach of obligations under legislation relating to work performed made aware of the possibility of dismissal

h) If an employee violates particularly gross manner other staff duty stipulated in § 301A.

Section 3

Prohibition of dismissal of the employer

§ 53

(1) prohibited to give notice to the employee in the period of protection, it is

a) when an employee is temporarily unable to work recognized, if you intentionally did not incur this inability or incurred if such failure as a direct result of drunkenness or employee substance abuse, and at the time of application for institutional care or spa treatment from the onset until their date of termination; tuberculosis in the latter period is extended by 6 months after discharge from the constitutional treatment;

b) the exercise of military exercises or extraordinary military exercise date on which the employee received call-up, in the performance of these exercises until the expiry of two weeks after his release from these exercises,

c) when the employee is fully relieved for long-term performance of public functions

d) when the employee is pregnant or a female employee on maternity leave or the employee or an employee take parental leave

e) when an employee who works at night, recognized in the medical report issued by the occupational health service provider temporarily unfit for night work.

(2) If the employee given notice before the start of the period of protection so that the notice period had elapsed in the period of protection, the protection period is the period of notice discounted employment relationship ends before the expiry of the notice period remaining after the protection period, unless the employee shall employer that the extension of service does not.

§ 54

Prohibition of dismissal pursuant to § 53 shall not apply to employees given notice

a) organizational changes referred to in § 52 point. a) and b) it does not apply in the case of organizational changes referred to in § 52 point. b) if the employer moves within the site (s) of work in which work is to be performed under the contract,

b) organizational changes referred to in § 52 point. b) this does not apply in the case of pregnant workers, workers who take maternity leave, or employees when to take parental leave until after the woman is entitled to take maternity leave,

c) the grounds for which an employer may immediately terminate the employment relationship, unless the employee on maternity leave or the employee at the time of parental leave by the time during which a woman is entitled to take maternity leave, was given the employee or employees of this due notice before taking maternity leave (parental leave) so that the notice period has elapsed at the time of maternity leave (parental leave), shall expire simultaneously with the notice period of maternity leave (parental leave)

d) other obligations arising from a breach of legislation relating to work performed by [§ 52 point. g)] or any other breach of duties of the employee set out in § 301A especially gross manner [§ 52 point. h)], this does not apply in the case of pregnant workers and workers receiving maternity leave or the employee or employees who take parental leave.

Part 4

Immediate termination of employment

§ 55

Immediate termination of employment by the employer

(1) An employer may, exceptionally, immediately terminate employment only

a) If an employee has been convicted for an intentional offense to imprisonment for a period longer than 1 year, or if he was convicted for an intentional criminal act committed in the course of work or in direct connection with him to imprisonment for at least 6 months

b) If an employee breached an obligation under legislation relating to work performed by especially gross manner.

(2) The employer shall immediately terminate the employment of pregnant workers, workers on maternity leave, an employee or an employee who take parental leave.

§ 56

Immediate termination of employment an employee

(1) An employee may immediately terminate the employment only if,

a) according to medical opinion issued by the occupational health service provider or decision of the competent administrative authority which reviews the medical report, can no longer perform work without serious danger to his health and his employer at the time did not allow 15 days from the date of submission of the report output other suitable work for him or

b) the employer had not paid a wage or salary or wage compensation, or any portion thereof within 15 days after the due date (§ 141, paragraph 1).

(2) Employees who immediately canceled the employment relationship, responsibility from employers to pay wages or salary of the average earnings for the period corresponding to the duration of notice. For the purposes of wage compensation shall apply § 67 paragraph 3

§ 56a

Immediate termination of employment legal representative

minor employee

(1) The legal representative of a minor employee who has not attained the age of 16 years may immediately terminate the employment of a minor staff as is necessary in the interests of education, development and health of employees. To force immediate termination of employment of a minor employee in the first sentence requires consent of the court.

(2) The legal representative shall deliver a copy of immediate termination of employment and consent of the court for minor employees.

Part 5

Common provisions on termination of employment

§ 57

(1) For violation of other employee obligations stipulated in § 301A especially gross manner [§ 52 point. h)] may give notice to the employee by the employer only within 1 month from the date on which this is the reason for dismissal heard no later than 1 year from the date of such termination was for cause.

(2) If it happens during one month under paragraph 1 of employee conduct, which can be seen as a violation mode temporarily unable to work insured under investigation other authority is still possible to give notice within 1 month from the date the employer learned of the result this investigation.

§ 58

(1) For violation of obligations under legislation relating to work performed or the reason that it is possible to immediately terminate the employment relationship, the employer to an employee to give notice to him or immediately terminate the employment relationship only within 2 months from the date of the reason for dismissal or for immediate termination of employment learned, and for breach of obligations arising from employment abroad to two months after his return from abroad, but always at the latest within 1 year from the date when grounds for dismissal occurred.

(2) If it happens during the two months under paragraph 1 of employee conduct, which can be seen as a violation of obligations under legislation relating to work performed, subject to the investigation of another authority, it is possible to give notice to him or immediately terminate the employment relationship more than 2 months of when the employer learned of the outcome of this investigation.

§ 59

The employee may immediately terminate employment only within 2 months of when the reason for immediate cancellation learned within 1 year from the date on which that reason was.

§ 60

In the immediate termination of employment, the employer and the employee in fact determine the cause so that it can not be confused with another. The reason may not be subsequently changed. Immediate termination of employment must be in writing, otherwise it will not be considered.

§ 61

(1) Termination or immediate termination of employment, the employer is obliged to negotiate with unions.

(2) If it is a board member trade organization that works with the employer at the time of his term, and at 1 year after its completion, is to testify or for immediate termination of employment employer must ask the unions for prior consent. Under the previous agreement shall also be considered if the union refused to grant written consent of the employer at the time within 15 days from the date on which the employer asked for it.

(3) The employer may use a consent pursuant to paragraph 2 only in a period of two months from the grant.

(4) If the union refused to give consent under paragraph 2, the notice or immediate termination of employment for this reason invalid, if other conditions are not immediate revocation or termination are met and the court in proceedings under § 72 finds that the employer can not reasonably be required to continue to employ employees are dismissed or immediate termination of employment valid.

(5) In other cases of dismissal, the employer is obliged to inform the trade union within the time agreed with her.

Section 6

Collective redundancies

§ 62

(1) Collective redundancies shall mean termination of employment contracts in a period of 30 calendar days notice given to the employer on the grounds set out in § 52 point. a) to c) at least

a) 10 employees at an employer employing from 20 to 100 employees

b) 10% of employees at an employer employing from 101 to 300 employees, or

c) 30 employees at an employer employing more than 300 employees.

Ends if the conditions set out in the first sentence of employment at least 5 employees, included in the total number of employees referred to in subparagraphs a) to c) and employees with whom zaměstnavatel untied employment in this period for the same reasons Agreement.

(2) pre-tax notice to individual employees, the employer is obliged to plan their time, at least 30 days in advance, in writing inform the trade union and council staff, it is also obliged to inform the

a) the reasons for redundancies

b) the number and composition of professional staff who are to be released,

c) the number and composition of all professional employees who are employed by the employer,

d) the time in which to carry out collective redundancies,

e) aspects of the proposed selection of employees to be made redundant,

f) the severance pay or other rights of redundant employees.

(3) The negotiations with trade unions and Works Council is to achieve consistency in particular the measures taken to avoid or reduce redundancies and mitigate the adverse consequences for employees, especially the possibility of their inclusion in a suitable occupation for other workplaces of the employer.

(4) The employer is also obliged to inform in writing the regional branch of the Labour Office the appropriate action according to the employer on measures referred to in paragraphs 2 and 3, in particular the reasons for such action, the total number of employees, number and structure of employees affected by those measures are of concern , the period during which there is a collective redundancies, on the proposed considerations for the selection of redundancies and to open negotiations with the trade union or council employees. One copy of the written information delivered by the employer or trade union council employees.

(5) The employer is obliged to deliver demonstrably regional branch of the Labour Office in accordance with the employer's place of business a written report of its decision on collective redundancies and the results of negotiations with the trade union or council employees. The report shall also indicate the total number of employees and the number and professional composition of employees affected by collective redundancies involved. One copy of this report delivers the trade union and works council. Trade union and works council are entitled to a written report zaměstnavatele separately to express those views and to deliver the regional branch of the Labour Office according to the activities of the employer. Employer to whom the decision on bankruptcy 21a) is required to deliver the regional branch of the Labour Office a written report only on request.

(6) In the event that the employer is not established or does not trade union or council employees, the employer is obliged to fulfill the obligations specified in paragraphs 2 to 5 to each employee, in which redundancies involved.

(7) The employer must give employees day of receipt of the written report of the employer county branch of the Labour Office pursuant to § 63rd

§ 63

Employment collectively transmitted employee testimony ends not earlier than after 30 days of consecutive receipt of the written report employer under § 62 paragraph 5 regional branch of the Labour

Office according to the activity of the employer unless the employee claims that the extension of service does not. This does not apply, if a decision on bankruptcy 21a) of the employer.

§ 64

The provisions of § 62 and 63 shall apply to cases of collective redundancies decided by the competent authority [§ 52 point. c)].

Part 7

Other cases of termination of employment

§ 65

Termination of employment for a definite period

(1) The employment of limited duration may also be terminated by other means provided for in § 48, paragraph 1, 3 and 4 If the duration of employment is limited to certain time of the work, the employer must notify employees at the end of the work on time, usually at least 3 days in advance.

(2) If the employee continues after the expiry of the term (§ 48 paragraph 2), knowing Employers also in doing the work are that it is an employment relationship of indefinite duration.

§ 66

Termination of employment during the probationary period

(1) The employer and employee may terminate the employment relationship during the probationary period for any reason or no reason. An employer may not cancel during the trial period of employment during the first 14 calendar days in the period from 1 January 2012 to 31 December 2013 during the first 21 calendar days of temporary incapacity (quarantine) of the employee.

(2) For termination of employment during the probationary period must be in writing, otherwise it will not be considered. The employment relationship shall terminate on receipt of cancellation, unless it specifies a later date.

Part 8

Severance

§ 67

(1) Employees, for which there is a notice of termination of employment the employer for reasons mentioned in § 52 point. a) to c) or agreement for the same reasons, from the employer for the termination of employment with severance pay of at least

a) jednonásobku his average salary if his employment with the employer took less than 1 year

b) twice the average of his salary if his employment with the employer took at least 1 year and less than 2 years

c) three times its average earnings, if his employment with the employer took at least 2 years

d) the sum of three times its average earnings and the amounts referred to in subparagraphs a) to c) if there is a termination of employment when the employee is covered by the account of working hours procedure under § 86 paragraph 4

For the duration of employment is regarded as the duration of previous employment with the same employer if the period since its creation following the end of the employment does not exceed 6 months.

(2) Employees, for which there is a termination of employment by notice given by the employer for reasons specified in § 52. d) or agreement for the same reasons, it is for the employer upon termination of employment severance of at least twelve times the average salary. It was if the employee terminated employment, not because according to a medical report issued by the provider of occupational health services or the decision of the competent administrative authority which reviews the medical opinion, as do the current job for work-related injury or occupational disease, the employer shall be completely relieved of their duties under § 367, paragraph 1, compensation under the second sentence is not for employees.

(3) For the purposes of severance pay to average earnings means the average monthly earnings.

(4) Severance pay, the employer must pay employees after termination of employment in the next pay period designated by the employer for the payment of wages or salary if the employee agrees in writing to the payment of severance pay on the day of termination of employment or at a later date of payment.

§ 68

(1) If an employee after termination of employment do work with existing employers in the employment contract or an agreement for work before the expiry of the period specified by the number of multiples of average earnings, which was derived from the amount of severance pay, is obliged to return the severance or zaměstnavateli its proportion.

(2) an aliquot of severance pay is determined by the number of calendar days from taking up new employment to the expiry of the period referred to in paragraph 1

Part 9

Illegal termination of employment

§ 69

(1) If an employer gave employees unfairly dismissed or set aside to him zaměstnavatel invalidly employment immediately or on probation, and told the employee of the employer without undue delay in writing that insists that he also employed, his employment still the case and the employer is obliged to provide to pay the wages or salary. Compensation under the first sentence of the employee average earnings from the date of oznámil employers that insist on further employment until such time as the employer will continue to work or when there is a valid termination of employment.

(2) exceeds the total time for which employees should belong wage compensation, 6 months, the court may on the proposal, an employer's obligation to pay wages or salary for a further period be reduced, the court in its decision having regard in particular to whether the employee is employed elsewhere in the meantime, what work there took place and what earnings reach or the reason to work have not.

(3) If an employer undid employment illegally, but fails to notify an employee that insists that it employed Employers also applies if the employer agrees in writing to the other end of the day that his employment was terminated by agreement,

a) Given a valid dismissal, expiry of the notice period

b) if the employment of illegally canceled immediately or on probation, the date when the employment relationship had to end this cancellation, in which cases the employee is entitled to wage compensation in the amount of average earnings during the notice period.

§ 70

(1) gave the unfairly dismissed employee of the employer or illegally canceled if the staff member immediately or probationary employees and employers said without undue delay in writing that insists to continue doing his job, employment is still the case. If the employee fails call the employer the employer has the right to claim him for the damage he thereby incurred from the day when he announced that he insists on holding another job.

(2) untied if the staff member void However, employers does not insist that the employee continued to work with him, is true if the employee agrees in writing to the other end of the day that his employment was terminated by agreement,

a) Given a valid dismissal, expiry of the notice period

b) if the employment of illegally canceled immediately or on probation, the date when the employment relationship had to end this cancellation.

(3) In cases referred to in paragraph 2 of the employer against the employee can not claim compensation.

§ 71

When an invalid agreement on termination of employment are to be used when assessing an employee the right to compensation for lost wages or salary as when unfair dismissal the employer (§ 69). Zaměstnavatel right to compensation for the annulment of the agreement shall not apply.

§ 72

The invalidity of dismissal notice, immediate termination, termination of probation or agreement can both employer and employee filed with the court no later than within 2 months of when the employment relationship had to end this cartage.

Part 10

Appeals from the post of head of

or waiver of this place

§ 73

(1) In cases referred to in § 33, paragraph 3, the one who is responsible for appointment (§ 33 paragraph 4), the head of the appeal of the job, the senior employee can also give this place.

(2) If the employer is a legal entity other than those specified in § 33, paragraph 3, or a natural person may be agreed with the Head of the employee to removal from the place where both agreed that the senior employee can give up this place.

(3) The leading points pursuant to paragraph 2, points

a) the scope of direct control

1) the statutory body, Where the employer is a legal entity

2) the employer if the employer is a natural person

b) the scope of direct control manager, directly subordinate

1) the statutory authority, if the employer is a legal entity

2) the employer if the employer is a natural person

provided that the employee reports to the Head of another senior employee.

(4) appeal the presiding officer under paragraph 2 may be performed for an employer who is a legal entity, its statutory authority and an employer who is a natural person, the employer.

§ 73a

(1) An appeal or waiver of the job manager, must be made in writing. Work on the job manager, ending the day following the receipt of an appeal or waiver of this place, if no appeal or waiver of the job given day later.

(2) the removal or resignation from the job manager, terminate the employment, the employer is obliged to propose an amendment to the employee's employment status with another employer to another job commensurate with his qualifications and health condition. If the employer has no employees for a job or an employee refuses it, it is an obstacle in the work and the employer pays the same time, there is reason for dismissal under § 52 point. c) compensation provided to employees during organizational change belongs only in case of termination of employment following an appeal from the head of the cancellation of this place as a result of organizational changes.

(3) If the employment manager, appointment or modified based on the term ends if the employment relationship prior to expire at the end of time (§ 48 paragraph 2).

PART THREE

Contracts for work carried outside employment

§ 74

General provisions

(1) The employer shall ensure fulfillment of their tasks, especially employees in employment.

(2) In agreements on work performed outside the employment relationship is not employer must schedule the employee working hours.

§ 75

The employment agreement

The scope of work to which the contract of service concluded, must not exceed 300 hours per calendar year. The scope of work also included the duration of the work done by the employee for the employer in the same calendar year, based on contracts for other work. The agreement to carry out the work must be given time to which the agreement says.

§ 76

Agreement on work activity

(1) Agreement on the work the employer may conclude a natural person, although not beyond the scope of work in the same calendar year, 300 hours.

(2) By agreement of the work is not possible to perform work in excess of the range, on average, half of the stipulated weekly working time.

(3) Compliance with the agreed and maximum allowable range of half the fixed weekly working hours shall be assessed for the entire period for which the agreement was concluded for work, but after a maximum period of 52 weeks.

(4) The agreement on work activity shall be contracted work, done the extent of working hours and the period for which the agreement is concluded.

(5) If the agreed method of cancellation of contracts for work, it can be waived by agreement of the Parties on the agreed date, can be unilaterally revoked for any reason or without cause with 15 days notice period, which begins on the date on which notice was served other party. Immediate cancellation of contracts for work but can be arranged only for cases where it is possible to immediately terminate the employment relationship.

§ 77

Common provisions

(1) Agreement on work performance and work agreement must be in writing, a copy of this Agreement issued by the employer employees.

(2) Unless this Act otherwise provided below, refers to work done on the basis of agreements on work performed outside employment arrangements for their work in employment, it does not apply in respect of

a) transfer to another job and transfer,

b) temporary allocation

c) compensation,

d) working time and rest periods, work performance must not exceed 12 hours within 24 consecutive hours,

e) barriers to work for the employee,

f) leave,

g) termination of employment,

h) the remuneration ("the reward of the agreement"), with the exception of the minimum wage, and

i) the travel reimbursement.

(3) The right to active employees under an agreement to work on other important personal obstacles at work and on holiday can be arranged, or to establish an internal regulation, and under the conditions specified in § 199, 206, and the ninth. For contracts for works and contracts for work but must always be respected adjustment under § 191 to 198 and § 206th

(4) To terminate the agreement for work or contracts for work to be in writing, otherwise to her account. The same is true for the immediate abolition of these agreements.

(5) The legal representative of a minor employee who has not attained the age of 16 years may immediately terminate the contract for work or a contract for work of a minor staff as is necessary in the interests of education, development or health of a minor staff. The validity of immediate termination of contracts for work or contracts for work of a minor employee in the first sentence requires consent of the court.

(6) The legal representative shall deliver a copy of immediate termination of contracts for work or contracts for work and consent of the court for minor employees.

PART FOUR

WORKING TIME AND REST TIME

TITLE I

GENERAL provisions on working time and working hour

§ 78

(1) For the purposes of working time and rest periods is

a) working time period in which the employee is obliged to perform for an employer work, and the period in which the employee is at work ready to work according to instructions of the employer,

b) rest period which is not working time,

c) exchange of weekly working hours without overtime, the employee shall be based on a predefined schedule to work shifts,

d) dvousměnným working procedure is a work in which employees regularly alternate with each other in 2 shifts within 24 consecutive hours,

e) the procedure is working three shifts of work in which employees regularly alternate with each other in 3 shifts within 24 consecutive hours,

f) continuous working mode of operation mode in which employees regularly alternate with each other in shifts around the clock operation of the employer within 24 consecutive hours,

g) hour operation, which requires performance of work 24 hours a day, 7 days a week

h) on-call time in which the employee is ready for any work under an employment contract, which must be an urgent need done, beyond its schedule shifts. On-call may be just another place agreed with the employee, from different departments employer

i) work overtime, work done by an employee of the employer or to order with the consent of the agreed weekly working hours resulting from a predetermined pattern and held outside the schedule shifts. For employees with shorter working hours is the work of overtime work exceeding the agreed weekly working hours, these employees can not be ordered to work overtime. Not work overtime, if an employee napracovává work done over the agreed weekly working time off work that the employer provide, upon request,

j) night work, work done at night time, night time is the time between 22 and 6 hour

k) employee working at night, an employee who during night time at least 3 hours of their working hours within 24 consecutive hours on average at least once a week during the period referred to in § 94 paragraph 1,

l) a uniform layout patterns of working hours at the employer allocated to individual weeks agreed weekly working hours, or shorter working hours,

m) uneven patterns of working time layout, in which an employer rather than distributing them evenly over each week agreed weekly working hours, or shorter working hours, with the average weekly working time must not exceed the agreed weekly working hours, or shorter working hours, for a maximum period of 26 consecutive weeks. Only a collective agreement may specify the period up to 52 consecutive weeks.

(2) The provisions of paragraph 1 letter. d) to f) applies even if the employees' regular shift rotation is parallel to the work of employees subsequent innings, but only for a maximum of 1 hour.

§ 79

Maximum weekly working hours

(1) the length of the working week is 40 hours per week.

(2) the length of the weekly working time of employees at

a) working underground in coal mining, non-metalliferous ores and raw materials in mine construction and mining exploration sites 37.5 hours per week,

b) with three shifts and continuous working mode 37.5 hours per week,

c) dvousměnným working 38.75 hours per week regimen.

(3) Reducing the fixed weekly working hours without reducing wages below the range specified in paragraphs 1 and 2 may contain only a collective agreement or internal regulations. Reduction of weekly working time laid down under the first sentence may not make zaměstnavatel referred to in § 109 paragraph 3

§ 79a

For employees younger than 18 years, the length of shifts each day exceed 8 hours and in more basic labor relations in accordance with § 3, the length of weekly working hours as a whole exceed 40 hours per week.

§ 80

Shorter working hours

Shorter working hours below the range specified in § 79 may be negotiated only between the employer and employee. Employees for the wage or salary corresponding to the agreed shorter working hours.

TITLE II

Working time

Part 1

Basic Provisions

§ 81

(1) Working time schedules determined by the employer and the beginning and end of shifts.

(2) Working time schedules are usually within a five-day workweek. During working hours, the employer must take into account the fact that this layout was not contrary to considerations of safe and healthy work.

(3) The employee shall be at the beginning to shift their work and leave it until after the shift.

§ 82

repealed by Law No. 365/2011 Coll.

§ 83

Length of shifts should not exceed 12 hours.

§ 84

The employer is obliged to draw up a written schedule of weekly working hours and meet with him or his staff change at least 2 weeks in the case of working time accounts one week before the start of the period to which working hours are divided, if the employee agrees to a different time of introduction.

Part 2

Flexible working time

§ 85

(1) Flexible working hours includes basic time slots and optional working time, which determines the beginning and end of the employer.

(2) The basic working hours an employee is required to be in the workplace.

(3) At the option of working hours the worker chooses the beginning and end of working hours. The total length of shifts should not exceed 12 hours.

(4) The flexible working hours shall be the average weekly working hours in the buffer is filled for a period determined by the employer, but no longer than the period specified in § 78 paragraph 1 point. m).

(5) Flexible working hours shall not apply

a) when the mission staff

b) the need for urgent security task in the work shift, the beginning and end is fixed, or if it prevents the application of operational reasons, and at important personal impediments to work, during which the employee belongs wage compensation under § 192 or benefits under regulations on health insurance and

c) in other cases determined by the employer.

(6) In the cases referred to in paragraph 5 applies to employee pre-defined layout of weekly working time to shift to the employer for this purpose must be determined.

Part 3

Account of working hours

§ 86

(1) account of working hours is a way of working time, which may introduce only a collective agreement or internal regulations of the employer, the union which does not.

(2) account of working hours may be applied by employers referred to in § 109 paragraph 3

(3) If an account is claimed working hours, compensation can not exceed a period of 26 weeks consecutive. Only a collective agreement may specify the period up to 52 consecutive weeks.

(4) only if it agreed in the collective agreement can be worked in the overtime account in the adjustment of working hours agreed in the collective agreement, which shall not exceed a maximum of 52 weeks consecutive, to a maximum of 120 hours counted as working time only immediately following the adjustment period.

§ 87

(1) The application of working time accounts, the employer shall keep an account of working hours and wages of an employee account.

(2) On account of employees' time is recorded

a) the maximum weekly working hours, or shorter working hours,

b) a schedule of working hours on each working day, including start and end of shifts and

c) worked in individual working hours and working days per week.

(3) If the application of working time accounts use a shorter period than stated in § 86 paragraph 3 shall be assessed the difference between the agreed weekly working hours, or shorter working hours and working hours worked after the end of the shorter term.

TITLE III

BREAK THE JOB AND SAFETY BREAK

§ 88

(1) The employer shall provide the employee for a maximum of 6 hours of continuous work breaks for meals and rest at least 30 minutes, juvenile workers must be given a break after a maximum of 4.5 hours of continuous work. In the case of work that can not be interrupted, the workers must be without interruption or work ensure adequate time for rest and food, this time is counted as working time. Juvenile workers must always be given meal breaks and rest under the first sentence.

(2) If the breaks for meals and rest is divided, at least one part must be at least 15 minutes.

(3) Breaks for rest and meals are not provided at the beginning and end of working hours.

(4) provided breaks for meals and rest do not count towards working time.

§ 89

(1) If an employee at work right to break the security in accordance with special legislation, this break is counted as working time.

(2) If the security falls pause for breaks for meals and rest, counted with breaks for meals and rest as working time.

TITLE IV
REST TIME

Part 1
Uninterrupted rest between two shifts

§ 90

(1) The employer shall schedule working hours so that employees between the end of one shift and the start of next shift uninterrupted rest period of 11 hours, an employee under 18 years of age for at least 12 hours within 24 consecutive hours.

(2) Rest in paragraph 1 may be reduced to 8 hours per 24 consecutive hours employees 18 years older, provided that the following rest it will be extended for a period of reduced rest

a) in continuous operations, the uneven organization of working time and overtime,

b) agriculture,

c) in providing services to the population, especially

1), public catering,

2) in cultural facilities

3) Telecommunications and postal services

4) in healthcare facilities,

5) in social service facilities 22a),

d) for urgent repair work if it is to avert danger to life or health of employees,

e) for natural events and other similar emergencies.

§ 90a

Rest between the end of one shift and the start of next shift, short range according to § 90 paragraph 2, older employees may be replaced at 18 years of seasonal work in agriculture so that it will be provided during the following 3 weeks of contraction.

Part 2

Public Holidays

§ 91

(1) Public holidays are days on which the employee falls uninterrupted rest of the week, holidays, and 23).

(2) Work on a public holiday the employer may be ordered only in exceptional circumstances.

(3) On the day of continuous rest per week an employer may require the exercise of these workers have the necessary work that can not be made on working days:

a) urgent repair work,

b) loading and unloading work,

c) Closing inventory and work

d) work done on a continuous basis for employees who have failed to shift

e) for natural events and other similar emergencies

f) the work required with regard to life satisfaction, health, educational, cultural, physical education and sports needs of the population,

g) work in transport,

h) the feeding and care of animals.

(4) The employer may require holiday workers have work permits, which can require employees on a continuous weekly rest, work around the clock and work needed for guarding the employer.

(5) On a public holiday the employer may only require execution of the works referred to in paragraphs 3 and 4, more than twice during a period of 4 consecutive weeks, applied to the account in the process of working hours according to § 86 paragraph 4

(6) The employer, in which the employee works the night shift, starting an hour working day corresponding to the onset of the shift workers, that the week starts on schedule as the first innings. The provisions of the first sentence can be used also for purposes of the wage or salary, remuneration of the agreement and to determine the average earnings.

Part 3

Continuous rest of week

§ 92

(1) The employer is obliged to stagger working hours so that the employee had uninterrupted weekly rest period of at least 35 hours. Continuous rest of the week may not be an employee of a juvenile less than 48 hours.

(2) If the traffic allows employers to provide uninterrupted rest per week for all employees on the same day and so it fell to Sunday.

(3) In cases referred to in § 90 paragraph 2 and technological processes that can not be interrupted, the employer may stagger working hours of employees over 18 years only so that the period of continuous rest per week will be at least 24 hours, by employees will be provided uninterrupted rest per week to over 2 weeks, the total length of rest of at least 70 hours.

(4) If it is agreed in agriculture can be provided uninterrupted rest so that it will be a rest period

a) 3 weeks will total at least 105 hours

b) six weeks to do seasonal work at least 210 hours in total.

TITLE V

OVERTIME

§ 93

(1) additional work is rarely possible to do.

(2) Overtime may order the employer to an employee only for serious operational reasons, even for a period of continuous rest between shifts, or as provided in § 91 para 2 to 4 and on holidays. Mandated to work overtime the employee shall not be more than 8 hours in each week and 150 hours per calendar year.

(3) An employer may require overtime beyond the scope referred to in paragraph 2 subject to the agreement with the employee.

(4) The total amount of work overtime shall be on average more than 8 hours per week over a period may not exceed 26 weeks consecutive. Only a collective agreement may specify the period up to 52 consecutive weeks.

(5) The maximum allowable number of hours of overtime in the buffer period under paragraph 4 shall not include overtime for which employees were given compensatory time off.

§ 93a

Another agreed overtime in health care

(1) Other agreed by overwork in Health (hereinafter "the other agreed overtime") shall mean work around the clock associated with the reception, treatment, care or providing pre-hospital emergency care in hospitals and other inpatient medical facilities and emergency medical health care facilities services performed by

a) a doctor, dentist or pharmacist 23a),

b) health professional paramedical professions working in continuous operation mode 23b)

(Hereinafter referred to as "employee in health care"). Another agreed overtime work is done over the range indicated in § 93 paragraph 4

(2) An employee in health care, which disagrees with the performance of other agreed overtime, it may be forced to negotiate or be subjected to any detriment. The application further agreed to work overtime, the employer must notify in writing the competent authority of labor inspection.

(3) Other agreed overtime healthcare workers must not exceed an average of 8 hours per week for employees and providers of emergency medical services an average of 12 hours per week, during a period which may not exceed 26 weeks consecutive, just a collective agreement may extend that period define a maximum of 52 weeks consecutive.

(4) The Agreement further agreed to work overtime

a) shall be in writing,

b) must be negotiated in the first 12 weeks of the date of employment,

c) can not be negotiated for more than 52 consecutive weeks,

d) may be immediately canceled, without giving a reason during the 12 weeks of the nomination; immediate cancellation must be made in writing,

e) may be terminated for any reason or without cause, notice must be given in writing. Unless a shorter notice period agreed upon, is 2 months and must be the same for both employers and employees in health care.

(5) Employers shall keep a current list of all healthcare workers performing other agreed overtime.

(6) Where this provision does not otherwise apply to other similarly agreed overtime provisions of the Labour Code regarding overtime.

TITLE VI

NIGHT WORK

§ 94

(1) Length of shift employees working at night should not exceed 8 hours within 24 hours of consecutive, if this is not possible for operational reasons, the employer must schedule the agreed weekly working hours so that the average length of the shift does not exceed 8 hours in the longest 26 weeks consecutive, when calculating the average length of shift employees working at night is based on the five-day workweek.

(2) The employer shall ensure that an employee working at night was examined by the provider of occupational health services

a) prior to assignment night work

b) regularly as needed, but at least once a year

c) include any time during the night work if the employee so requests.

Payment of health services provided to employees may be required.

(3) The employer shall provide for employees working at night, adequate social security, especially refreshments.

(4) Department, which operates at night, the employer shall furnish the means for providing first aid, including providing the means to summon emergency medical assistance.

TITLE VII

On-call

§ 95

(1) On-call an employer may require the employee only if the employee shall agree upon. During the period the employee is on-call pay under § 140th

(2) For work performed at the time the employee is on-call wage or salary, remuneration under § 140 is not at this time. Work at the time of availability of the agreed weekly working hours is overtime work (§ 93).

(3) On-call time at which the work shall not be counted as working time.

TITLE VIII

Common provisions on working time and rest time

§ 96

(1) The employer shall keep records of each employee showing the beginning and end

a) worked

1) shift [§ 78 paragraph 1 point. c)],

2) overtime [§ 78 paragraph 1 point. i) and § 93]

3) other agreed overtime (§ 93a)

4) Night work (§ 94),

5) during the period of availability (§ 95 paragraph 2),

b) call, held by the employee [§ 78 paragraph 1 point. h) and § 95].

(2) At the request of an employee, the employer must allow employees to inspect their accounts and records of working hours working hours and wages into his account and make extracts therefrom or copies at the expense of the employer.

§ 97

(1) Barriers to work on the employee for flexible working patterns will be considered as work performed only in so far as it interfered with the working time. The first sentence does not apply in the case of temporary incapacity, where employees receive reimbursement of wages or salary (§ 192).

(2) The obstacles in the work of the employee for flexible working hours, defined the exact length of time necessary, during which the employee is off work, or if it is a work of employee representatives, is considered as the performance of work this whole time.

(3) Obstacles to work on the part of employers' flexible working patterns will be considered as work performance, if the affected employees to shift, for each day in the range of the average length of shifts.

(4) During the period of 1 day shall be deemed for the purposes of paragraphs 1 to 3 corresponding to the average length of time shifts resulting from the fixed weekly working hours or shorter working hours.

(5) The application of working time accounts, time off for work on the obstacles in the employee provides to the extent strictly necessary time, or length of shifts in the range laid out by the employer to the relevant date.

§ 98

(1) Overtime in the application of flexible working time is determined as the work is always above the fixed weekly working time and the basic working hours.

(2) overtime work in the application of working time accounts of the work carried out weekly working time, which is a multiple of the fixed weekly working hours and number of weeks of compensation pursuant to § 86 paragraph 3 or in accordance with § 87 paragraph 3

§ 99

Measures relating to collective organization of working time, overtime, the possibility of directing the work on public holidays and night work with regard to health and safety at work, the employer is obliged to negotiate with unions.

TITLE IX

POWERS OF

§ 100

(1) Government Regulation provides for variation of working time and rest periods for workers in transport, which are

a) members of the crew of a truck or bus 24),

b) road maintenance workers 25),
c) employees of railway transport on the national, regional and siding 26),

d) Employees of public transport 27),

e) members of the crew and airport staff to ensure the operation of 28),

f) members of the crew of the vessel 29),

g) employees serving vessel in the port 29),

while further define the circle of employees referred to in subparagraphs a) to g) and shall determine the procedure and other obligations of the employer and employees during working time and rest periods.

(2) The Government may determine variations Regulation of working time and rest periods for members of the Fire and Rescue Service units undertaking 31), which is composed of employees of employers who operate in this unit as their job, whose duties include direct tasks of this unit; It does not apply with respect to the length of the fixed weekly working time. Length of shifts in the event of deviations in the first sentence in unequal working hours must not exceed 16 hours.

PART FIVE

SAFETY AND HEALTH AT WORK

TITLE I

AVOIDANCE OF RISK TO LIFE AND HEALTH AT WORK

§ 101

(1) The employer shall ensure the safety and health of workers at work with regard to the possible risk to their lives and health that relate to the performance of work (hereinafter referred to as "risks").

(2) Care for health and safety at work imposed by the employer pursuant to paragraph 1 or by special legislation is an integral and equal part of the job responsibilities of managers at all levels of management within the scope of jobs they occupy.

(3) Where the tasks at one workplace employees of two or more employers, employers are obliged to inform each other in writing of the risks and the measures taken to protect against their effects, which relate to work and the workplace and cooperate in ensuring the safety and health at work for all employees in the workplace. Upon written agreement of employers authorized by this Agreement zaměstnavatel coordinate the implementation of measures to protect the safety and health practices and to that end.

(4) Each of the employers referred to in paragraph 3 shall

a) ensure that its activities and work of its employees were organized, coordinated and implemented to be protected while the other employees of the employer,

b) sufficiently and without unnecessary delay notify the trade union and employee representatives for the safety and health at work, and if u does not it, its employees directly about the risks and measures taken, it has received from other employers.

(5) The employer's obligation to ensure the safety and health at work shall apply to all natural persons who reside with his knowledge to his workplace.

(6) Costs associated with ensuring the safety and health at work is required to pay the employer; these costs may not be transmitted directly or indirectly to the employee.

§ 102

(1) The employer is obliged to create a safe and healthy working environment and working conditions appropriate organizations, health and safety at work and taking measures to prevent risks.

(2) Risk Prevention means any action resulting from legal and other regulations to ensure safety and health measures and employers aimed at preventing risks, eliminate or minimize the effect irremovable risk.

(3) The employer is obliged to continuously search for the factors and processes hazardous working environment and working conditions, determine their causes and sources. Based on this finding search and evaluate risks and take action to remove them and take such measures that result in more favorable working conditions and levels of the decisive factors work has included a special legal regulation as

hazardous could be categorized as below. This is required to regularly check the level of safety and health at work, in particular the status of production and labor resources and equipment and the level of workplace risk factors of working conditions and respect the methodology and findings and assessment of risk factors according to special regulations.

(4) If you can not eliminate risk, the employer is obliged to evaluate and take action to reduce their exposure to threats to safety and health of workers has been minimized. The measures taken are an integral and equal part of all activities of the employer at all levels of management. The search and evaluation of risks and the measures taken by the first sentence, the employer is obliged to keep records.

(5) The adoption and implementation of technical, organizational and other measures to prevent risks, the employer must be based on the general principles of prevention, which means

a) reduction of risk

b) elimination of risks at the source of their origin,

c) adaptation to the needs of the working conditions of employees in order to reduce the impact of the negative impact of work on their health,

d) replacement of physically demanding work with new technology and working practices

e) the substitution of dangerous technologies, production and labor resources, raw materials and less dangerous or less risk, in line with the latest knowledge of science and technology

f) limiting the number of workers exposed to risk factors of working conditions in excess of the highest occupational exposure limits and other risks to the minimum number necessary for its operation,

g) planning the implementation of risk prevention with the use of technology, work organization, working conditions, social relations and influence the work environment,

h) the preferred application of collective protection against the risks versus the means of individual protection,

i) the implementation of measures aimed at reducing leakage of harmful substances from machinery,

j) the granting of appropriate steps to ensure the safety and health at work.

(6) The employer is obliged to take measures in case of emergency events such as accidents, fires and floods, other serious hazards and the evacuation of employees, including instructions to stop work and immediately leave the workplace and retirement security, first aid when working with occupational health provider services. The employer shall provide and determine the type of activity and size of the work required number of employees who organize first aid, calling in particular provide emergency medical services provider, the Fire and Rescue Service of Czech Republic and the Czech Police and organized the evacuation of employees. The employer shall ensure, in cooperation with the provider of occupational health services to their training and equipment to the extent that the risks occurring in the workplace.

(7) The employer is obliged to adapt to the changing realities of measures, monitor their effectiveness and ensure compliance and improvement in working environment and working conditions.

TITLE II

EMPLOYER OBLIGATIONS, RIGHTS AND RESPONSIBILITIES OF EMPLOYEE

§ 103

(1) The employer is obliged to

a) not to allow the employee performed work and disabled, would not answer the demands of his ability and fitness,

b) to inform employees about what category of work performed by him was included; categorization of work governed by a special legal regulation 32),

c) ensure that the work in the cases stipulated by special legislation carried out by workers who have a valid medical certificate who have undergone special vaccination or have proof of immunity to infection,

d) to supply employees with occupational health services provider that they will be provided occupational services and what kinds of vaccinations and how preventive examinations and examinations related to

the performance of work are required to submit, to allow employees to submit to these vaccinations, examinations and inspections to the extent determined by special legislation or decision of the competent authority to protect public health,

e) to replace an employee who is subjected to preventive inspection, examination or vaccination under subparagraph d), any loss of earnings, in the amount of average earnings, or the difference between wage compensation under § 192 or sickness and average earnings,

f) ensure that employees, especially employees employed on fixed-term contracts, temporary agency workers assigned temporarily to perform work for other employers, young workers, according to the needs of the work sufficient and adequate information and guidance on health and safety at work under this Act and according to special regulations 32), particularly in the form familiar with the risks, the results of risk assessment and measures to protect from the effects of risks that are relevant to their work and workplaces

g) ensure that employees of another employer performing work at the workplace have received prior to the start of appropriate and adequate information and guidance to ensure the safety and health at work and the measures taken, particularly the fire-fighting, first aid and evacuation of individuals in emergency events

h) if the work comes into account the exposure to risk factors affecting the unborn child, inform the employee. Pregnant workers, employees who are breastfeeding, and workers with children up to the ninth month after childbirth is obliged to familiarize with the risks and their possible effects on pregnancy, breastfeeding or on their health and take the necessary measures, including measures relating to reducing the risk of mental and physical fatigue and other types of mental and physical burden associated with the work performed, and as long as is necessary to protect their safety or health of the child,

i) to enable employees to inspect the records, which it is conducted in the context of ensuring the safety and health at work

j) provide first aid to employees,

k) not to use such a method of rewarding work, where employees are at increased risk of injury and the use would result in increasing the performance results in a risk to safety and health of employees,

l) to ensure compliance with the ban on smoking in workplaces determined by special legal regulations 33).

Information and instructions must be provided on receipt of each employee, at his conversion, transfer or change in working conditions, changing work environment, are introduced or changed work equipment, technology and working practices. The information and instructions, the employer is obliged to keep records.

(2) The employer shall provide their employees with training on legal and other regulations to ensure the safety and health at work to complement their skills and requirements for performance of work relating to the work they perform and are subject to risks, which may come with employee into contact in the workplace, where work is carried out, and continuously monitor and require compliance. Training according to the first sentence, the employer must provide employees with the onset of labor, and

a) a change

1) employment status,

2) the type of work

b) the introduction of new technology or changes in production and labor resources, or changes in technology or work practices,

c) in cases that have or may have a significant impact on health and safety at work.

(3) The employer shall determine the content and frequency of training on legal and other regulations to ensure the safety and health at work, the method of verification of knowledge workers and keeping records of training conducted. If required by the nature of risk and its severity, according to training must be repeated periodically to the first sentence, in the cases referred to in paragraph 2. c) Training must be done without undue delay.

(4) The employer is obliged to pregnant workers, workers who are breastfeeding, mothers, workers, up to nine months after giving birth to adapt the workplace premises for their relaxation.

(5) The employer is required for an employee who is a disabled person, at his own expense provide technical and organizational measures, in particular the necessary changes to working conditions, treatment facilities, the establishment of protected jobs, training or learning curve of these employees and enhancing their skills in the performance their regular employment.

§ 104

Personal protective equipment, clothing and footwear,

washing, cleaning and disinfection and protective drinks

(1) If you can not eliminate risk or to restrict or collective protection measures in work organization, the employer must provide employees with personal protective equipment. Personal protective equipment are protective equipment to protect workers against risks not jeopardize their health, must not hinder the work and shall comply with special legal regulation 34).

(2) In an environment in which clothing and footwear at work is subject to extraordinary wear or contamination, or perform a protective function, the employee from the employer as personal protective equipment or clothing also shoes.

(3) The employer shall provide employees with washing, cleaning and disinfecting products based on the extent of staining skin and clothing; workplaces with unsatisfactory microclimatic conditions, the extent and under the terms stipulated by law, also the drinks trade.

(4) The employer shall maintain personal protective equipment in the state to-use and control their use.

(5) Personal protective equipment, washing, cleaning and disinfection and protective drinks the employee by the employer free of charge according to their own list prepared on the basis of risk assessment and the specific conditions of work. Providing personal protective equipment must not replace zaměstnavatel financial performance.

(6) government regulation further provides conditions for the provision of personal protective equipment, washing, cleaning, disinfectants and protective drinks.

§ 105

Duties of employers for occupational accidents and diseases

occupational

(1) The employer, in which the occupational accident occurred, is required to clarify the causes and circumstances of this accident involving an employee if the employee's medical condition permits, witnesses and the participation of trade unions and representative for occupational safety and health at work and without compelling reasons not to change the status on the site of injury until clarification of the causes and circumstances of an accident at work. The occupational accident workers another employer, the employer according to the first sentence is obliged to inform the employer and employee accident victim, enabling it to participate in the explanation of the causes and circumstances of an accident at work and acquaint him with the results of this clarification.

(2) The employer shall keep records of accidents in the book on all injuries, even though they were not due to incapacity or disability was caused by not more than 3 calendar days.

(3) The employer shall prepare records and documentation of all work accidents, resulting in there

a) injury to an employee with sick leave longer than 3 calendar days, or

b) the death of an employee.

One copy of the record of the accident employer is obliged to give affected employees in the event of a fatal accident at work their family members.

(4) The employer is obliged to report an accident at work and send a record of the accident referred to institutions.

(5) The employer is obliged to take action against repeat accidents.

(6) The employer shall keep records of employees, which have been recognized as an occupational disease which arose in the workplace, and apply such measures to eliminate or minimize risk factors that cause risk of occupational disease or occupational disease.

(7) the Government Regulation

a) the manner of keeping records of injuries in the accident book,

b) reporting of injuries,

c) the preparation and sending a record of accident and injury record - reporting changes

d) the range of institutions, which marks the work accident, sends a record of accident and injury record - Notification of changes

e) what constitutes a deadly accident at work, for statistical purposes,

f) record of the injury pattern and the pattern of the accident record - reporting changes.

§ 106

The rights and duties of the employee

(1) The employee has the right to safety and health, information about the risks of his work and information on measures to protect against their effects, and information must be understandable to employees.

(2) The employee is entitled to refuse to perform work, on which it is reasonably considered that the immediate and serious threat to his life or health, or life or health of other individuals, such a refusal can not be viewed as infringement employees.

(3) The employee has the right and obligation to participate in creating a safe and healthy working environment, especially the application and the employer provided the measures taken and their participation in tackling health and safety at work.

(4) Each employee is obliged to make his for his own safety, their health and safety and health of individuals, which directly affects his actions or omissions at work. Knowledge of the basic obligations arising from laws, regulations and other requirements of employers to ensure the safety and health at work is an integral and permanent part of employee qualifications. The employee shall

a) participate in training provided by the employer aimed at health and safety at work, including verification of their knowledge,

b) to undergo preventive examinations, testing or vaccination determined by special legal regulations 32),

c) comply with legal and other regulations and guidelines employers to ensure the safety and health at work, with whom he was well acquainted, and follow the principles of safe behavior in the workplace and the information the employer

d) comply with the work provided workflows, using established working tools, vehicles, personal protective equipment and protective equipment and is not to change arbitrarily and refrain from disconnecting from service,

e) not to drink alcoholic beverages and other addictive substances abuse 35) in the workplace the employer, and working hours and outside the workplace, not to enter under their influence on the employer's workplace and smoking in workplaces and other areas where the effects of smoking are also exposed to non-smokers. Prohibition on consumption of alcoholic beverages shall not apply to employees who work in unfavorable microclimatic conditions if enjoying a beer with reduced alcohol content, and the staff, where consumption of these drinks is included in the course of work or carrying out those tasks normally associated,

f) notify its employees of the superior head of the shortcomings and deficiencies in the workplace, which endanger or which directly and seriously detrimental to the safety or health of workers at work, in particular the emergence of an impending emergency or lack of organizational measures, technical failure or malfunction of equipment and protective systems intended for avoid them,

g) with respect to the type of work performed by him according to their capabilities to participate in the elimination of deficiencies identified during inspection bodies to whom the execution of control pursuant to special regulations 36),

h) promptly notify their supervisor manager your employees work-related injury unless his health permits, and other employee work-related accident or injury of another individual, which he witnessed, and cooperate in the investigation of its causes,

i) submit to the legitimate head of instruction specified in writing by the employer to determine whether or not under the influence of alcohol or other addictive substances, 33), 35).

TITLE III

COMMON PROVISIONS

§ 107

Additional requirements for health and safety at work in labor relations, as well as ensuring the safety and health activities or services provided outside of the Employment Relations Act to ensure further the safety and health at work 37).

§ 108

Employee participation in issues related to safety and

Health at Work

(1) Employees shall not be deprived of the right to participate in addressing issues related to occupational safety and health at work through trade unions and representative for the safety and health at work.

(2) The employer is obliged to trade union representatives and occupational safety and health at work or direct employees to enable

a) participation in discussions concerning the safety and health at work, or to provide them with information on such meetings,

b) listen to their information, comments and proposals for action relating to health and safety at work, in particular proposals to eliminate risks or reduce the impact of risks that can not be removed

c) to discuss

1) substantial security measures and health at work

2) risk assessment, adoption and implementation of measures to reduce their impact, performance work in controlled areas and the classification of work into categories according to special legal regulation 38),

3) the organization of training on legal and other regulations to ensure the safety and health at work

4) determination of qualified individuals for the prevention of risks under the Act to ensure further the safety and health at work 37).

(3) The employer is also obliged to trade union and a representative for occupational safety and health at work or direct employees to report

a) for employees to organize first aid, to provide medical assistance, fire brigade and the Police of the Czech Republic and to organize the evacuation of employees,

b) selection and provision of occupational health services

c) identification of qualified individuals for the prevention of risks under the Act to ensure further the safety and health at work 37),

d) any other matter that may substantially affect safety and health at work.

(4) and trade union representative for occupational safety and health at work, employees are required to cooperate with the employer and professionally qualified individuals for the prevention of risks under the Act to ensure further the safety and health 37a) so that the employer could provide safe and healthy working conditions and fulfill all the obligations stipulated by special legislation and measures authorities to whom the execution of control pursuant to special regulations 36).

(5) The employer is obliged to organize at least once a year in review safety and health in all workplaces and employers in the facilities agreement with unions and employee representatives with the approval for the safety and health at work and remove shortcomings.

(6) The employer is obliged to trade union representatives and occupational safety and health training to enable them to ensure proper performance of their functions and make them legal and other regulations to ensure the safety and health at work and evidence of

a) detection and risk assessment, measures to eliminate risks and reduce their impact on employees and the organization of appropriate safety and health of workers at work

b) recording and reporting occupational injuries and occupational diseases recognized,

c) exercise control and measures authorities to whom the execution of control over health and safety at work under special legal regulations 36).

(7) The employer shall allow union representatives and occupational safety and health inspections authorities, which control the execution of under special legislation 36), present their comments.

PART SIX

Pay, remuneration for work readiness and DEDUCTIONS

The income from basic employment relationship

TITLE I

GENERAL PROVISIONS on wages, salaries and bonuses of AGREEMENT

§ 109

Wages, salaries and remuneration of the agreement

(1) For the work the employee wages, salary or remuneration from the agreement as provided in this Act, unless this Act or otherwise by special legislation 39).

(2) Payment is cash transactions and financial payments (wages and salaries in kind) provided by the employer to the employee for work, unless this Act otherwise provided below.

(3) Salary is the sum of money provided by the employer for work of employees, which is

a) The State 6),

b) territorial self-governing unit 40),

c) a state fund 14),

d) an organization, the cost of salaries and remuneration for work readiness are fully covered by a levy on the operation of 15) from the budget provided by the founder or payments under special legislation or

e) the school legal entity established by the Ministry of Education, Youth and Sports, county, municipality or voluntary union of municipalities under the Education Act 41),

other than monetary consideration provided to citizens of foreign countries with a workplace outside the Czech Republic.

(4) Wages and salaries are provided according to the complexity, responsibility and exhausting labors under the difficulty of working conditions, according to work performance and work results achieved.

(5) The remuneration of the Agreement, the cash payment provided for work done under contracts for work or contracts for work (§ 74 to 77).

§ 110

(1) In the same work or work of equal value to all employees for the same employer for wages, salary or remuneration from the agreement.

(2) equal work or work of equal value means work of equal or comparable complexity, responsibility and stiffness, which is held in the same or comparable working conditions, at the same or comparable job performance and results of the work.

(3) complexity, responsibility and exhausting labors is assessed by education and practical knowledge and skills required for this work, according to complexity of the work and activities, and

organizational and management demands, the degree of liability, health and safety, according to physical , sensory and mental stress and exposure to the negative impact of work.

(4) Working conditions are assessed by difficulty modes arising from working hours, such as shifts, days of rest, to night work or overtime, according to the difficulty of harm or other negative effects impact the work environment and the risk of working environment.

(5) work performance is assessed according to the intensity and quality of work performed, work skills and fitness for work and the work is judged by the quantity and quality.

§ 111

The minimum wage

(1) The minimum wage is the lowest permissible level of remuneration for work in the basic employment relationship pursuant to § 3 Wages, salary or remuneration from the agreement must not be less than the minimum wage. The wages and salary for this purpose does not include salary or wages for overtime, extra pay for work on public holidays, night work, working in a difficult working environment and work on Saturdays and Sundays.

(2) The amount of the basic rate of minimum wages and other minimum wage rates graduated according to the degree of the effects of restricting job conditions for staff and provision of a minimum wage set by the government, usually with effect from the beginning of the calendar year to reflect the developments in wages and consumer prices. The basic minimum wage rate is at least CZK 7,955 per month and CZK 48.10 per hour minimum wage rates further may not be less than 50% of the basic minimum wage rate.

(3) Failure to achieve a wage, salary or remuneration from the agreement of the minimum wage, the employer must provide employees supplement

a) to pay the difference between the wage attained in a calendar month and above the minimum monthly wage or equal to the difference between the wage per hour worked and a corresponding minimum hourly wage, the hourly or monthly minimum wage to negotiate, establish or designate in advance, otherwise For the purposes of supplement use the minimum hourly wage,

b) to pay the difference between the salary has been made in the relevant calendar month and the minimum monthly wage, or

c) an agreement to pay the difference between the amount of remuneration per 1 hour and above the minimum hourly wage.

§ 112

Guaranteed wage

(1) guaranteed wage is the wage or salary to which the employee a right under this Act, contracts, internal regulations, wage or salary acreage assessment (§ 113, paragraph 4 and § 136).

(2) The lowest level of guaranteed wages and conditions for the granting to employees whose pay is not negotiated in the collective agreement, and employees on the work provides a salary set by the government, usually with effect from the beginning of the calendar year with regard to the development wages and consumer prices. The lowest level of guaranteed wage shall be not less than the amount provided by law in § 111, paragraph 2 as a basic minimum wage rate. Next lowest guaranteed wage levels are differentiated by the complexity, responsibility and stiffness of work so that the maximum increase was at least twice the rate of the guaranteed wage. By restricting the extent of the effects of job government employees may set a minimum level of guaranteed earnings by the second and third sentences of up to 50% lower.

(3) Failure to achieve a wage or salary without wages or salary for overtime premium for work on public holidays, night work, working in a difficult working environment and work on Saturday and Sunday, the lowest level of guaranteed wage in accordance with paragraph 2, employer must provide employees supplement

a) to pay the difference between the wage attained in a calendar month and the appropriate level of guaranteed minimum monthly wage, or the difference between a wage per hour worked and the

appropriate hourly rate of the guaranteed minimum wage; for surcharge applies the lowest level of hourly wages if nesjedná advance, or does not determine the use of the guaranteed minimum monthly wage, or

b) to pay the difference between the salary has been made in the relevant calendar month and the lowest level of the guaranteed wage.

TITLE II

WAGE

§ 113

Negotiation, establishment or determination of wages

(1) Wages shall be agreed in the contract or the employer provides an internal regulation or determined by wage assessment, if not included in paragraph 2 provides otherwise.

(2) If the employee a statutory body of the employer agreed to pay him or he determines it to whoever he appointed to a post unless special legislation provides otherwise.

(3) Payment must be negotiated, fixed or determined prior to commencement of work, for which the responsibility of the wage.

(4) The employer shall on the date of commencement of employment, give the employee a written wage notice that contains information on how to pay on the date and place of payment of wages, if that information does not contract or internal regulations. If there is a change in the facts set out in the wage assessment, the employer is obligated to notify employees in writing not later than the date on which the change takes effect.

§ 114

Wages or compensatory time off for overtime

(1) During the employee's overtime pay, to which he is entitled for that period (hereinafter "the wage achieved"), and a supplement of at least 25% of average earnings for an employer to the employee have agreed on compensation in the range work done instead of overtime allowance.

(2) If an employer fails to provide employees time off in lieu within 3 calendar months after overtime work or other agreed period, the employee is entitled to extra wages obtained under paragraph 1

(3) Title of wage and supplement or compensatory time off in accordance with paragraphs 1 and 2 is not, if the negotiated wage (§ 113) is already taking into account any overtime. Wage, taking into account any overtime is thus possible to arrange, if simultaneously the scope of work agreed overtime for which wages were taken into account when arranging. Wage, taking into account any overtime can be arranged in more than 150 hours overtime per calendar year and senior employees (§ 11) in the global scope of work overtime (§ 93 paragraph 4).

§ 115

Salary, compensation or remuneration for holiday

(1) During the period of work in Day 23) achieved by the employee pay and compensatory time off in the range of work done on public holidays 23), which provide the employer by the end of the third calendar month following the work on holidays or otherwise agreed upon time. During pumping of compensatory leave, the employee wage compensation in the amount of average earnings.

(2) An employer may agree with the employee to supplement the formal wage at least equal to the average earnings instead of compensatory time off.

(3) Employees who did not work because the holiday fell on his usual working day, for the wage compensation in the amount of average earnings or part of the wage or salary, which he missed due to holidays.

§ 116

Payment for night work

During night work achieved by the employee and wage surcharge of at least 10% of average earnings. However, it is possible to arrange a different minimum amount and method of determining the premium.

§ 117

Salary and bonuses for work in difficult working environment

During work in a difficult working environment achieved by the employee and the wage supplement. Definition of difficult working environment for the purposes of pay and amount of the premium stipulated by the government. Extra pay for work in difficult working environment is at least 10% of the amount to be determined by this Act in § 111, paragraph 2 as a basic minimum wage rate.

§ 118

Payment for work on Saturdays and Sundays

(1) During the period of work on Saturday and Sunday, the employee reached salary and a supplement of at least 10% of average earnings. However, it is possible to arrange a different minimum amount and method of determining the premium.

(2) When work abroad can provide the employer under paragraph 1 extra point for work on Saturdays and Sundays, for work on days on which, according to local conditions usually falls uninterrupted rest per week.

§ 119

Wages in kind

(1) The employer may pay in kind provided only with the consent of employees and under conditions agreed with that, to the extent appropriate to their needs. The employer is obliged to pay employees in cash wages of at least the minimum wage rate (§ 111) or the lowest rates guaranteed wage levels (§ 112).

(2) As wages in kind may be provided by products, except spirits, tobacco or other addictive substances, performances, works or services.

(3) The amount of wages in kind is expressed in the form of money to match the price which the employer is charged for comparable products, performances, works or services to other customers 42), the usual price of 43), or the amount by which the employees pay for products performances, works or services provided by the employer less than the normal price.

Wages in the application of working time accounts

§ 120

(1) Applies to the account of working time (§ 86 and 87), the employee in the adjustment period (§ 86 paragraph 3 and § 87 paragraph 3) for each calendar month in a fixed monthly salary amount (hereinafter referred to as "permanent wage "), negotiated in the collective agreement or internal regulation provided. Permanent wage shall be not less than 80% of his average earnings.

(2) Applies to the account in the process of working hours according to § 86 paragraph 4, the employee for each calendar month fixed monthly wage in an amount not less than 85% of his average earnings.

(3) The employee's wage account (§ 87 paragraph 1) is recognized

a) permanent wage employees

b) achieved wage per calendar month, to which he is entitled under this Act and in accordance with agreed, set in or specified conditions (§ 113).

§ 121

(1) The period of the employee compensation in the amount of total wages paid fixed wages. If, after this period (§ 86 paragraph 3 and § 87 paragraph 3) or after termination of employment rights summary salary attained [§ 120, paragraph 2, point. b)] for each calendar month exceeds the sum paid fixed wages, the employer must pay the difference to employees.

(2) Permanent wage to an employee as working time laid out by the employer in a calendar month. Permanent staff salary for the full amount even if the employer in a calendar month, allocate working hours. In the course laid out by the employer employees over which the employee does not work, it is not permanent wage.

TITLE III

SALARY

§ 122

Identify and negotiate salary

(1) The salary of employees determined by the employer, unless provided for in paragraph 2 otherwise, in accordance with this Act, regulations issued by the government to implement it in accordance with § 111, paragraph 2, § 112, paragraph 2, § 123, paragraph 6, § 128 paragraph 2 and § 129, paragraph 2, and their limits, by collective agreement or internal regulation. Salary can not be determined otherwise in a composition and a different level than provided by this Act and regulations issued for its implementation, unless otherwise a special law 43).

(2) The supervisor, who is a statutory body of the employer, or who is the lead government department 7) or territorial self-44) (hereinafter "Branch Manager"), determines the institution that it has appointed to a post unless special law provides otherwise. Similarly for the deputy head of staff under the first sentence, unless the job of the executive employee temporarily occupied, or if the senior employee does not perform work temporarily.

§ 123

Wage rates

(1) Employees pay for the fare for the grade and salary level to which it is included, unless this Act otherwise provided below.

(2) The employer shall include the employee to grade according to the type of work agreed in the contract and within the limits required him to the most demanding work.

(3) The employer shall include the head of the grade according to the most demanding work, the exercise of control or that he himself does.

(4) The employer shall include the employee to step achieved by length of practice time child care and periods of military (alternative) service or civil service (the "deductible Practice").

(5) the wage rates down in 16 grades in each of them in increments. Wage rates are rounded to the nearest ten-up.

(6) the Government Regulation

a) the classification of work in grade in accordance with the characteristics of grade graded according to the complexity, responsibility and exhausting labors, which are listed in the Annex to this Act,
b) educational qualifications to perform the work assigned to individual grades,
c) the assignments of employees by grade,

d) the conditions for the determination of creditable experience,
e) conditions for a special way of grading and determination of salary for employees who perform work, the successful implementation depends primarily on the level of talent or fitness for employee healthcare providers and workers carrying out simple or routine service work; the amount of salary determined in a special way for employees healthcare providers must be determined at least in the amount corresponding to the notional tariff, which is otherwise the responsibility of employees by grade and the degree to which it is classified under paragraphs 1 to 5,
f) pay scale for the calendar year pursuant to paragraph 5 and taking into account the obligations and restrictions in public administration and services, and its meaning, usually with effect from the beginning of the calendar year, so the pay scales for each grade were at least

grade	salary rate in CZK per month
1	6500
2	7110
3	7710
4	8350
5	9060
6	9830
7	10 660
8	11 570
9	12 550
10	13 620
11	14 780
12	16 020
13	17 370
14	18 850
15	20 470
16	200. 22

§ 124

Surcharge for management

(1) Lead staff for the extra fee for management, according to management level and complexity of management.

(2) supplement for the management of the

a) representatives of the manager, who represents the permanent head of the full range of management activities, if the representation of employers regulated by specific legislation or organizational regulation, and within range of premium for leadership laid down for the next lower level of management than for the the represented supervisor,

b) an employee who represents the head of the higher level of management in full control of its activities for more than 4 weeks and the representation is not part of the duties of the employment contract,

from the first day of representation. Extra charge for the same conditions set for the head of the represented employees.

(3) The premium for lead is:

Degree of control

1) degree of control:

Senior employee who manages the work of subordinate employees

2) step procedure:

Head of staff in charge of senior employees to 1 management level employee or manager-statutory body that m
subordinate employees

3) the degree of control:

Senior employee, who is managed by staff at the 2nd instance, a leading employee-statutory body that manages
instance, an employee-manager or head of the branch, which is managed by staff at the 1st managem

4) the degree of control:

Manager-employee statutory authority which is managed by staff at the 2nd instance, a leading employee-head of
managed by staff at the 2nd instance, a member of the Deputy Minister, Director Office of the President, Head
Parliament of the Czech Republic, head of the Office of the Senate of the Czech Republic, head of the Office of t
Financial Arbiter and Director of the Institute for the Study of Totalitarian Regimes

(4) Employees who are not leading an employee, but is entitled to act in accordance with organizational organize, manage and control the work of other employees and give them the purpose of binding guidelines for the management work according to the demands for extra guidance in the range 5 to 15% salary rate highest step in the grade to which the employee is engaged.

§ 125

Extra pay for night work

Employees for the night work per hour surcharge of 20% of the average hourly earnings.

§ 126

Extra pay for work on Saturdays and Sundays

(1) Employees responsibility for every hour worked on Saturday or Sunday premium of 25% of average hourly earnings.

(2) When work abroad can provide the employer under paragraph 1 extra point for work on Saturdays and Sundays, for work on days on which, according to local conditions usually falls uninterrupted rest per week.

§ 127

Pay or compensatory time off for overtime

(1) hour of overtime for the employee portion of the salary rate, personal and special premium and premium for work in difficult working environment per 1 hour of work without overtime in the calendar month in which overtime is held, and a supplement of 25% of the average hourly earnings and in the case of days of continuous rest per week surcharge of 50% of the average hourly wage for an employer to the employee agreed on compensatory time off instead of overtime pay. During pumping compensatory leave, salary nekrátí.

(2) If an employer fails to provide employees time off in lieu within 3 consecutive calendar months after overtime work or other agreed period, the employee portion of the salary rate, personal allowance, special allowance, bonus for work in difficult working environment and a supplement by paragraph 1

(3) Employees to whom responsibility for maintaining the surcharge under § 124, the salary determined taking into account any overtime work 150 hours per calendar year. This does not apply to overtime work done at night, the day of rest or at the time of availability. The salary of the head of which is the statutory body or head of a branch is always taken into account any overtime.

§ 128

Extra pay for work in difficult working environment

(1) Employees responsibility for work in difficult working environment surcharge. Working environment is more difficult working environment in accordance with § 117 of the second sentence.

(2) government regulation of the premium for work in difficult working environment and conditions for its provision. Extra pay for work in difficult working environment is at least 5% of the amount to be determined by this Act in § 111, paragraph 2 as a basic rate of minimum wages per month.

§ 129

Special supplement

(1) Employees who perform work in the working conditions associated with neuro extraordinary burdens, risks to human life or difficult working arrangements for the additional cost.

(2) Division of work under labor conditions into groups depending on the degree of neuropsychological burden and probability of risks to life and health and the difficulty of work, conditions for granting the premium, and the supplement in each group determined by the government.

(3) The employer shall designate employees of the supplement within the range established for the group with working conditions in which an employee performs work consistently.

§ 130

Extra charge for split shift

(1) Employees who work in shifts, divided into 2 or more parts for the premium of 30% of average hourly earnings for each split shift as follows.

(2) a split shift for the purposes of this Act, a shift in which the continuous interruption of work or their sum is at least 2 hours.

§ 131

Personal allowance

(1) Employees, who is achieving very good working results or perform a wider range of tasks than other employees, the employer may provide a personal allowance of up to 50% of the salary rate and the highest step in the grade to which the employee is engaged.

(2) Employees, which is an excellent and widely recognized expert and carries out the work included in the tenth to sixteenth grade, an employer can provide a personal allowance of up to 100% salary rate and the highest step in the grade to which the employee is engaged.

§ 132

Surcharge for direct educational activities beyond the set level

Teacher to 45) per hour for the direct teaching, educational, special educational activities or direct pedagogical-psychological activities carried out by direct effects on learners, who conducted training and education under a special law 46), which performs the specified number of hours the school director, director of school facilities or social service director 22a) under a special law, a surcharge of twice the average hourly earnings.

§ 133

Specialized teachers to supplement

Teacher to 45), which in addition to direct educational activities also performs specialized activities to which performance requires additional qualifications 47) shall be granted an allowance of 1 000 to 2 000 CZK per month.

§ 134

Reward

For successful implementation of special or extra task employer may give employees a reward.

§ 134a

The target reward

To meet a predetermined extremely difficult task, the preparation, ensuring progressive and final implementation will be covered by the employer in terms of particular importance, the employer of the staff to meet its immediate and significant contribution, provide a target reward. The amount of remuneration shall notify the employer together with hodnotitelnými or measurable indicators before starting the task. Target pay the employee in an amount determined by the employer depending on the performance indicators will not end if his employment before completing the task set.

§ 135

Pay or compensatory time off for work on public holidays

(1) Employees who did not work because the holiday fell on his usual working day, the salary nekrátí.

(2) For work on public holidays, the employer provides employees time off in lieu in the amount of work done on holidays, and by the end of the third calendar month following the work on holidays or otherwise agreed upon time. During pumping compensatory leave, salary nekrátí.

(3) An employer may agree to provide employee premium of the average hourly wage for every hour worked on a holiday instead of compensatory time off.

§ 136

Salary assessment

(1) The employer shall give the employee the day of commencement of employment salary in, which must be written.

(2) The salary assessment, the employer is obliged to provide information on the grade and salary level to which the employee is classified, and the amount of the salary rate and other components provided on a monthly salary. Date and place of payment of salary to be in the notice to be provided where that information does not contract or internal regulations. If these facts change the pay assessment, the employer is obligated to notify employees in writing including the reasons, and not later than the date on which the change takes effect.

(3) The supervisor, who is a statutory body or Branch Manager shall issue a salary in the body responsible for determining his salary (§ 122 paragraph. 2).

§ 137

Information System on salaries

(1) For the evaluation and development of the pay system, the Ministry of Finance Information System Salaries and data from this system provides the Ministry of Labour and Social Affairs and the Ministry of Interior. Information System salaries are public administration information system 48).

(2) Information system on salaries means the gathering, processing and storing data on the funds for salaries and remuneration for work readiness, average earnings and personal data of employees 49) affecting the level of salary.

(3) Employers are required to provide the Information System on wages data referred to in paragraph 2 to the extent and manner prescribed by government regulation.

TITLE IV

PAY AGREEMENT Z

§ 138

The remuneration and conditions of the agreement for its provision shall be negotiated in the agreement for work or agreement to perform work.

TITLE V

WAGES AND SALARIES IN THE PERFORMANCE OF OTHER WORK

§ 139

(1) If an employee has been transferred to another work, which is for the lower wage or salary,

a) on grounds of risk of occupational disease or reached if the site designated by the competent authority to protect public health, maximum exposure under a special legal regulation 19) [§ 41 paragraph 1 point. b)],

b) according to medical opinion issued by the occupational health service provider or a decision of the competent authority to protect public health in order to protect the health of other individuals against infectious diseases [§ 41 paragraph 1 point. d)],

c) to prevent an emergency, natural disaster or other potential accident or mitigate its immediate consequences (§ 41 paragraph 4);

d) for downtime or interruption of work due to adverse weather conditions (§ 41, paragraph 5);

It is entitled to a transfer payment for a wage or salary to the amount of average earnings, which amounted to the transfer.

(2) If an employee is transferred pursuant to § 41 paragraph 2 point. b) other work than was agreed, it must wage or salary according to the work performed, unless he is convicted for an intentional criminal act committed in the course of work or in direct connection with the damage to property of the employer, he shall be entitled for for the transfer payment to the amount of average earnings, which amounted to the transfer.

(3) Government regulation may determine the conditions under which the competent administrative authority shall pay the cost of any wage or salary supplement provided by the employees transferred to other work for the reasons given in § 41 paragraph 1 point. d) the employer who provided it.

TITLE VI

Remuneration for work readiness

§ 140

During the period of availability [§ 78 paragraph 1 point. h) and § 95] to pay the employee at least 10% of average earnings.

TITLE VII

Common provisions on wages, salaries, bonuses From AGREEMENT AND REWARDS

For standby duty

§ 141

(1) Wages or salary are payable after the execution of work, and not later than the calendar month following the month in which they were employees entitled to wages or salary or any of the components.

(2) Wages, salary, and set their individual components, arranged or intended for the hour of the employee as well as fragments of hours they worked during the period for which the wage or salary provides.

(3) The regular term of payment of wages or salary must be negotiated, established or designated within the period referred to in paragraph 1

(4) The employer must pay employees holiday before embarking on a wage or salary payable during the holiday falls the date of payment for a period of leave if the employee agrees on another day of payment. If this technique does not allow the calculation of wages or salaries, must pay a reasonable deposit and the remaining part of the wages or salary must pay him no later than the next regular payday following the pay or leave.

(5) Upon termination of employment, the employer must pay employees at the request of the wage or salary for a monthly period for which it was created right on the day of termination of employment. If this technique does not allow the calculation of wages or salary, the employer must pay him a wage or salary no later than the next regular payday or salary following the date of termination of employment.

§ 142

(1) Wages or salary, the employer must pay employees the statutory money 50).

(2) Wages or salary shall be rounded to the nearest crown upwards.

(3) Wages or salary is paid during working hours and in the workplace, unless other agreed upon time and place of payment or other if not in this Act stipulated otherwise. If he can not come to pay an employee for serious reasons, the employer sends wage or salary in the regular payday or no later than the following working day at their own expense and risk, if the employee have agreed on another date or method of payment.

(4) An employer with difficult operating conditions for the payment of wages or salary, if the payment was difficult or impractical, employees can send a wage or salary at his own expense and risk, so that the employee is available no later than the deadline specified for their payout.

(5) The monthly wage bill, the employer must give the employee a written document containing information on individual components of the wage or salary and deductions made. At the request of an employee the employer shall submit evidence on the basis of wages or salary calculated.

(6) Persons other than employees may be paid a wage or salary only upon a written power of attorney, it applies to the spouse or partner, 51a) of the employee. Without written authorization may be wage or salary paid to a person other than employees, only if required by this Act or special legal regulation 33).

§ 143

(1) By agreement with the employee, the employer is obligated to the payment of wages or salary or other cash distribution to the employee, after making any deductions from wages or salary under this Act or special legislation to pay the amount determined by the employee at his own expense and danger to one payment account designated by the employee, not later than the regular payday or salary if the employee in writing nesjedná later date.

(2) employees with a workplace abroad is possible with the agreement to provide wage or salary or part of the agreed foreign currency if this currency announced by the Czech National Bank exchange rate. The provisions of § 142 paragraph 2 shall apply for rounding rounding wages in foreign currency as appropriate.

(3) to convert salary or wages, or parts thereof in foreign currency the exchange rate announced by the Czech National Bank valid on the day on which the employer buys foreign currency for the purpose of payment of wages or salary.

§ 144

If the employer the employee agree on the payment due date and otherwise, the maturity and payment of fees agreement, remuneration for work readiness, and wage compensation similarly § 141, 142 and 143 If the negotiated lump sum payment of the remuneration of the agreement until after the work task, the employer pays the fee agreement in the next pay period after completion and submission of work.

§ 144a

(1) It shall be prohibited to assign the right to wages, salaries, remuneration of the agreement or their replacement.

(2) It shall be prohibited to apply the law on wages, salary, reward the agreement or part of their compensation or to secure the debt, this does not apply in the case of an agreement on wage deductions.

(3) if it deviates from the Party of the prohibitions referred to in paragraphs 1 and 2, is of no account.

(4) Set-off against a claim for wages, salary, remuneration of agreements and wage compensation may be made only under the conditions specified in the arrangement of enforcement deductions from wages of Civil Procedure 54).

TITLE VIII

DEDUCTIONS FROM INCOME from an employment relationship

Part 1

General Provisions

§ 145

(1) deductions from employee income for the purposes of this Act, deductions from wages or salary income and other employees of basic employment relationship pursuant to § 3 (hereinafter referred to as "payroll deductions").

(2) other revenue staff in accordance with paragraph 1

a) reward from the agreement,

b) the reimbursement of wages or salary

c) the remuneration for work readiness,

d) compensation or similar services provided by staff in connection with termination of employment,

e) benefits in kind, the nature of fidelity or stabilization provided by staff in connection with employment,

f) the remuneration in accordance with § 224 paragraph 2

§ 146

Deductions from wages may be made only

a) in cases specified by law or special act
b) on the basis of an agreement on wage deductions to settle the obligation or an employee
c) the payment of contributions an employee who is a member of the union, if so agreed in the collective agreement or by written agreement between employer and trade union organizations and with the consent of the employee who is a member of trade unions.

Part 2

Order of deductions from wages

§ 147

(1) The employer shall deduct employees [§ 146 point. a)] only

a) the tax on personal income from employment or insurance for pension savings

b) social security contributions and state employment policy of universal health insurance,

c) advance on wages or salary which the employee is obliged to return because he was not eligible for this award wages or salary

d) not stated advance on travel expenses, or other unbilled advances granted to employees to perform their work tasks,

e) to pay wages or salary for the leave to which an employee lost his right or right to which he did not arise, and wage compensation under § 192, to which employees do not enjoy the right.

(2) Enforcement (execution) ordered or conducted by the court, the court executor 51), the tax administrator 52), the administrative body of the Authority, other state authority or local government unit 53) is governed by a special legal regulation 54).

(3) Deductions from wages of an employee by the employer for appointment, the composition of cash and guarantees to pay contractual penalties are not allowed. Deductions from wages for damages are possible only after agreement on deductions from wages [§ 146 point. b)].

§ 148

(1) Payroll is preferably carried out only in accordance with § 147 paragraph 1 point. a) and b) 55).

(2) Deductions from wages may be made only under the conditions specified in the arrangement of enforcement deductions from wages of Civil Procedure 54); these terms and conditions shall be governed by the claims for which the court, the court executor 51), the tax administrator 52) or body administrative office, other state authority or territorial self 53) writ of enforcement, the order of the receivables.

§ 149

(1) For payroll deductions carried out in accordance with § 146 of the Scriptures. b) is subject to the order of the day on which the agreement on payroll deductions received by the employer or when the employer-employee agreement on wage deductions, if done deductions from wages by the employer, shall be governed by the order of the day on which agreement has been payroll deductions closed.

(2) For salary deductions made pursuant to § 147 paragraph 1 point. c) d) e) is subject to the order of the day when it was started with the implementation of precipitation.

(3) The salary deductions under § 146 point. c) is subject to the order of the day on which the employee agreed to the implementation of the precipitation.

(4) If an employee takes up employment with another employer, remains the order that claims received under paragraph 1, preserved in the new employer (payer of wages or salary). New employer (payer's wages or salary) will make deductions on the date on which the employee, the current employer (payer's wages or salary) or authorized learns that were deducted from wages and for which the claim; the same applies to in paragraph 2, if agreement on wage deductions this effect was not explicitly excluded.

§ 150

Zaměstnavatel records data such as name or names and surname, address, if a natural person, name and address, if a legal person and documents relating to payroll deductions made, and for the same period as the other information and documents relating to wages or salary 56).

PART SEVEN

REIMBURSEMENT OF EXPENSES IN CONNECTION WITH THE PERFORMANCE OF WORK

TITLE I

GENERAL PROVISIONS RELATING TO THE EMPLOYEES compensation

IN CONNECTION WITH THE PERFORMANCE OF WORK

§ 151

The employer shall provide employees, unless this Act otherwise provided below, compensation for expenses incurred in connection with the performance of work, the extent and under the conditions specified in this section.

§ 152

Travel expenses for which the employer provides employee travel expenses, means expenses incurred by employees in

a) a business trip (§ 42),
b) the road outside the regular workplace

c) extraordinary way in connection with carrying out the work schedule of shifts in the workplace or regular workplace

d) transfer (§ 43),

e) the temporary assignment (§ 43a)

f) admission to employment in employment

g) work abroad.

§ 153

(1) Conditions that may affect the provision of travel expenses and, in particular time and place of entry and exit routes, rather than the course of work, mode of transport and accommodation shall be determined in advance in writing by the employer; yet take into account the legitimate interests of employees.

(2) If the circumstances are right to employee travel expenses and the amount not in dispute, in writing prior to determining the conditions required, takes it to the employee.

§ 154

Foreign business trip is a trip which took place outside the Czech Republic. Decide the time for the development rights of the employee to reimbursement of travel expenses in foreign currency is the time of crossing the state border of the Czech Republic, the employee shall notify the employer or the time of departure and arrival of the Czech Republic to the Czech Republic for air transport.

§ 155

(1) Travel expenses can employees who performs work for an employer on the basis of agreements on work performed outside employment, provided only when it was agreed that this right and the place of regular workplace employee.

(2) If an employee under an agreement to complete a job task to perform work at a place outside the village of residence shall be entitled to travel expenses, if they agreed to provide, even if it is agreed the regular place of work.

TITLE II

PROVIDING TRAVEL REIMBURSEMENT employees of an employer

Not listed in § 109 POINT. 3

Part 1

Travel expenses during business trips or when traveling

outside the regular workplace

§ 156

Types of travel expenses

(1) Employers listed in this subpart is required as provided in this Title to provide workers compensation for a business trip

a) travel expenses,

b) travel expenses to visit a family member,

c) expenditure on accommodation,

d) increased food expenditure (hereinafter referred to as "subsistence")

e) the necessary incidental expenses.

(2) For the purposes of providing travel expenses are considered a business trip, route specified in § 152 point. b) and c).

(3) An employer may provide employees and other reimbursement for travel expenses shall be considered only those that were provided in accordance with § 152nd

Náhrada travel expenses

§ 157

(1) Reimbursement of travel expenses for the intended use of mass transportation and long distance taxi service for the employees in proven amounts.

(2) Where an employee with the consent of the employer instead of the designated long-distance mass transportation vehicle other means of transport, including road motor vehicle, except a vehicle provided by the employer to pay for the travel expenses of the appropriate fare designed for mass transport.

(3) Where an employee at the employer's request road motor vehicle, other than a vehicle provided by the employer, it must, for each 1 kilometer base compensation and reimbursement of expenses for consumed fuel.

(4) basic rate of compensation for 1 kilometer is at least

a) two-wheelers and tricycles

b) Road passenger motor vehicles;

when using the trailer for road motor vehicle employer base rate of compensation for 1 km driving will increase by at least 15%. The basic reimbursement rate varies depending on the development of an implementing regulation issued pursuant to § 189th

(5) The replacement of trucks, buses, tractors, or the employee is at least equal to twice the rate specified in paragraph 4. b).

§ 158

(1) Unless the above basic reimbursement rates negotiated or determined by the employer before sending employees on business, the employee rate of basic compensation under § 157, paragraph 4 and 5

(2) A replacement for the fuel consumed times the price determined by the employer and the amount of fuel consumed fuel.

(3) The price of fuel employee demonstrates proof of purchase from which the apparent connection with travel. If an employee demonstrates the price of fuel more evidence of her purchase, which is evident from the relationship with travel, calculate the price of fuel for the amount of the employee as evidenced by the arithmetic mean of prices. If the employee credible fuel price proves employer, the employer for the amount of the average cost of fuel specified in an implementing regulation issued pursuant to § 189th

(4) fuel consumption of road motor vehicle calculates the employer from consumption data listed in the roadworthiness of the vehicle used by the employee is obliged to submit zaměstnavateli. If the vehicle registration document does not contain this information, the employee expenses for fuel only when fuel consumption demonstrates the technical card of the same type of vehicle with the same cubic capacity. In determining the consumption of fuel used by the employer an indication of consumption for combined operation according to the European Union. If the figure given in the technical certificate, the employer calculates the consumption of fuel vehicles arithmetic mean of the data provided on the registration papers.

§ 159

(1) Reimbursement of travel expenses using local public transport in accordance with specified conditions for the employees working in the way of proven, such compensation to the staff and in addition to refunds under § 157, paragraph 1 to 3

(2) When a refund of travel expenses using local public transport for business trips in the municipality in which the employee agreed place of work, the employer shall provide compensation in the amount equivalent to the fare applicable at the time of the mission without the employee had to travel expenses show. Náhrada employees not entitled to travel expenses, unless the employer can provide employees using local public transport, in a manner that the employee does not contribute financially.

§ 160

Using a vehicle after a pre-arranged business trip interruption of the reasons for the employee, beyond which the performance of work does not follow, he is obliged to pay workers compensation zaměstnavatel travel expenses to the amount which would be employees if they would not interrupt business trips . A similar procedure at the prearranged business trip interruption due to the employee before performance of work.

§ 161

Reimbursement of travel expenses to visit a family member

(1) If the work takes way longer than 7 calendar days, the payroll as a proxy for the travel expenses to visit a family member to his residence or to another pre-arranged place of residence and family members back in the amount and under the same conditions as in § 157 to 160 with that the employer provide payroll as a proxy of travel expenses in an amount corresponding to the maximum driving expenses to the place of work or regular work or residence in the Czech Republic. In is considered to be limiting the amount that is best for employees.

(2) The use of air transportation employees covered by the employer travel expenses to visit a family member only in the amount corresponding to the fare of road or railway vehicle long distance, determined by the employer. Paragraph 1 also applies here.

(3) Reimbursement of travel expenses to visit a family member provide zaměstnavatel longest during the fourth week of commencement of the journey or the last visit by a family member if the employee agrees to a shorter time.

§ 162

Reimbursement for accommodation

(1) Employees for the reimbursement of accommodation expenses, incurred in accordance with the terms of the mission, in the amount of the employer proves. After the visit of a family member employees covered by the employer demonstrated accommodation expenses only if you had an employee is given the terms of business trips or keep accommodation services.

(2) During a pre-arranged business trip interruption of the reasons for the employee not employer must pay employees to provide accommodation expenses, even though he had by this time, an employee with regard to the conditions of the mission services or accommodation expenses paid for accommodation.

§ 163

Meal

(1) For each calendar day of travel the employee meal allowance of at least

a) takes a business trip to 5-12 hours,

b) if the business takes way longer than 12 hours but no longer than 18 hours,

c) if the business takes way longer than 18 hours.

The subsistence allowance varies depending on the development of an implementing regulation issued pursuant to § 189th

(2) If a staff member on mission provided food that has a character breakfast, lunch or dinner, the employee does not contribute financially (the "free food"), the employee is reduced meals for each free meal to the value

a) 70% subsistence allowance, whichever way working 5-12 hours,

b) 35% subsistence allowance, if the business takes way longer than 12 hours but no longer than 18 hours,

c) 25% subsistence allowance, if the business takes way longer than 18 hours.

(3) If an employer Nesjedná or tells you before sending staff to a subsistence way higher than that specified in paragraph 1, the employee meal allowance pursuant to paragraph 1 Nesjedná If an employer or employee determines the posting lower reduction of subsistence allowance, the employee is reduced meals for the highest value set out in paragraph 2

(4) When a business trip that falls within 2 calendar days, the abandonment of a separate assessment of the duration of business trips in a calendar day, if more favorable to workers.

(5) After the visit of a family member or for an agreed interruption of the path of the reasons for the employee not entitled to subsistence workers. Decisive time for the right to subsistence before visiting a family member or business trip interruption of the agreed termination of employment ends, or other pre-

agreed manner, and after visiting a family member or business trip interruption due to reasons on the employee begins simultaneously with the start of work or other pre- agreed manner.

(6) If an employee is sent on a business trip to his place of residence, which is different from his place of work or regular work, he shall be entitled only to subsistence allowance for the journey to his place of residence and back, and during work at this location.

(7) Reasons for failure to provide meal allowances specified in paragraphs 5 and 6 are prohibited from expanding.

§ 164

Compensation for necessary incidental expenses

Employees required to pay for the incidental expenses incurred in direct connection with travel, in an amount established by the employer. If an employee is unable to prove the amount of expenditure, it must pay the corresponding price of goods and services in the usual time and place of business trips.

Part 2

Refunds for the transfer and secondment

§ 165

(1) If an employee is transferred or temporarily assigned to another employer to another place of work than those stated in the contract, which is also different from the residence of the staff, it must do and the amount of compensation as provided in § 157 to 164 If the employee returns to the home daily, time spent at this point is not included in the period for providing subsistence.

(2) Employees who receive subsistence allowance under paragraph 1, and at the same time it is sent on a business trip away from temporary assignment or transfer, for the meals, which is more favorable to workers. Other travel expenses when the employee as a business trip.

Part 3

Travel expenses during a business trip abroad

§ 166

Types of travel expenses

(1) The employer is obligated under the terms set out below provide employees meal allowance in the amount and conditions set out in § 163, except paragraph 4, and compensation

a) travel expenses,

b) travel expenses to visit a family member,

c) expenditure on accommodation,

d) food expenditure in foreign currency (hereinafter referred to as "foreign subsistence allowance")

e) the necessary incidental expenses.

(2) The employer may, on a business trip abroad to provide employees and other travel expenses.

§ 167

Náhrada travel expenses

Náhrada travel expenses of the employee and under the conditions specified in § 157 to 160, with the compensation for the consumed fuel in foreign currency and documented price shall be liable only for the kilometers traveled outside the Czech Republic. In the absence of compelling reasons an employee proof of purchase of fuel outside the Czech Republic, the employer may provide compensation for the consumed fuel in foreign currency on the basis of his statement actually incurred cost of fuel and the reasons for its failure to prove.

§ 168

Reimbursement of travel expenses to visit a family member

If it takes a business trip abroad for more than 1 month and was to visit a family member zaměstnavatelem agreed or determined before sending employees on business trips abroad, the employee reimbursement of travel expenses to visit a family member to his residence or other agreed place of residence prior member family, under the § 167 but not exceeding the amount equivalent to driving expenses to the place of work or regular workplace or residence of the staff in the Czech Republic. Over the limit is considered to be an amount that is best for employees.

§ 169

Reimbursement for accommodation

Employees for the reimbursement of accommodation expenses, incurred in accordance with the terms of business trips abroad, according to § 162nd

§ 170

Foreign subsistence

(1) Employees for the foreign workers in foreign trip subsistence expenses in the amount of foreign currency and under the conditions set out below.

(2) Where the employer shall negotiate or designate before sending employees to a foreign business trip base rate of foreign subsistence allowance, the basic rate must be in whole currency units, subject to the conditions foreign business trips and eating, at least 75%, and crew members of inland vessels cruise at least 50% basic rate of foreign subsistence allowance provided for the State in an implementing regulation issued pursuant to § 189th If an employer fails under the first sentence shall be determined by foreign employees of the above basic subsistence foreign subsistence rates set out in an implementing regulation issued pursuant to § 189th The amount of foreign allowance, the employer shall determine the basic rate of foreign subsistence allowance agreed or specified for the State in which the employee spends most days in the calendar time.

(3) Employees of foreign subsistence allowance for the standard rate in accordance with paragraph 2 if the time spent outside the Czech Republic in the last calendar day for more than 18 hours. If this takes longer time than 12 hours but not more than 18 hours, the employer provides meals of foreign employees of two-thirds the rate of foreign subsistence allowance, and equal to one third of foreign subsistence rates, it takes the time spent outside the Czech Republic 12 hours and less, but at least 1 hour or longer than 5 hours if employees created for the trip to the Czech Republic the right to subsistence allowance under § 163 or § 176th Periods of time spent outside the Czech Republic for less than 1 hour, foreign subsistence allowance shall be granted.

(4) the time spent outside the Czech Republic, which last 1 hour or longer for more foreign business trips in one calendar day, for the purposes of foreign subsistence allowance added. Period during which there will be no right of employees to foreign meals are added to the time of the grant of subsistence allowance under § 163rd

(5) If the employee during business trips abroad provided free food for the subsistence of foreign employees in the standard rate reduced for each free meal to the value

a) 70% foreign subsistence allowance, in the case of foreign subsistence third of the standard rate,

b) 35% foreign subsistence allowance, in the case of international meals in a two-thirds the standard rate,

c) 25% foreign subsistence allowance, in the case of foreign subsistence allowance at the standard rate.

If an employer Nesjedná lower reduction of foreign subsistence allowance, or it tells you before sending employees on business trips abroad, the employee is reduced by foreign subsistence highest value set in the first sentence.

(6) After the visit of a family member or for an agreed interruption of business trips abroad on the grounds of the employee is not foreign staff meals. Decisive for the right time for foreign subsistence before visiting a family member or interruption of the agreed business trips abroad due to the termination of the employee ends work, or other pre-agreed manner, and after visiting a family member or interruption of business trips abroad on the grounds of the employee starts at the same time the start of work, or other pre-agreed manner.

(7) If an employee is posted abroad on a business trip to your residence, it must subsistence and foreign subsistence only way into the residence and back, the journey to work and back and during work at this location.

(8) The reasons for the failure of foreign subsistence allowance provided for in paragraphs 6 and 7 are prohibited from expanding.

§ 171

Compensation for necessary incidental expenses

Employees required to pay for the incidental expenses pursuant to § 164th

Part 4

Refunds for work abroad

§ 172

It was agreed to place of work, or even regular workplace outside the Czech Republic, the employee for the days first trip from the Czech Republic to the place of work or regular work and back on travel expenses as a business trip abroad. If an employee travels with the consent of the employer and the family member, the employee compensation and proven travel, accommodation and necessary incidental expenses incurred by that member of the family.

TITLE III

PROVIDING TRAVEL REIMBURSEMENT employees of an employer

WHICH IS SET FORTH IN PARAGRAPH § 109. 3

Part 1

General Provisions

§ 173

Zaměstnavatel referred to in this title shall provide the employee travel expenses in the amount and under the conditions provided in this title. Other travel expenses or higher employer must provide employees.

§ 174

The provision of travel expenses by the employer proceeds of Title II, Part Seven, with a further set abnormalities.

Part 2

Variations in the provision of travel expenses during business trips

§ 175

Náhrada travel expenses

The rate of basic compensation provided for in § 157, paragraph 4 and 5 are binding on employers and can not negotiate or determine the way work differently.

§ 176

Meal

(1) When a food allowance to § 163 paragraph 1 to 3 apply. Staff responsibility for each calendar day of a mission subsistence allowance of

a) takes a business trip to 5-12 hours,

b) if the business takes way longer than 12 hours but not more than 18 hours,

c) if the business takes way longer than 18 hours.

The subsistence allowance varies depending on the development of an implementing regulation issued pursuant to § 189th

(2) Prevents an employer-deployment business trip that takes less than 5 hours, employees eat in the usual way, he may give up to the subsistence allowance, pursuant to paragraph 1. a).

(3) If a staff member on mission provided a free meal, the employee meal expenses for each decreased by the value of free food

a) 70% subsistence allowance, whichever way working 5-12 hours,

b) 35% subsistence allowance, if the business takes way longer than 12 hours but no longer than 18 hours,

c) 25% subsistence allowance, if the business takes way longer than 18 hours.

(4) Meal employee is not entitled, unless the mission, which lasts

a) 5-12 hours, was given 2 free meals

b) 12 to 18 hours, were given three free meals.

(5) If an employer Nesjedná or tells you before sending staff to the way of subsistence allowance, the employee meals at the lower range of rates pursuant to paragraph 1

Part 3

Refund on receipt and transfer

§ 177

(1) If agreed by the employer, or an internal regulation of the payment of refunds on recruitment in employment or transfer to another location, they can provide such compensation to the amount and scope in accordance with § 165th

(2) Compensation under paragraph 1 may provide the employer to an employee until the employee or member of his family and other natural person who, with him living in a household in the village will get their place of work be reasonable, but no longer than 4 years, and if of employment which is contracted for a fixed period, until the end of that employment.

§ 178

Employees whom the employer provides or could provide compensation under § 165 and 177 and who moves to the community in which he or right to such reimbursement shall lapse, the employer may provide compensation of proven

a) expenses for transportation, furnishings,

b) travel expenses and travel expenses of a family member from home to a new residence

c) necessary incidental expenses related to transportation, furnishings,

d) required for the necessary expenses associated with the adjustment of the flat, for up to 15 000 CZK.

Part 4

Variations in the provision of travel allowances for foreign

business trip

§ 179

(1) When providing foreign subsistence allowance, the provisions of § 170 paragraph 2, first sentence, and paragraph 5 shall not apply. Employees for the calendar day for each foreign business trips abroad in the amount of basic subsistence foreign subsistence rates set by the implementing legal regulation issued pursuant to § 189th

(2) The head of state and their representatives and statutory bodies and their representatives can identify foreign subsistence allowance of up to 15% over base rate of foreign subsistence allowance referred to in paragraph 1, unless a special law provides otherwise 57).

(3) If the employee during foreign business trips abroad, provided free food, the employee is reduced foreign meals for each meal by the value of free

a) 70% foreign subsistence allowance, in the case of foreign subsistence third of the standard rate,

b) 35% foreign subsistence allowance, in the case of international meals in a two-thirds the standard rate,

c) 25% foreign subsistence allowance, in the case of foreign subsistence allowance at the standard rate.

(4) Foreign employees not entitled to subsistence allowance if during his business trips abroad, which takes

a) 5-12 hours, was given 2 free meals

b) 12 to 18 hours, were given three free meals.

§ 180

The employer may provide employees an allowance to 40% foreign subsistence allowance provided to an employee under § 170, paragraph 3 and § 179th

Part 5
Refunds for work abroad

§ 181

In addition to compensation provided for in § 172 of the employee reimbursement provided in the implementing regulation issued pursuant to § 189th Employees not entitled to subsistence for the duration of the journey to the Czech Republic and foreign subsistence in the country of employment or regular employment.

TITLE IV
COMMON PROVISIONS FOR TRAVEL
Compensation

§ 182
Flat-rate travel expenses

(1) The agreement of a fixed amount monthly or daily travel expenses, or to determine its internal regulations or individual written determination is based on average conditions decisive for the provision of travel expenses for employees or group of employees, the amount of travel expenses and the expected average expenditure of this group of employees or this employee. At the same time reduction shall determine a lump sum for the time when an employee does not perform work.

(2) At the request of an employee, the employer is obliged to submit his papers for inspection on the basis of lump sum was intended.

§ 183
Advance payment of travel costs and the billing

(1) The employer shall provide employees accountable to deposit the estimated amount of travel expenses if the employee agrees that the deposit will be given.

(2) When a business trip abroad employer may by agreement with the employee to provide a deposit in foreign currency or in part also cestovním check or credit card lending employer. An employer may agree with the employee to provide advance subsistence Czech foreign currency or other than in the implementing regulation issued pursuant to § 189 specified foreign currency for the State, if that currency is the Czech National Bank announced rate. When determining the amount of foreign currency in an agreed allowance, first taking a crown value of foreign subsistence allowance, which is converted into agreed currency. To determine the value of the koruna and foreign subsistence allowance, the amount of foreign currency agreed in the exchange rate announced by the Czech National Bank valid on the date of advance.

(3) If the employee with the employer agree on another time, he shall within 10 working days after the close of business travel or other evidence establishing the right to travel allowances present to the employer documentary evidence needed to charge travel expenses and return the advance not accounted for. The amount that an employer return an employee in the Czech currency, rounded to the nearest crown upwards.

(4) The amount by which a payment was for a business trip abroad more than the right of employees, employee of the employer returns in the currency provided by the employer, or in the

currency in which the employee in foreign currency exchanged, or in the Czech currency. The amount by which a payment was for a business trip abroad is lower than the right of employees, pays employer to an employee in the Czech currency, unless otherwise agreed. When accounting advance employee uses the employer documented course, which was granted in foreign currency exchanged for another currency, and courses listed in paragraph 2

(5) Unless the parties at different times, the employer shall, within 10 working days from the date of submission of documentary evidence to charge the employee travel expenses and to satisfy his rights. The amount which the employer to provide employees in the Czech currency, rounded to the nearest crown upwards.

§ 184

In the provision of travel expenses for which no advance funding, mutatis mutandis, § 183, with the conversion of currencies is the exchange rate published by the Czech National Bank valid on the day when foreign business trips.

§ 185

If required to provide proof of travel expenses for the expenses and the employee is proven, the employer may provide this compensation recognized by the amount corresponding to the specified conditions, unless this Act stipulates otherwise (§ 158 paragraph 3).

§ 186

The employee is obliged to notify the employer change the fact that is decisive for the provision of travel expenses.

§ 187

For a family member employee for the purpose of providing travel expenses, with the exception of § 177, paragraph 2 shall his spouse, partner 51a), own child, osvojenec, employees assigned to a child in foster care or education, their own parents, adoptive parent, guardian and foster parent . Other individual is assimilated to a family member only, provided that the employee lives in the home.

§ 188

Travel allowances paid under an international treaty or

on the basis of agreements on mutual exchange of staff

the foreign employer

(1) Employees who are sent on a business trip abroad, and during this period he is entitled under international treaties allowance or reimbursement of expenses similar at a lower rate than under this Part, the employer will provide a travel allowance equal to the difference between the law under this Part and compensation provided under international agreements.

(2) Employees who are sent on a business trip abroad, and during this period he is entitled under international treaties allowance or reimbursement of expenses similar to the same or higher level than under this Part, the employer reimbursement of travel expenses under this section fails.

(3) reimbursement of travel expenses or reimbursement of expenditure which are provided to employees under the international treaty shall be considered as travel allowances paid under this Part.

(4) If the employer negotiate the agreement on mutual exchange of staff that will be foreign employees seconded to the Czech Republic to provide meals, it is obliged to provide at least the upper limit of subsistence allowance provided for in § 176 paragraph 1 The employer referred to in Title III, Part Seven can provide meals to foreign workers up to twice the subsistence allowance provided for in the first sentence and spending up to 40% agreed or determined as follows subsistence.

§ 189

enabling provisions

(1) The regular term of 1 January the Ministry of Labour and Social Affairs Decree
a) the rates of basic compensation for the use of road vehicles as set out in § 157, paragraph 4,

b) change the subsistence allowance provided for in § 163 subsection 1 and § 176, paragraph 1,
c) the average price of fuel,

according to the Czech Statistical Office on the prices of vehicles, the prices of food and non-alcoholic beverages in public catering and fuel prices.

(2) The term extraordinary Ministry of Labour and Social Affairs Decree modifies the basic reimbursement rate for use of road motor vehicles, meals or the average price of fuel, when, according to data from the Czech Statistical Office, some of the prices referred to in paragraph 1 from the effective date of this Act, or effective date of last modification contained in the Decree, increases or decreases by at least 20%.

(3) Meal is rounded up to whole crowns to 50 cents down and 50 cents, including upwards. The rate of basic compensation and average fuel prices are rounded to desetihaléře upwards.

(4) The regular term of 1 January the Ministry of Finance Decree lays down the basic rates of subsistence allowance in foreign currency units of the entire foreign currency, based on a draft prepared by the Ministry of Foreign Affairs, according to documents of embassies on the prices of food and soft drinks in public catering middle grades and the facilities first class in quality developing countries in Asia, Africa and Latin America, and the use of statistics of international institutions.

(5) In an extraordinary term Treasury Decree modifies the standard rate of foreign subsistence allowance, when the price referred to in paragraph 4 and the fixed exchange rate of foreign currency since the last adjustment increases or decreases by at least 20%.

(6) government regulations applicable to the employee with whom the employer negotiates in Title III of the seventh place of work, or even regular workplace, outside the Czech Republic, compensation

a) the increased cost of living

b) increased expenses of the trip,

c) travel expenses and accommodation expenses in some ways to the Czech Republic and back

d) costs associated with the transportation of personal belongings.

TITLE V

COMPENSATION FOR WEAR OWN TOOLS, EQUIPMENT AND ARTICLES

FOR PERFORMANCE OF WORK

§ 190

(1) negotiate an employer, or an internal regulation of the individual in writing or determine the conditions, amount and method of providing compensation for wear his own tools, equipment or other objects necessary for the performance of staff members, provide for the compensation agreed upon, set in or specified conditions.

(2) The provisions of paragraph 1 shall not apply to the use of motor vehicles for which the compensation subject to § 157 to 160th

PART EIGHT

Obstacles to work

TITLE I

Obstacles to work for the employee

Part 1

Important personal obstacles

§ 191

The employer is obliged to excuse employees at work during his temporary inability to work under special law 58), under quarantine ordered under a special legal regulation 59) for a period of maternity or parental leave, care for a child younger than 10 years, or another member households in the cases under § 39 of the Act on health insurance and care for a child younger than 10 years of the grounds specified in § 39 of the Health Insurance Act or for which the natural person who cares for a child or have undergone tests or treatments for providers of health services, which could not be secured out of hours an employee, and therefore can not care for the child.

Remuneration, salary or remuneration agreements on work performed outside employment for temporary incapacity (quarantine)

§ 192

(1) Employees, who was recognized temporarily unable to work or who has been quarantined, it is in the first 14 calendar days in the period from 1 January 2012 to 31 December 2013 during the first 21 calendar days of temporary work incapacity or quarantine wage compensation on and under the second sentence of paragraph 2, if the day of temporary incapacity or quarantine an employee meets the conditions for entitlement to sickness benefits under the regulations on health insurance . Within the period referred to in the first sentence of such compensation for the wages or salary for the days that employees are working days and holidays, for which the employee or remuneration or his salary or wage nekrátí, if the individual meets the conditions of entitlement days the payment of sickness benefits under the regulations on health insurance, and if the employment lasts, but not later than the date of exhaustion of the support period for payment of sickness 61), wage compensation is not for the first 3 days of such temporary disability, but not exceeding the first 24 hours not actually worked out, spread shifts. Founded the temporary incapacity from the date on which the employee has worked shifts, begins the 14 calendar days in the period from 1 January 2012 to 31 December 2013 period of 21 calendar days of temporary incapacity for the purpose of providing wage compensation following calendar day. If during the first 14 calendar days in the period from 1 January 2012 to 31 December 2013 period of 21 calendar days of temporary incapacity (quarantine) belongs sick 62) or maternity 63), wage compensation is not. If a temporary employee at the time of incapacity (quarantine) the right to wage compensation under the first sentence, third, it was not at the same wage compensation because of other barriers to work.

(2) compensatory wage or salary pursuant to paragraph 1 for the 60% of average earnings. For the purpose of fixing wages or salary, the average earnings adjusted the same way that regulates the daily assessment base for the calculation of sickness benefits from sickness insurance 64), with that for the purposes of this regulation, the relevant reduction limit established for the purposes of sickness insurance 64a) multiplied by coefficient of 0.175 and then rounded to the penny upwards. If an employee per working day in which it originated or terminated the right to wage compensation under paragraph 1 shall also be entitled to wages or salary for part-time, it must, for this day only the proportion of wage compensation attributable to the part-time basis, for which he does not belong to the wage or salary.

(3) The agreed or internal regulations set out the amount of compensation and wages or salary for the period referred to in paragraph 1 of the second sentence after the semicolon, or above the amount referred to in paragraph 2, first sentence shall not exceed the average earnings (§ 356 paragraph 1).

(4) compensatory wage or salary established pursuant to paragraphs 2 and 3 must be reduced by 50%, if the cases where the rules on health insurance claim for sick leave at half of 65).

(5) violated the employee during the first 14 calendar days in the period from 1 January 2012 to 31 December 2013 period of 21 calendar days of temporary incapacity for work obligations referred to in paragraph 6, first sentence, which is part of the rules temporarily unable to work the insured, the employer with regard to the seriousness of the breach of its obligation to pay wages or salary reduced or withheld. Compensatory wage or salary may be reduced or not provided, if the violation was for the same mode temporarily unable to work insured given notice to the employee under § 52 point. h).

(6) The employer is entitled to check whether an employee who was temporarily unable to work recognized, observes during the first 14 calendar days in the period from 1 January 2012 to 31 December 2013 period of 21 calendar days of temporary incapacity specified mode is temporarily unable to work the insured in respect of the obligation under a special legal regulation 66) remain in the place of residence and time and observe the extent permitted walks. The employer is obliged, in case of breach of the obligations set out in the first sentence on the control of the employee prepare a written record stating the facts that constitute a breach of this regime; copy of this record, the employer is obliged to deliver to an employee who violated this mode, the District Social Security Administration, according to the place of residence employees during the temporary incapacity 67) and the physician employee temporarily unable to work. The employer is entitled to ask the doctor who provided employees temporarily unable to work mode of the insured, this mode of communication to the extent that the employer is entitled to control and evaluate zaměstnavatelem found violations of this scheme. The employee is required to enable the employer to check compliance with its obligations set out in the first sentence.

§ 193

Wage compensation for the set of evidence for claiming sickness and must be paid in the next regular payday or salary for the submission of these documents. The employer is required to determine the case before the pay period must be presented evidence for the wage compensation to such compensation could be paid this pay period.

§ 194

Employees who work under contracts for work or contracts for work, it is in the first 14 calendar days in the period from 1 January 2012 to 31 December 2013 during the first 21 calendar days of temporary incapacity (quarantine) the reimbursement of fees agreement as provided in § 192 and 193rd For the purpose of providing the compensation paid to employees who work under contracts for work or contracts for work, the employer set the layout of weekly working time to shift to the employer for these purposes must be determined in advance.

Maternity and parental leave

§ 195

Maternity leave

(1) In connection with childbirth and care for a newborn child is a female employee maternity leave for 28 weeks gave birth to 2 or more children, she is entitled to maternity leave for 37 weeks.

(2) maternity leave usually from the beginning of the sixth week before the expected date of confinement, but not earlier than the beginning of the eighth week before this date.

(3) If the employee has drawn from maternity leave before giving birth less than 6 weeks, because the birth occurred earlier than the designated physician for the maternity leave from the date of entry until the expiration of the period specified in paragraph 1 If, however, exhaust the employee maternity leave before giving birth less than 6 weeks for another reason, she is entitled to maternity leave from the date of

birth only until the end of 22 weeks or 31 weeks, in the case of a worker who gave birth to 2 or more children.

(4) If the child was born dead, a female employee maternity leave for 14 weeks.

(5) Maternity leave in connection with childbirth must never be less than 14 weeks and shall in no event be terminated or interrupted (§ 198 paragraph 2) before the expiry of six weeks from the date of birth.

§ 196

Parental leave

In order to promote child care, the employer must provide the employee and employees at their request parental leave. Parental leave is for the child's mother after maternity leave and the child's birth father, and to the extent that what the request, but not longer than until the child reaches the age of 3 years.

§ 197

Maternity and parental leave when taking a child

(1) The right to maternity and parental leave also has an employee or an employee who took child into substitute parental care to the decision of the competent authority, or a child whose mother died; decision of the competent authorities means the decision is considered a decision on custody child in foster care parents for purposes of state social support 68).

(2) Maternity leave under paragraph 1, a female employee from taking a child for 22 weeks, and if the employee took 2 or more children, for 31 weeks, but until the day when the child reaches the age of 1 year.

(3) Parental leave under paragraph 1 for the date of receipt of the child until the day when the child reaches the age of 3 years; employee who drew the maternity leave pursuant to paragraph 2, for the parental leave until the end of maternity leave. If a child has been taken after the age of 3 years and up to 7 years of age, the parental leave for 22 weeks. When taking a child before the age of 3 years so that the elapsed time of 22 weeks after reaching 3 years of age, parental leave are appropriate to the end of 22 weeks from receipt of the child.

§ 198

Common provisions on maternity and parental leave

(1) maternity and parental leave an employee and the employee is entitled to draw the same time.

(2) If the child was taken for medical reasons in infant care or other medical institution and the employee or the employee has to work, he is interrupted by the advent of maternity or parental leave, the unused portion for the date of re-taking a child from an institution into his care, but not longer than until the child reaches the age of 3 years.

(3) If the employee or the employee ceases to care for the child and the child was therefore put into the constitutional family or parental care, as well as employee or employees whose child is in temporary care for infants, or similar institution for other than health reasons, not for maternity or parental leave as long as you do not care for the child.

(4) If a child dies while the employee is on maternity or parental leave or an employee on parental leave for the maternity or parental leave for a period of two weeks from the date of death of a child, until the day when the child reached the age of 1 year.

Other important personal barriers to work

§ 199

(1) If an employee can not perform work for other important personal barriers to work for his people than those listed in § 191, the employer must give him at least to the extent required time off work and, where provided, wage compensation under paragraph second Compensatory wage or salary for the average of earnings.

(2) The Government of the regulation range of obstacles in the work referred to in paragraph 1, the extent of leave cases in which the responsibility to pay the wages or salary, including any trade union co-workers to send to the funeral of fellow employees, even to employees who do not work in the workplace employer, but according to the agreed terms for him to perform work during working hours, the schedules themselves (§ 317).

(3) Where, employer employee time off for deployment SNE 69) to a body or institution of the European Union, in other international governmental organizations in peacekeeping or rescue operations or for the purpose of humanitarian aid abroad, the employee wage compensation in amount of average earnings. The granting of leave employer shall issue a written confirmation of staff, stating indication of the duration of leave. Length of leave so granted shall not exceed 4 years.

Part 2

Obstacles to work in the general interest

§ 200

Employees from the employer for the time off work to the extent necessary to carry out public functions, duties and other civil actions in the public interest, where such activities can not be done outside working hours. Compensatory wage or salary from an employer in these cases is not, unless hereinafter in this Act stipulates otherwise, or unless agreed otherwise provided for internal regulation. Specific legislation on barriers to work because of general interest are not affected.

§ 201

Exercise of public functions

(1) The exercise of public functions for the purposes of this Act, the obligations arising from the function that is

a) functional or defined period of time and

b) filled on the basis of direct or indirect election or appointment under special legislation.

(2) The exercise of public functions as the performance of Members of the Parliament, Senator Senate of the Parliament, a member of council local government body or an observer.

(3) Employees who performs a public function in addition to fulfilling the obligations arising from employment, may be due to the exercise of public functions granted leave from work to a maximum of 20 working days (shifts) in a calendar year.

§ 202

Performance of civic duty

The performance of civil obligations especially in terms of witnesses, interpreters, expert witnesses and other persons summoned to act in court, administrative office, other state authority or local government body, while providing first aid in measures against infectious diseases, while providing personal assistance fire protection for natural events, or similar emergencies and in cases where a natural person is obliged by law to provide personal assistance.

§ 203

Other acts in the public interest

(1) Other acts in the public interest provided by law or special act 70).
(2) Time off for another act of general interest to employees

a) the responsibility to wage compensation in the amount of average earnings to serve as a member

1) the trade union under this Act;

2) Council or the Electoral Commission under this Act, as well as representatives for the safety and health under this Act (§ 283 to 285)

3) negotiating bodies or European Works Council under this Act (§ 288 to 298)

4) persons elected by the legal authority for employees under a special legal regulation 71),

5) negotiating committee and a committee member of staff under a special legal regulation 71a).

b) responsibility for the performance of other trade union activities, especially to attend meetings, conferences or congresses,

c) Belongs to attend training organized by a trade union within 5 working days in a calendar year if there are serious operational reasons to wage compensation in the amount of average earnings,

d) the activities of donors at blood collection and apheresis, for the time off with wage compensation in the amount of average earnings for the trip to the procurement, collection, going back and recovery after collection, if they actually interfere with the working hours within 24 hours from the onset of ways to donate. If the path to the collection, the collection and return journey 24 hours is not enough, for the time off with wage compensation in the amount of average earnings necessary to be established next time it will interfere with working hours. If no collection, for the time off with wage compensation in the amount of average earnings only proven necessary period of absence at work

e) the activities of other donors of biological materials for the time off with wage compensation in the amount of average earnings for the trip to the procurement, collection, going back and recovery after collection, if that actually interfere with the working hours within 48 hours of departure to donate. According to the nature of the load and health of the donor, the physician may determine that the time off with wage compensation in the amount of average earnings shall be reduced or extended, the maximum extension, however, for extending the working hours within 96 hours of the onset of ways to donate. If no collection, for the time off with wage compensation in the amount of average earnings only proven necessary period of absence at work

f) to employee during a lecture or teaching activities, including testing, for the time off within a maximum of 12 innings (working days) per calendar year, unless there are serious operational reasons on the part of the employer. Shorter part of each innings in which it was granted time off work, are added,

g) the business of a member of Mountain Rescue Service and the natural person who at the invitation of its instructions and personally assists in the rescue operation in the field, for the time off work to the extent necessary,

h) the activities of the leading camps for children and young people, their representatives on matters of health and Polish Scouting and Guides leaders, educators, instructors, or paramedical personnel in the camps for children and youth for the time off work to the extent necessary, but not more than 3 weeks calendar year, unless there are serious operational reasons on the employer and provided that the employee at least 1 year before the release of free and consistently worked with children or youth. The condition of continuous and free labor is not required in the case of camps for disabled children and young people

i) the activities of intermediaries and arbitrators in collective bargaining for the time off work to the extent necessary,

j) the activities of voluntary census authority in the census and housing including additional surveys of the population, for the time off work to the extent necessary, more than 10 innings (working days) per calendar year, unless there are serious operational reasons on the employer

k) to voluntary activities of Red Cross medic in providing health supervision for sporting or social event, for the time off work to the extent necessary, unless there are serious operational reasons on the employer

l) the activities of organized interest in physical education, sports or cultural event and the necessary preparation for it, for the time off work to the extent necessary, unless there are serious operational reasons on the part of the employer.

§ 204

Time off work related to military duty

(1) Employees for the time off from the employer to the extent necessary, if the employee is required to appear before the competent military administrative authority in connection with the performance of military duties.

(2) employees from the employer for the time off work to the extent necessary as well as long as it needs to go to places and occupations in the performance of military exercises or extraordinary military exercises.

(3) wage compensation for time off work related to military duties under paragraphs 1 and 2 shall be the average earnings of the military administrative office.

§ 205

Barriers to work due to training, other forms of preparation

or study

Participation in training, other form of training or study in which the employee obtained the conditions prescribed by the regulations or requirements necessary for the proper performance of the agreed work, which is consistent with the needs of the employer extends the working time is an obstacle in the work of the employee for which the responsibility to pay the wages or salary (§ 232).

TITLE II

PROVISIONS ON THE COMMON BARRIERS TO THE JOB OF THE EMPLOYEE

§ 206

(1) If an obstacle in the work of employees known in advance, the time to ask the employer to grant time off. Otherwise, the employee shall notify the employer of the obstacle and its estimated time of duration, without undue delay.

(2) Obstacles to work the employee is required to prove the employer. To meet obligations under the first sentence is legal and natural persons are obliged to provide employees the necessary cooperation.

(3) If, under a special regulation for barrier employee released from work for reasons of public interest is a legal or natural person for whom the employee is employed or of whose initiative was released, the employer shall pay, in which an employee at the time of release employed, to pay wages or salary which the employee was granted, if this is a legal entity or natural person has agreed to waive payment.

(4) Pursuant to paragraph 3 shall pay wage compensation by releasing the employer provides under this Act (§ 351-362); neuhrazuje reimbursement of wages or salary beyond the scope stipulated by this Act.

TITLE III

OBSTACLES ON THE JOB ON THE EMPLOYER

§ 207

Downtime and interruptions due to adverse

weather

If an employee is unable to perform work

a) for a temporary disorder caused by a defect in the machinery, the fault, the supply of raw materials or motive power, faulty work or materials other operational reasons, it's downtime, and if it is not transferred to another job, it must pay the wages or salary of at least 80% of average earnings,

b) due to interruptions caused by adverse weather conditions or natural disaster and if it is not transferred to another job, it must pay the wages or salary of at least 60% of average earnings.

Other barriers to work for the employer

§ 208

If the employee could not perform work for other barriers to the employer than those listed in § 207, it is for him to pay wages or salary in the amount of average earnings, this does not apply if the applied working time account (§ 86 and 87).

§ 209

(1) The other impediment to work for another employer other than specified in § 109 paragraph 3, it is also where the employer can not assign employees work in a range of weekly working hours due to temporary restrictions on sales of its products or reduce the demand for its provision services (partial unemployment).

(2) Adjust the cases under paragraph 1 of the agreement between the employer and trade union organizations of wage compensation provided that the employee must pay the wages be at least 60% of average earnings, does not cause the employer to union organization, the Agreement may be replaced by an internal regulation .

§ 210

The time spent on a business trip or on the road outside the regular workplace other than performance of work which falls within working hours, shall be considered as an obstacle in the work of the employer in which employees are wage or salary nekrátí. However, if the employees due to remuneration arrangements for missed wages or salary, it must pay the wages or salary in the amount of average earnings.

PART NINE

HOLIDAY

TITLE I

GENERAL PROVISIONS

§ 211

Employees who perform work in an employment relationship arises under the terms of this section to the right

a) annual leave or at its proportionate part,

b) leave days worked,

c) additional leave.

TITLE II

LEAVE YEAR, ITS Quite often, LEAVE AREA A HOLIDAY FOR DAYS WORKED

Part 1

Annual leave and the proportion of

§ 212

(1) Employees who work for the going rate for the same employer at his work place at least 60 days in the calendar year for the annual leave, or the proportion, if the employment relationship did not last continuously for the entire calendar year. Worked per day is considered in which the employee has worked most of his shift, parts of shifts worked on different days are not cumulative.

(2) The relative amounts of leave for each full calendar month of continuous employment of the same one-twelfth of annual leave.

(3) The relative portion of leave for the period of one twelfth also for the calendar month in which the employee changed jobs, where termination of employment with current employer and the creation of new employment with the employer to immediately follow each other, for the employees in this case, the proportion of leave from new employer.

(4) If an employee has been fully released for long-term public office is obliged to leave his or her part to provide legal or natural person for whom the employee is released active, this legal or natural person shall also give him the part of leave which exhausted before releasing. If an employee has not exhausted the leave before the expiry of the release, he is obliged to provide it relaxing by the employer. Compliance with the conditions for the emergence of the right to leave quite yet assessed for the period before and after release.

§ 213

(1) The area of vacation is at least 4 weeks in a calendar year.

(2) Holiday employers of employees specified in § 109 paragraph 3 is 5 weeks in a calendar year.

(3) Holiday teachers 47) and scholars 72) is 8 weeks in a calendar year.

(4) If the holiday draws to an employee working hours unevenly arranged into individual weeks or the entire calendar year, it must do so many working days leave, according to how many working hours for the holiday falls in year-round average.

(5) In case the employee during the calendar year to change working patterns, it is for him this year for holidays in proportion to the length of the working time.

(6) The Government may establish regulation for employees in the rail transport with uneven organization of working time in accordance with § 100 paragraph 1 point. c) the conditions under which they may be granted leave in calendar days.

Part 2

Holiday for days worked

§ 214

Employees who do not enjoy the right to annual leave or at its proportionate part, because it did not take place in the calendar year with the same employer for at least 60 working days for the holiday for days worked in the length of one twelfth of the annual leave for every 21 days worked in the calendar year. The provisions of § 212, paragraph 1 second sentence applies here.

TITLE III

Additional leave

§ 215

(1) Employees who work with the same employer throughout the calendar year in underground mining of minerals or tunnels and galleries, and staff, who throughout the calendar year, place of work especially difficult for the supplementary leave of 1 week. If an employee works under the conditions specified in the first sentence of the calendar year only, it must do so for every 21 days worked twelfth additional leave. Additional leave for the performance of work the employee is especially difficult when certain conditions are met, even if entitled to additional leave for the carrying out of work below ground in the extraction of minerals or tunnels and galleries.

(2) For employees who work extra hard to place, for the purpose of providing additional leave considered employees who

a) continuously work at least half within the stipulated weekly working time for providers of health services or at their workplace where they treat patients with contagious form of tuberculosis,

b) are at work in workplaces with infectious materials are exposed to direct risk of infection, if this work at least half within the stipulated weekly working time

c) are exposed at work adverse effects of ionizing radiation,

d) work in direct care or operating mentally ill or mentally disabled to the extent at least half the stipulated weekly working time

e) as educators implementing education of youth in difficult conditions or medical personnel working in the medical service of the Prison Service of the Czech Republic at least half within the stipulated weekly working time

f) work for at least 1 year in tropical or otherwise physically difficult areas. An employee who has completed one year of continuous work in tropical health or other difficult areas shall be entitled to additional leave as early as this year, if an employee works in tropical health or other difficult areas continuously for more than 1 year, it must do so for every 21 days worked in these areas twelfth additional leave,

g) work in the Prison Service of the Czech Republic in direct contact with the accused in custody or sentenced in prison for at least half within the stipulated weekly working time

h) work as divers under increased pressure suits or as employees (kesonáři) kesonovací performing work in compressed air in the working chambers,

i) as a healthcare personnel carrying out activities in the provision of emergency medical services in the range of at least half of the weekly working time.

(3) The Ministry of Labour and Social Affairs Decree provides for tropical or otherwise physically difficult area.

(4) additional leave under specified conditions for the employees referred to in paragraphs 1, 2 and 3

TITLE IV

COMMON PROVISIONS FOR THE HOLIDAY

Part 1

General provisions

§ 216

(1) For a continuous period of employment is regarded as the end of the current and immediately following the creation of new employment an employee for the same employer.

(2) For the purposes of leave for the execution time does not work for Missed important personal barriers to work, if not included in the implementing regulation (§ 199 paragraph 2). The period of maternity leave and the period during which an employee take parental leave by the time during which the employee is entitled to take maternity leave and the period of incapacity resulting from an accident at work or occupational disease arising in the course of work or in direct connection with the for holiday purposes be treated as a job.

(3) To determine whether the conditions of the right to leave, is considered an employee who is employed for a fixed weekly working time, as if in a calendar week, working 5 days, although his working time is allocated on all working days in week, this also applies for the purposes of curtailment leave, except for unexcused absences.

(4) If the proportion of the holiday is less than a day, rounded up to a half day, this also applies to the calculation of the twelfth holiday.

Part 2

Leave

§ 217

(1) The period of leave is determined by the employer must schedule the leave in writing issued with the prior consent of trade unions and works councils, so that holidays could be generally quite exhausted by the end of the calendar year in which the right arose to leave, unless this Act otherwise provided below .. In determining the schedule of leave to be taken into account operational considerations and the legitimate interests of the employer's employees. When offered the employee's holiday in several parts, at least one part must be at least two weeks in whole if the employee and employer agree to a different length of the leave. Specified period of leave, the employer must notify employees in writing at least 14 days in advance if the employee agrees to a shorter time.

(2) The employer may designate employees leave, although not yet met the conditions for the emergence of the right to leave if it can be assumed that the employee meets these conditions by the end of the calendar year or until termination of service.

(3) The employer is obliged to pay staff expenses that it incurred without fault because the employer has changed him a set period of leave or that he withdrew from the holiday.

(4) The employer shall determine the period of leave, the employee carries out military exercises or extraordinary military exercise, which is recognized temporarily unable to work under a special legal regulation 61), or the period during which an employee is on maternity or parental leave and the employee parental leave. At the time of other obstacles in the work of the employee the employer may designate the leave only upon request.

(5) If the employee asks the employer to grant leave so that immediately followed the end of maternity leave, the employee and the employer to grant leave so that immediately followed the end of parental leave by the time during which the employee is entitled to take maternity leave, the employer obliged their request.

§ 218

(1) leave under § 211, the employer must designate employees to run out of holidays in the calendar year in which the employees entitled to leave arose, unless the employer in preventing barriers to work for the employee or urgent operational reasons.

(2) If no leave is exhausted in accordance with paragraph 1, the employer must determine her employees to be exhausted by the end of the following calendar year, unless specified in paragraph 4 otherwise.

(3) If the leave specified by 30 June of the following calendar year, has the right to leave an employee as well. Leave the employee shall notify the employer in writing at least 14 days in advance if the employer agrees to a different time of notification.

(4) If no leave is exhausted or the end of the next calendar year because the employee was recognized temporarily unable to work or because of maternity or parental leave, the employer must determine the period of the leave after these obstacles at work.

§ 219

(1) If an employee will take leave during military exercises or extraordinary military exercise in the armed forces, if it was recognized temporarily unable to work or treats the sick family member, he interrupts a vacation, this does not apply if the employer has designated leave for care of sick family members or for the period of military exercises or extraordinary military exercise at the request of the employee. Holidays also suspended the employee taking maternity leave and the employee taking parental leave.

(2) falls at a time when employees leave the feast day which is otherwise the usual working day, counted into his holiday. Determine if the employer employees compensatory time off for overtime or for work on public holidays so that they fell into the period of leave, he shall determine compensatory leave to another day.

Part 3
Mass leave

§ 220

The employer may, in agreement with unions and with the consent of council to determine the mass leave, only if necessary for operational reasons, mass leave shall be no more than 2 weeks and 4 weeks ensembles.

Part 4
Change in employment

§ 221

(1) Changes to an employee during the same calendar year of employment, his new employer can provide leave (part of the holiday) on which it was created right at the current employer if so requested by an employee prior to termination of employment with current employer and the employers agree on the amount of compensation wage compensation for vacation (part) to which employees of the employer providing leave (part of) the law did not arise.

(2) Changes in employment under paragraph 1 shall mean termination of employment with current employer and immediately following the creation of employment for the new employer.

Part 5
Compensation for holidays

§ 222

(1) Employees for the period of leave for wage compensation in the amount of average earnings. Staff referred to in § 213, paragraph 4 may be the wage compensation provided in an amount corresponding to the average earnings of the average length of shifts.

(2) Employees for the wage compensation for unused vacation only in the case of termination of employment.

(3) If the employee created the right to wage compensation for unused vacation or part of such compensation for the amount of average earnings.

(4) The employee shall return the paid wage compensation for vacation or part thereof to which lost the right or right to which he started. The provisions of paragraph 1 second sentence applies here.

(5) wage compensation for unused additional leave not be granted, such leave must be exhausted, preferably.

Section 6

Curtailment of leave

§ 223

(1) did not work if the employee has fulfilled the condition laid down in § 212, paragraph 1, in the calendar year for which leave is granted, the barriers to work, which for purposes not treated as a holiday performance of work, the employer reduced leave the top 100 thus missed shifts (working days) and one-twelfth for each additional 21 as follows missed shifts (working days) is also one twelfth. Holiday leave in accordance with § 217, paragraph 5 before taking parental leave is not possible due to the subsequent cut of parental leave.

(2) times when employees leave an employer for unexcused missed shift (working day), he may leave the lumbering 1-3 days, unexcused absences shorter part of each shift may be additive.

(3) The reduction permitted under paragraphs 1 and 2 must be employees whose employment relationship with the same employer lasted throughout the calendar year, granted leave of at least 2 weeks.

(4) Employees who miss work for the prison, after every 21 lost working days following reduced annual leave of one twelfth. Just leave is short for binding when there is a final convictions employee or where an employee exempt from prosecution, or if it was against the prosecution stopped just because it is not for the offense criminally liable, or that he has been pardoned or that offense has been amnestied.

(5) holiday for days worked and additional leave may be shortened only for the reasons listed in paragraph 2

(6) Leave to which a right in the calendar year, is running only on grounds that arose this year.

PART TEN

CARE STAFF

TITLE I

WORKING CONDITIONS OF EMPLOYEES

§ 224

(1) Employers are required to make employees work conditions that allow the safe performance of work in accordance with special legislation to provide for employees of preventive care.

(2) An employer may provide employees pay particular

a) for life or work, and the first anniversary of termination of employment for a disability pension for disability or third degree of the right to pension

b) assist in the prevention of fire or natural disaster, the destruction or removal of their consequences or other emergency, where life may be endangered, health or property.

§ 225

An employer who, under a special legal regulation 73) creates a cultural and social needs, with the trade union participates in the decisions about the allocation to this fund and its utilization.

§ 226

The employer is obliged to ensure the safekeeping of personal belongings and items that employees usually wear to work.

TITLE II

Professional development of employees

§ 227

Professional staff development shall include

a) training and learning curve

b) school leavers,

c) update skills,

d) skills development.

§ 228

Training and learning curve

(1) Employees who enter into employment without qualifications, the employer must train or zaučit, training or learning curve is considered to be performance of work for which the employee wage or salary.

(2) The employer shall train or zaučit employee who passes the reasons for the employer to the new site or a new kind of work if necessary.

§ 229

School leavers

(1) Employers are required to provide graduates of secondary schools, academies, colleges and universities adequate practical training to gain practical experience and skills needed for work, professional experience is considered to be performance of work for which the employee wage or salary.

(2) graduate for the purposes of paragraph 1 shall mean an employee entering into employment for work commensurate with his qualifications, if the total duration of his professional experience has not

reached the proper (successful) completion of studies (preparation) 2 years, with the latter period of maternity or parental time holiday.

§ 230

Update skills

(1) the deepening of qualification means the continuous replenishment, which does not change its nature, which allows employees agreed work performance; to update skills is also regarded as the maintenance and renewal.

(2) The employee is required to enhance their qualifications to perform contracted work. The employer is entitled to impose employee to participate in training and study, or other forms of training to enhance their skills, or require the employee to update skills also attended other legal or natural person.

(3) Participation in training or other forms of training or study in order to further qualification is considered to be performance of work for which the employee wage or salary.

(4) Costs incurred to update skills the employer is obliged to pay. Where a staff member to undertake an update skills in the form of more expensive, the cost of deepening the skills involved. The provisions of paragraph 3 of this is without prejudice.

(5) Special regulations 110) governing the deepening of qualification are not affected by this Act.

Increase skills and qualification agreement
§ 231

(1) Increasing the qualification means a change in the value of qualifications, expertise is also increasing its acquisition or expansion.

(2) increasing the qualifications of the study, education, training, or other form of training to achieve a higher level of education, if they are consistent with the need of the employer.

(3) Special laws 110) governing skills development are not affected by this Act.

§ 232

(1) Unless agreed or set higher or other rights, the employee from the employer at upskilling time off with wage compensation in the amount of average earnings

a) the extent necessary to participate in teaching, education or training

b) 2 business days for preparation and execution of each test in the study program at the college or higher professional school,

c) 5 working days for preparation and execution of final exams, graduation exams, or discharge,

d) 10 working days to develop and defend a thesis, thesis, thesis, dissertation or written work that is finished by studies in lifelong learning program organized by high school

e) 40 working days for preparation and execution of the final examination, the State Examination in the field of medicine, veterinary medicine and hygiene, and doctoral state examination.

(2) to participate in the entrance examination for the employees time off to the extent necessary.

(3) The time off granted for passing entrance exams, resits, to attend the graduation ceremony or a similar replacement is not for wages or salary.

§ 233

The employer is entitled to monitor progress and results of employee skills development and to provide the relief work may be stopped, if only

a) long-term employee became unfit for work for which you have qualified,

b) an employee through no fault of the employer for a long time without good reason fails to fulfill obligations in raising substantial qualification.

§ 234

(1) entered into by an employer to an employee in connection with raising the qualification of qualifying agreement is part zaměstnavatele specifically to enable employees to upgrade the skills and commitment of employees to remain in employment with an employer for an agreed period of time, but no longer than 5 years, or to pay the costs zaměstnavateli associated with an increase in skills required by the employer to increase the qualifications of employees spent, even if an employee ends employment before increasing qualifications. Employee commitment to remain in employment starts increasing qualifications.

(2) Qualification Agreement may also be closed during the deepening of qualification (§ 230), if projected costs are at least 75 000 CZK, in which case you can not save the deepening of staff qualifications.

(3) Qualifying agreement must contain

a) type of qualification and method of increasing or deepening,

b) the period during which the employee agrees to remain in employment with the employer after termination, increase or deepen skills,

c) the types of costs and the total amount of costs that will be required to pay an employee the employer failed to comply with its commitment to remain in employment.

(4) Qualification Agreement must be in writing.

(5) The Government may increase the amount of regulation pursuant to paragraph 2

§ 235

(1) By the time the employee remaining in employment on the basis of an agreement does not include the qualifying period of parental leave in the range of parental leave, the mother of the child (§ 196) and the absence of an employee to work for the performance of imprisonment and detention, if it has the final judgment.

(2) If the employee fails to fulfill its commitment of qualifying only part of the agreement, the obligation to reimburse the costs of increasing or deepening of qualification shall be reduced proportionately.

(3) The obligation to employees to cover the costs of qualifying agreement does not arise if

a) the employer during the upskilling stopped the transactions stipulated in the agreement qualifying as an employee, without his fault was long unable to perform work for which he increased qualified

b) the employment is terminated by the employer the notice, unless the dismissal on grounds of breach of duties of the employee under the legislation relating to work performed during the course of work or in direct connection with it, or if the employment agreement is terminated for reasons mentioned in § 52 point. a) to e)

c) an employee can not perform according to medical opinion issued by the occupational health service provider or a decision of the competent administrative authority which reviews the medical report, work for which upgrade their qualifications or eligibility of a long lost place on work done for reasons of industrial injury, occupational disease, or the threat of the disease or achieved in the workplace if the designated final decision of the competent authority to protect public health, maximum exposure

d) the employer did so in the past 12 months for at least 6 months qualifying employee, the employee qualifying under an agreement reached.

TITLE III

FOOD EMPLOYEES

§ 236

(1) Employers shall allow employees in all shifts, meals, this duty is not to employees posted on a business trip.

(2) If agreed in collective agreements or laid down in internal regulations, provides meals to employees, while it may be agreed or set other conditions for the right of the board and the financial contribution of the employer, as well as further definition of the circle of employees whose to provide catering, catering organizations, the manner of its implementation and funding of the employer, unless such matters are regulated for the intended range of employers special regulation 75). This does not affect the tax regulations.

(3) If agreed in collective agreements or laid down in internal regulations, may be discounted meals provided

a) the employer's former employees who worked with him into retirement or disability pension for disability the third degree,

b) to employees for taking leave,

c) employees during the period of temporary incapacity.

TITLE IV

SPECIAL WORKING CONDITIONS OF SOME EMPLOYEES

Part 1

Employment of individuals with disabilities

§ 237

Duties of employers to employ individuals with disabilities and to provide necessary working conditions for them under special legal regulations 76).

Part 2

Working conditions of workers

§ 238

(1) The employee is prohibited from employing labor, which endanger their motherhood. Ministry of Health shall issue a decree of work and workplaces that are prohibited to pregnant workers, workers who are breastfeeding, mothers, workers, up to nine months after giving birth.

(2) It is prohibited to employ pregnant workers and workers who are breastfeeding, and employee-mother until the end of the ninth month after childbirth works for which no medical opinion in accordance with medical standards.

Part 3

The working conditions of workers, workers, mothers,

employees caring for children and other individuals

§ 239

(1) If a pregnant employee work that is disabled or pregnant workers which, according to medical opinion threatens her pregnancy, the employer is required to convert it temporarily for work that is suitable for her and which can achieve the same earnings as in previous work. If a pregnant employee working in the night to daytime work, the employer must grant her request.

(2) The provisions of paragraph 1 shall apply mutatis mutandis to the employee-mother until the end of the ninth month after birth and workers who are breastfeeding.

(3) If the employee reaches the work, which has been transferred, without his fault, lower earnings than in previous work, gives it to compensate for this difference compensation benefits under a special legal regulation 77).

§ 240

(1) Pregnant workers and workers and employees caring for children under the age of 8 may be sent on a business trip outside the district municipality of their residence or work only with their consent, the employer may translate only at their request.

(2) The provisions of paragraph 1 shall apply for a lone worker and lone workers who care for the child until the child reached the age of 15 years, as well as for employees who proves himself a long time that mainly takes care of the person who is under a special law shall per person dependent on the assistance of another person in grade II (moderate dependence), grade III (severe dependence) or stage IV (complete dependence) 77a).

§ 241

(1) The employer is obliged to take into account in assigning employees to shifts also to the needs of workers and employees caring for children.

(2) If an employee or an employee caring for a child younger than 15 years, a pregnant employee or an employee who proves that he mostly long-term care for a person who is under a special law be deemed to be dependent on the assistance of another person in the degree of II (moderate dependence), grade III (severe dependence) or stage IV (complete dependence) 77a), a shorter working time or other suitable adjustment of the fixed weekly working hours, the employer is obliged to grant the request, if there are serious operational reasons .

(3) prohibited to employ pregnant employees work overtime. Workers and employees who care for a child younger than 1 year, the employer may be required to work overtime.

Part 4

Breaks for breastfeeding

§ 242

(1) A female employee who is breastfeeding her child, the employer is obliged to provide work breaks, except for special breaks for breastfeeding.

(2) A female employee who works a fixed weekly working time, it is incumbent on every child under 1 year of the end of his half-hour break at 2 and 3 more months of a half-hour break per shift. When operating on shorter working hours, but at least half the weekly working time, she is entitled to only a half-hour break, and for each child until the end of 1 year of age.

(3) Breaks for breastfeeding are included in working hours and responsibility for them to pay wages or salary in the amount of average earnings.

Part 5

Working conditions for young workers

§ 243

Employers are required to create favorable conditions for comprehensive development of physical and mental abilities of adolescents as a special staff to adjust their working conditions.

§ 244

Employers may employ young workers only work that are appropriate to their physical and mental development, and provide them with extra care at work.

§ 245

(1) prohibited to employ young employees work overtime and night work. Exceptionally, young employees older than 16 years of night work to take place not more than 1 hour if it is necessary for their education to the profession, under the supervision of an employee aged 18 years, if such supervision for the protection of young workers is necessary. Night work of young workers must be attached to the work attributable to shifts according to time of day.

(2) If it is prohibited to employ young workers work for which he received the education profession because her performance is young or disabled employees because, according to medical opinion provider of occupational health services endangers their health, the employer shall, within such time as a young employee able to perform this work, give him another reasonable work preferably corresponding to his qualifications.

§ 246

(1) prohibited to employ young workers underground work in the extraction of minerals or tunnels and galleries.

(2) prohibited to employ young workers work without taking into account the anatomical, physiological and psychological particularities of this age are not excessive, dangerous or harmful to their health. Ministry of Health shall issue a decree, in agreement with the Ministry of Industry and Trade and Ministry of Education, Youth and Sports of work and workplaces that are prohibited for young workers and the conditions under which young employees rarely do such work because of their professional training.

(3) prohibited to employ young workers also work in which they are at increased risk of injury or whose performance could seriously endanger the safety and health of other employees or other individuals.

(4) Prohibition of certain work can be extended by decree under paragraph 2 of the staff under the age of 21 years.

(5) The employer shall keep a list of young employees who are employed by him, the list contains the name or names, surname, date of birth and type of work which the employee performs.

§ 247

(1) The employer shall ensure at its own expense, that young workers were examined by the provider of occupational health services

a) before the creation of employment and prior to transfer to another job,

b) regularly as needed, but at least once a year.

(2) Juvenile employees shall undergo specified medical examinations.

(3) In imposing workload juvenile employees, the employer is obliged to follow the medical opinion issued by the provider of occupational health services.

PART ELEVEN
INDEMNITY

TITLE I
Prevention of damage

§ 248

(1) The employer shall provide its employees working conditions in order to properly carry out its tasks without risk to health and property if it finds fault, he is obliged to take measures to eliminate them.

(2) The employer is entitled to the protection of property to the extent necessary to check the things that employees bring to him or take away from him, or carry out examinations of employees. During the inspection and examination under the first sentence shall be subject to protection of personality. Personal inspection may only be a natural person of the same sex.

§ 249

(1) The employee is obliged to act so as to avoid damage to health, property, or to unjust enrichment. If there is damage, it is obliged to notify the senior executives.

(2) If the damage to avert the impending surgery urgently needed by employers, the employee is obliged to intervene, not to do so to prevent him from doing important circumstance, or if exposed to the serious threat to themselves or other employees, or relatives.

(3) Where an employee that has created the necessary working conditions is required to notify her supervisor.

TITLE II
EMPLOYEE RESPONSIBILITY FOR DAMAGE

Part 1
General liability

§ 250

(1) The employee is responsible employers for damages caused to him culpably misconduct in the performance of work tasks or in direct connection with him.

(2) If the damage caused by the breach of duty by the employer, employee responsibility is relatively limited.

(3) The employer is required to prove fault of employees, except as provided in § 252 and 255

Part 2

Liability for failure to prevent damage

§ 251

(1) An employee who deliberately did not inform the senior manager, threatening to damage the employer or not intervene against imminent harm, although this would prevent immediate damage, the employer may require, to share in the damages that were caused by the employer, in scale appropriate to the circumstances of the case, if it is not possible to replace otherwise.

(2) The employee is not liable for damage caused to avert imminent harm employers or directly imminent danger to life or health, if this situation does not present himself deliberately, and while he acted in a manner appropriate to the circumstances.

Part 3

Responsibility for the deficit on the values assigned to the employee is obliged to charge and responsibility for loss conferred on the matter

Section 1

Responsibility for the values assigned to the deficit, which the employee is obliged to charge

§ 252

(1) If the employee is an agreement on the responsibility to protect the values assigned to the billing staff (the "Agreement on Liability"), which are regarded as cash, valuables, goods, supplies, materials or other values which are subject to sales or circulation, with whom the employee to personally have all the time during which they were conferred, shall be responsible for any deficit incurred on these values.

(2) Agreement of responsibility may be closed earlier in the day when the individual reaches 18 years of age.

(3) If the employee is limited legal capacity, not for his representative to conclude an agreement on liability.

(4) The agreement on liability must be made in writing.

(5) An employee shall be relieved of liability in whole or in part, if it proves that the deficit was wholly or partly without his fault, in particular, that it was impossible to neglect the employer's obligation to dispose of the provided values.

§ 253

(1) An employee who has entered into an agreement on liability, may withdraw from it if he pursues another job, if transferred to other work or elsewhere, if translated, or if the employer during the 15 calendar days of receipt the written notice does not remove the defects in the working conditions that prevent the proper management of the entrusted values. In the joint responsibility of the employee agreement on the responsibility to withdraw if it is included in the workplace or other employee appointed another manager or his representative. Withdrawal under the first sentence must be made in writing.

(2) Liability Agreement shall expire on termination of employment or the date on which termination of this Agreement received by the employer, unless the termination of this Agreement shall specify the date later.

§ 254

(1) inventories of the employer is obliged to implement the agreement on responsibility for its termination, the performance of other work, transferring employees to other work or elsewhere, for his transfer and termination of employment.

(2) In workplaces where employees are working with shared responsibilities, the employer must make an inventory at the conclusion of agreements on joint responsibility of all responsible employees, the dissolution of all these agreements, the performance of other work, transferring to another job or work or transfer of all co-responsible employees, when changing the job manager, or his representative and to request any of the employees collectively responsible for change in their team, or the withdrawal of any of them from the agreement on liability.

(3) If an employee is a shared responsibility, whose employment is terminated, or who performs other work, or has been transferred to another job, or has been transferred to another workplace or translated, while requests for the inventory shall be liable for any deficit observed near inventory at his former workplace. If an employee who is classified to workplaces where employees are working with shared responsibility, while requests for the inventory, it is responsible, if the agreement did not resign on the responsibility for any deficit identified closest inventory.

Section 2

Responsibility for loss of goods entrusted to

§ 255

(1) The employee is responsible for loss of tools, protective equipment and other similar things that he told the employer's written confirmation.

(2) Case under paragraph 1, the price of which exceeds CZK 50 000, employees may be assigned only after agreement on liability for loss conferred things.

(3) The agreement on liability for loss conferred things may be closed earlier in the day when the individual reaches 18 years of age.

(4) If the employee is limited legal capacity, not for his representative to conclude an agreement on liability for loss conferred things.

(5) Agreement of responsibility for the loss of entrusted goods shall be made in writing.

(6) An employee shall be relieved of liability for loss of goods entrusted in whole or in part, if it proves that the loss was wholly or partly without his fault.

(7) The Government may increase the amount of regulation pursuant to paragraph 2

§ 256

(1) An employee who has entered into an agreement on liability for loss conferred things can withdraw from it if the employer did not create conditions to ensure the protection conferred things against their loss. Withdrawal under the first sentence must be made in writing.

(2) Agreement of responsibility for the loss of things conferred shall expire on termination of employment or the date on which termination of this Agreement received by the employer, unless the termination of this Agreement shall specify the date later.

Part 4

Extent of damages

§ 257

(1) An employee who is responsible for damages under § 250 is the employer obliged to compensate the actual loss, in money, if neodčiní indicating damage to the former state.

(2) The amount requested for damages caused by negligence shall not exceed the individual employee an amount equal to čtyřapůlnásobku his average monthly earnings before the breach that caused the damage. This restriction does not apply if the damage was caused intentionally, in drunkenness, abuse or other addictive substances.

(3) In the case of damage caused intentionally, the employer may require, in addition to the amounts referred to in paragraph 2, as well as compensation for loss of profits.

(4) damage caused to the employer, the employee pays only a proportionate part of damages according to the degree of his culpability.

(5) is liable for damage if more employees each pay a proportion of damages according to the degree of his culpability.

§ 258

In determining the amount of damages under § 251 shall take particular account of the circumstances that prevented the obligation, and the importance of harm to the employer. The amount of damages shall not exceed an amount equal to three times the average monthly earnings of employees.

§ 259

An employee who is responsible for the deficit on the values assigned or conferred for the loss of things, is obliged to compensate the deficit in the assigned values or loss of goods entrusted in full.

§ 260

(1) The shared responsibility for the deficit to individual employees determines the proportion of compensation in proportion to their gross earnings achieved, the earnings of their leader and his deputy shall be included in the double amount.

(2) The share of compensation determined under paragraph 1 shall not at the individual employee, with the exception of the leader and his deputy, shall not exceed an amount equal to their average monthly earnings before the damage occurred. If you fail to pay the following designated shares a pity they are required to pay the remainder of the leader and his deputy, according to the proportion of their gross earnings achieved.

(3) If it is, or that the deficit was caused in part by one of the employees jointly responsible, the employee pays the deficit according to the degree of his culpability. The remainder of the deficit shall be borne jointly by all responsible staff shares determined pursuant to paragraphs 1 and 2

(4) In assessing the compensation of individual employees who are responsible for the deficit together, based on their gross earnings accounted for as inventory from the previous day to determine the deficit. It is included in earnings for the entire calendar month in which the inventory was performed, and no account to earnings for the calendar month in which the deficit was detected. If, however, was included in the employee work during this period included his gross earnings made since the date on

which the work was assigned to the day the deficit. The gross income does not include wage compensation.

Part 5

Common provisions on liability for damage employee

§ 261

(1) An employee who is suffering from a mental disorder, is responsible for the damage it caused, it must be able to control their behavior and assess its consequences.

(2) An employee shall have painted in such a state that is unable to control his conduct or evaluate its consequences, is responsible for damage caused in this state.

(3) The harm suffered by an employee that has caused a willful act against good morals.

§ 262

The required amount of damages determined by the employer; damage caused to the senior employee who is a statutory body or its agent, alone or together with a subordinate employee, determine the amount of damages a person who a statutory body or its representative appointed to the post.

§ 263

(1) The amount of compensation required by the employer is obliged to discuss with the employee and notify it to him in writing usually within 1 month from the date on which it was found that the damage occurred and that the employee is responsible for it.

(2) concluded the employee if the employer the agreement on compensation is part of the amount of compensation sought by the employer, if their commitment to compensate an employee granted. Agreement under the first sentence must be made in writing.

(3) The amount of damages and the required content of the agreement on the method of its settlement with the exception of compensation not exceeding 1 000 CZK, the employer must discuss with the trade unions.

§ 264

For reasons deserving special consideration, the court the amount of damages be reduced accordingly.

TITLE III

EMPLOYER LIABILITY FOR DAMAGE

Part 1

General liability

§ 265

(1) The employer is responsible employees for any damage incurred in the course of work or in direct connection with the breach of duty or willful act against good morals.

(2) The employer is responsible employees also for damage caused by his breach of legal obligations in the course of work employees of the employer acting on its behalf.

(3) The employer is not an employee for damage to a vehicle, which he used for the performance of work tasks or in direct connection with him without his consent. It also is not liable for damage which arises for tools, equipment and articles required for the exercise of employee work, which he used without his consent.

Part 2

Responsibility in preventing damage

§ 266

(1) Employers shall be responsible for damage to property suffered by the employee in preventing damage to the employer or imminent peril to life or health if the damage was not a willful act by the staff acted in a manner appropriate to the circumstances. The provisions of the first sentence shall also apply to reasonably incurred costs.

(2) The right to compensation under paragraph 1 is an employee who has thus averting imminent danger to life or health, if the employer is responsible for the damage.

Part 3

The responsibility for belongings

§ 267

(1) The employer is responsible for damage to personnel matters, which are usually worn to work and put down by an employee in the performance of work tasks or in direct connection with him at a designated place or usual.

(2) The right to damages shall be extinguished if the employee does not report the emergence of the employer without undue delay, within 15 days from the date on which the learned of the damage.

Part 4

The scope of damages in general liability, liability in preventing damage and responsibility for belongings

§ 268

(1) Employers shall pay employees a real loss. In the case of damage caused intentionally, an employee may claim compensation for other damages.

(2) In case, the employee usually wear to work and the employer is covered in a special escrow, corresponds to an employer for the amount of CZK 10 000. If it is found that damage to these things caused the other employee, or where there has been damage to the things which the employer took into special custody, the employer must pay employees the full amount of damage.

(3) The right to damages under paragraph 2 shall lapse if the employee does not report the emergence of the employer without undue delay, within 15 days from the date on which the learned of the damage.

(4) The Government may increase the amount of regulation pursuant to paragraph 2

Part 5

Common provisions on employer liability for damage

§ 269

The employer is obliged to compensate staff for damage, in monetary terms, if the damage neodčiní indicating the previous state.

§ 270

If an employer proves that the damage resulted from the injured employee, his responsibility is relatively limited.

§ 271

An employer who replaced the injured party damages is entitled to compensation against the person injured is responsible for such damage under the Civil Code, to the extent that the extent of this responsibility to the victim, unless otherwise agreed in advance.

TITLE IV

COMMON PROVISIONS ON LIABILITY FOR DAMAGE

§ 272

In determining the amount of damage to property is based on prices at the time of damage or loss.

§ 273

(1) is performing the job performance of duties arising from employment and contracts for work outside employment, other activity carried on in command of the employer and activity, which is the subject of the mission.

(2) performing the job is also done work for the employer to the initiative of trade unions, works councils or representative for the safety and health at work, or other staff or work done for the employer's own initiative, if the employee does not need special permission or no explicit prohibition against employers, as well as volunteer assistance organized by the employer.

§ 274

(1) In direct connection with performing the job tasks are required to perform work tasks during work and customary or necessary prior to beginning work or after the normal operations and during breaks for meals and rest in the building held the employer and further examination in providers of health services

by the employer or to order examination in connection with night work, first aid treatment and the path to it and back. Such acts are not the way to work and back, meals, examination or treatment by providers of health services and the way back to him and if not held in the building of the employer.

(2) In direct connection with the performance of work tasks, employee training organized by the employer or labor union, or a superior authority employers, which follows the increase in their professional preparedness.

TITLE V

SECURITY FOR ACCIDENTS AT WORK AND OCCUPATIONAL DISEASES

§ 275

Security staff in case of injury at work accident or occupational disease regulated by special law, unless this Act otherwise stipulated (§ 365 et seq.).

PART TWELVE

Information and consultation, the scope of trade unions, works council

A REPRESENTATIVE FOR THE HEALTH AND SAFETY AT WORK

TITLE I

GENERAL PROVISIONS

§ 276

(1) Employees in the basic employment relationship referred to in § 3 have the right to information and consultation. The employer must inform employees and deal with them directly, if not active at his trade union, council or representative for the safety and health at work (hereinafter referred to as "employee representatives"). If an employer has more representatives of employees, the employer is obliged to fulfill the obligations under this Act to all workers' representatives, unless otherwise agreed between themselves and the employer of another way of synergy. Information and consultation of employees must occur at the level corresponding to the subject matter with regard to the privileges and responsibilities of employee representatives and management level.

(2) Employee representatives shall not be applicable to their activities at a disadvantage or an advantage in their rights or be discriminated against.

(3) Confidential information means information whose provision might endanger or damage the operation of the employer or violate the legitimate interests of employers or employees. For confidential information is not information that the employer is obliged to disclose, discuss or disclose under this Act or special legislation. Information on matters protected under special legal regulations 78) the employer is not obliged to, or discussed. Members of trade unions, works councils and a representative for occupational safety and health at work are obliged to disclose information to them expressly as confidential. This obligation continues even after their duties.

(4) Paragraph 3 applies to the experts that you invite the staff representatives.

(5) If an employer requires confidentiality of the information that was provided in confidence, representatives of the employees' claim that the court declare that the information was marked as confidential without good reason. If an employer fails to provide information, representatives of the employees claim that the court ruled that the employer is obliged to provide information.

(6) Employee representatives are required to adequately inform employees at all locations on its activities and the content and conclusions of information and consultation with the employer.

(7) The employer shall allow employees of the election of employee representatives. Elections are held during working hours. If it does not permit the operational capacity of the employer, the election may take place outside the workplace.

(8) For the purposes of proceedings referred to in paragraph 5 and for the enforcement of obligations under the twelfth council has the capacity to be a party to civil proceedings. For the Council staff is its Chairman or an authorized member.

(9) The employer shall discuss with the employee or at his request with a trade union or council employee, or agent for the safety and health complaint employee to exercise the rights and obligations arising from labor relations.

§ 277

The employer shall at his own expense to create the conditions for the workers' representatives carry out their activities, in particular to provide them according to their operational capacity within a reasonable range of rooms with the necessary equipment, to pay the necessary costs of maintenance and technical operation and cost of required documents.

TITLE II

INFORMATION AND DISCUSSION

§ 278

(1) To ensure the right to information and consultation of employees of an employer can, choose a council employee, or agent for the safety and protect the health at work under § 281st

(2) informing the means to provide the necessary data from which it is possible to unambiguously determine the status of the information reported, or for her to comment. The employer is obliged to provide information in sufficient time and appropriate manner so that employees can assess, or be prepared to discuss and express their opinion before making arrangements.

(3) discussing means negotiations between employer and employees, exchange of opinions and explanations in order to reach a consensus. The employer is obliged to provide consultation in advance and appropriate manner to the employees to the information provided, to express their views and the employer is able to take into account before making arrangements. Employees have the right to receive consideration for their opinion reasoned response.

(4) Employees are taking measures against the right to require additional information and explanation. Employees are also entitled to request a personal meeting with the employer at the appropriate level of management as appropriate. The employer, employees and employee representatives are obliged to provide assistance and act in accordance with their legitimate interests.

§ 279

Information

(1) The employer shall inform employees of

a) economic and financial situation of the employer and its likely development,

b) the activities of the employer, its likely development, its consequences on the environment and environmental measures

c) legal status of the employer and its changes, internal organization and the person authorized to act on behalf of employers in labor relations, the principal activity of the employer identified by the code Classification of economic activity 111) and made changes in the scope of activities of the employer,

d) the fundamentals of working conditions and their changes

e) matters to the extent provided in § 280,

f) action by the employer to ensure equal treatment for men and women and prevent discrimination

g) offer job vacancies for an indefinite period, that would be suitable for other job titles of employees working for employers in the employment contract concluded for a definite period,

h) the safety and health at work to the extent provided in § 101 to § 106 subsection 1 and § 108 and a special act 37),

i) matters within the scope stipulated agreement on the establishment of European Works Council or some other negotiated procedure for information and discussion at the supranational level or to the extent provided in § 297 paragraph 5

(2) The obligations referred to in paragraph 1 letter. a) b) shall not apply to employers who employ fewer than 10 employees.

(3) User (§ 307a) is also required to inform employees temporarily assigned to the Agency's work on the supply of vacancies.

§ 280

Consideration

(1) The employer shall discuss with employees

a) the likely economic development with the employer

b) the proposed structural changes to the employer his rationalization and organizational measures, affecting employment, in particular those related to the mass dismissal of employees under § 62,

c) the latest status and structure of employees, the probable development of employment with the employer, the basic issues of working conditions and their changes

d) a transfer under § 338 to 342,

e) Safety and Health at Work to the extent provided in § 101 to § 106 subsection 1 and § 108 and a special act 37),

f) matters within the scope stipulated agreement on the establishment of European Works Council or some other negotiated procedure for information and discussion at the supranational level or to the extent provided in § 297 paragraph 5

(2) The obligations referred to in paragraph 1 letter. a) to c) shall not apply to employers who employ fewer than 10 employees.

TITLE III

COUNCIL EMPLOYEES AND AGENT FOR THE SAFETY AND PROTECTION

HEALTH AT WORK

§ 281

(1) For the employer it is possible to select counsel and staff representative for the safety and health at work. Council employees have at least 3, more than 15 members. The number of members is always odd. The total number of representatives for the safety and health at work depends on the total number of employees, employers and work performed on the risk and may not establish more than one representative per 10 employees. Number of Board members and staff representatives for the safety and health at work the employer shall determine, after consultation with the Electoral Commission established pursuant to § 283 paragraph 2

(2) The term of council staff and a representative for occupational safety and health at work lasts for 3 years.

(3) For purposes of the election agent for the safety and health at work must be determined number of employees the employer in employment on the date of application for written notification of the election.

(4) The employee shall elect from among its members at its first meeting, the President and inform the employer and employee.

(5) If the transfer of rights and obligations of labor relations at the current zaměstnavatele even accepting employer 'representatives of employees receiving employer in cases specified in § 279 and 280 fulfill the obligations towards all, unless otherwise agreed between themselves and the employer otherwise. The representatives of the employees perform their duties until the day when their term expires. If before the expiration of the term a number of members of works councils declined to less than 3, the second function takes its Council.

§ 282

(1) Council staff and deputy for the safety and health at work shall expire on expiry of the term, unless this law stipulated otherwise.

(2) The works council also expires on the date when the number of council members declined to less than 3

(3) In cases specified in paragraphs 1 and 2 passes or council representative for the safety and health at work without delay all documents related to the duties of employers, which is stored for a period of 5 years from the date of termination of board employees or deputy for the safety and health at work.

(4) Membership of the Council staff and deputy for the safety and health at work until

a) resignation,

b) termination of employment with the employer

c) removal from office.

§ 283

(1) Elections announces the employer a written proposal signed by at least one third of the employer's employees employed within 3 months of receiving the proposal.

(2) Elections organized by the election committee composed of at least 3, more than 9 employees of the employer. Members of the Election Commission shall determine an employer with regard to the number of employees and interior design. Members of the Election Commission employees are in the order in which they are signed on a written proposal for the council election. The employer informs employees about the composition of the Election Commission. Election Commission is obliged to provide necessary information and documents for the purposes of elections, particularly the list of all employees in employment.

(3) Commission on Election

a) in agreement with the employer shall determine and announce the election date at least 1 month prior to the date of a deadline for submission of proposals for candidates

b) prepare and publish the election rules,

c) compile a list of candidates of the proposals employer's employees in employment

d) an instrument published in advance of the elections,

e) organize and conduct elections,

f) decide on the complaints of errors and deficiencies in the candidate list,

g) counts votes and the outcome of elections shall prepare a written report in duplicate, one copy before the elected council staff or elected representatives for the safety and health at work, the second employer

h) the outcome of elections shall inform all employers and employees.

(4) Elections are direct, equal and secret. Option can be exercised only in person. The validity of elections is required and at least one half of the employer's employees who could come to the polls because they did not prevent them from doing obstacle at work or business trip. Each voter can vote for as many possible candidates as there are seats in the council staff; one candidate can give only one vote. Fails to comply with these rules, his voice is not valid.

(5) The right to vote and be elected, all employees of an employer in employment.

§ 284

(1) Nomination of candidates for each employee of the employer in employment. Electoral Commission submitted a proposal in writing and must be documented by written consent of the candidate, not later than the deadline set by the Election Commission.

(2) Elections will not happen if the Electoral Commission has received no deadline for submission of proposals of the candidates

a) the council at least 3 proposals

b) the deputy for the safety and health at work for at least 1 proposal.

(3) Board members and staff representatives for the safety and health at work into a predetermined number of elected candidates with the highest number of valid votes obtained. The other candidates are alternates for these positions, they become members of the Council or representatives for the safety and health at work the day when these features will be released in the order by the number of valid votes in the elections. In a tie, the Election Commission shall determine by lot the order.

(4) Protocol on the outcome of the election kept by the employer for 5 years from the date of the election.

(5) The appeal board member or employee representative for the safety and health at work shall apply mutatis mutandis the provisions of paragraphs 1 to 4 and § 283rd

§ 285

(1) Each employee of the employer in employment and the employer may file a written complaint to the Election Commission to errors and deficiencies in the candidate list and to propose a fix, not later than 3 days before election day. Electoral Commission decision on the complaint and notify the complainant of its decision in writing to the day preceding the election. The Commission's decision is final and is excluded from judicial review.

(2) Each employee of the employer in employment and the employer may be submitting a proposal to declare the election invalid seek protection in court under a special law 79), if it considers that there has been a violation of the law that could significantly affect the outcome of elections. The proposal must be submitted in writing within 8 days from the date of publication of election results.

(3) If the court decided that the elections are invalid, shall be held within 3 months from the decision re-election. Members of the Electoral Commission repeated elections are employees under § 283 paragraph 2 with the exclusion of those employees who worked in the electoral commission, and who were candidates.

TITLE IV

SCOPE OF TRADE ORGANIZATION

§ 286

(1) Trade unions are authorized to work in labor relations, including collective bargaining under this Act, as provided by law or negotiated in the collective agreement.

(2) A trade union is the body designated by its statutes 112).

(3) A trade union work at the employer has a right to take action only if authorized to do so by the statutes and at least 3 of its members are at the employer's employment contract; collectively negotiate and conclude collective agreements under this condition a trade union or a branch organization if it is warranted by the statutes of trade unions.

(4) Authorization for the employer unions are formed on the day following the date when the employer announced that it meets the conditions in paragraph 3; ceases to trade union organization to meet these conditions, the employer is obliged without undue delay.

(5) works for the employer to more trade unions, the employer must in all cases involving a larger number of employees or, where this Act or legislation that requires information, consultation, consent or agreement with the trade union organizations to fulfill these obligations to all union organizations, unless it agrees with them on another way of information, consultation or consent.

(6) works with employers to more trade unions acting on behalf of employees in labor relations in relation to individual employees union, which the staff member. For employees who are not unionized, labor relations act in union with the largest number of members who have been with an employer in an employment relationship, unless the employee otherwise.

§ 287

Information and consultation

(1) The employer is obliged to inform the trade union

a) the evolution of wages or salaries, average pay and its various components including a breakdown by individual professional groups, unless otherwise agreed,

b) the matters referred to in § 279th

(2) The employer shall discuss with the trade union

a) the employer's economic situation,

b) the amount of work and pace of work (§ 300),

c) changes in work organization,

d) the remuneration system and staff evaluation,

e) a system of training and education of employees,

f) measures to create conditions for employment of individuals, especially minors, persons caring for a child younger than 15 years and individuals with disabilities, including the substantive issues of care for employees, measures to improve hygiene and working environment, the organization of social, cultural and physical education needs of employees,

g) other measures on a larger number of employees

h) the matters referred to in § 280th

TITLE V

Approach to transnational INFORMATION

§ 288

(1) transnational information and consultation for the purposes of this Act, the information and consultation concerning the employer or group of employers operating within the territory of the Member States of the European Union and European Economic Area (hereinafter referred to as "Member State") as a whole or at least two zaměstnavatelů organizational units or employers or employer groups who are at least two Member States. In assessing whether the transnational information and consultation shall take into account the potential impacts to the extent and level of management and employee representation.

(2) The right of employees of employers operating within the territory of a Member State for transnational information and consultation takes place with the stipulated procedure for transnational information and consultation or through the European Works Council. The procedure under the first sentence needs to be defined and implemented so as to ensure its effectiveness and to enable effective decision making employers or employer groups. The European Works Council shall be constituted on the basis of an arrangement negotiated with the head office or committee pursuant to § 296th An employer

operating within the territory of the Member States shall establish at his own cost conditions for establishment and proper functioning of the negotiating body, European Works Council or another procedure named for the transnational information and consultation, mainly to cover the costs of organizing meetings, interpretation, travel and lodging related to members their regular activities, training and necessary costs of an expert, unless agreed with headquarters reimbursement of additional costs.

(3) The obligation to provide transnational information and consultation under this Act shall apply

a) employers and employer groups operating within the territory of the Member States, the seat or place of business in the Czech Republic,

b) the employer's organizational units operating within the territory of the Member States located in the Czech Republic, 80),

c) representatives of employers or employer groups operating within the territory of the Member States under § 289, paragraph 2, having its registered office or place of business in the Czech Republic, unless this law stipulated otherwise.

(4) The employer operating within the territory of the Member States for the purposes of this Act means an employer who has at least 1 000 employees within the Member States and at least 2 Member States to 150 employees.

(5) group of employers operating within the territory of the Member States for the purposes of this Act means one more employers related to managing the employer who meets the following requirements:

a) is in the Member States together at least 1 000 employees

b) at least two employer groups of employers operating within the territory of the Member States have their headquarters or place of business or branch located in 2 different Member States and

c) at least one employer in the group of employers operating within the territory of the Member States at least 150 employees in one Member State and other employer of employer groups operating within the territory of the Member States at least 150 employees in another Member State.

§ 289

(1) Managing employer for the purposes of this Act means an employer who, directly or indirectly control another other employers or employer groups (controlled by the employer). Decisive in determining whether a control employer, the legislation which employer within the territory of a Member State is subject. Unless the employer within the territory of the Member States established under the laws of the Member State, to determine whether a control employer, crucial legislation of the Member State in whose territory the registered office, place of business is located or a representative of that employer, and unless designated representative, are crucial legislation of the Member State in whose territory the registered office, place of business or headquarters is located, an employer who employs the most employees. In the control is considered an employer who, in relation to another employer employer groups directly or indirectly

a) may appoint more than half of the administrative, managerial or supervisory body of the employer

b) a majority of voting rights in the employer, or

c) owns a majority share in the capital of the employer

unless it is proven that other employer in the employer group has a stronger influence. If in a group of employers there are more employers who meet these requirements, management determined by the employer in accordance with these requirements in the order shown in the third sentence. For this purpose, control employer, involving the right to vote and also include the appointment of any controlled rights of employers and the rights of all persons or bodies acting on behalf of the employer or the management of controlled employer. To control an employer but not employer in relation to another employer, in which the participation pursuant to Article 3, paragraph 5, point. a) or c) of Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings ("the EC Merger Regulation"). This provision shall not apply to legal relations arising in the case of insolvency proceedings 21a).

(2) Headquarters for the purposes of this Act, the employer within the territory of the Member States and the employer in the control group of employers within the territory of the Member States. If it does not head office or, if located in a Member State shall be considered for purposes of this Act as a

representative appointed by the central headquarters. If the appointed representative, is considered the headquarters of the employer with the largest number of employees in the Member States.

(3) Information and discussion refers only to employers with headquarters or branch locations in a Member State, unless agreement to the wider range.

(4) The number of employees for such purposes as the average number of employees during the previous 2 years from the date of application or the initiation of negotiations headquarters under § 290 paragraph 2 Headquarters and every employer is obliged to employees or their representatives to provide information for the purpose of determining whether it is possible to establish a European Works Council, or negotiate a different procedure for transnational information and consultation, in particular information on the number of employees and their composition and organizational structure of the employer or employer groups.

(5) Unless the agreement on European Works Council or a procedure arrangements for transnational information and consultation of a Member State or in which the headquarters office, favorable conditions shall apply for purposes of a collective representation of employees § 276 and § 278 paragraph 2 similarly to 4, for members of the negotiating body, European Works Council or employee representative under other negotiated process, as well as for employers. The provisions of § 276, paragraph 8 shall be applied even if no registered office or headquarters is located in the Czech Republic. For interpreters, translators, experts and advisers shall apply to § 276 paragraph 4

§ 290

(1) The negotiating committee is constituted to negotiate with employees in the headquarters of the arrangements for the establishment of European Works Council or a different procedure for transnational information and consultation.

(2) Negotiations for the establishment of the negotiating committee head start on its own initiative or at the written request of at least 100 people from at least 2 employers or organizational units zaměstnavatelů located at least 2 different Member States or at the written request of their representatives.

(3) The members of the negotiating committee are employees of an employer or group of employers operating in the territory of the Member States. Employees of an employer in the territory of each Member State in which the employer or group of employers within the territory of the Member States registered office or organizational unit, are represented by one member for every 10% of the employees of the total number of employees in all Member States together.

(4) The members of the negotiating committee for employees in the Czech Republic shall appoint the employees' representatives at a joint meeting. Not where one exists or does not act if at any zaměstnavatele employee representatives, employees will choose the employer representative for them participating in the joint session. Distribution of votes at a joint meeting shall be determined in proportion to the number of employees for which the workers involved. It works if the employer more representatives of employees, all employees are acting as joint employers, unless otherwise among themselves. If necessary a joint meeting, the procedure is similar to the appointment or election of a member of the negotiating committee.

(5) The provisions of paragraph 4, even if it is located in the Czech Republic only with the employer's organizational unit within the territory of the Member States.

§ 291

(1) The negotiating committee and the headquarters of the employer delivers information about appointed and elected members. Headquarters shall convene the inaugural meeting of the negotiating committee without undue delay after that, when he received this information. Headquarters will deliver information on the composition of the negotiating committee and start negotiating the relevant European organizations recognized by employees and employers with which the European Commission discusses the matter in accordance with Article 154 of the Treaty on the Functioning of the European Union. At the constituent meeting of the Negotiating Committee shall elect a chairman. Before each meeting with the head office even after the hearing has the right negotiating committee to meet at a separate session. If it is necessarily necessary, he may invite experts to meetings. These experts and representatives of

European organizations recognized by employers and employees may, at the request of the special negotiating meetings in an advisory capacity.

(2) Unless this Act otherwise stipulated, the bargaining committee adopts resolutions by a majority vote of all its members.

(3) Negotiations between the headquarters and negotiating body, European Works Council and the authority, guaranteeing a different procedure for transnational information and consultation must be conducted in order to reach a consensus.

(4) Locations and dates are subject to negotiation of joint agreement between the negotiating committee and headquarters. The place and date of the joint meeting shall inform the head office of the employer. Cost of activities covered by the employer negotiating committee.

§ 292

The negotiating committee may resolve at least two-thirds majority of its members that the negotiations will be initiated or that the negotiations will be terminated. Writes about writing, signed by members of the negotiating committee, who have adopted such a resolution. Duplicate of the central committee sent to inform the employer and employee or their representative. A new application pursuant to § 290 paragraph 2 may be filed at least 2 years after this resolution, if the central office and negotiating committee neujednají less time.

§ 293

(1) Headquarters and the bargaining committee may negotiate to establish a European Works Council, or may negotiate a different procedure for transnational information and consultation. In doing so, they are not bound by § 296 to 298th

(2) The council may be extended to employees of the employer representatives from countries outside the European Union where the headquarters and negotiating committee ujednají.

§ 294

European Works Council established arrangements

Arrangements for the European Works Council shall be in writing and include the

a) identification of all employers covered,

b) the manner of the establishment, composition, membership and term of office of the European Works Council, taking into account the representation of employees by activity and gender,

c) the location, frequency and duration of EWC meetings,

d) tasks, powers and duties of the European Works Council, headquarters and employers in the exercise of employee rights to information and consultation, or composition, the appointment, duties and rules of procedure of the Committee,

e) the manner of convening meetings

f) the method of financing the costs of the European Works Council

g) the arrangements for linking to inform employee representatives and discussing them in accordance with national legislation, without prejudice to the provisions on employee information and consultation under § 279, 280 and 287,

h) provisions for the implementation of the organizational changes

i) the term of the agreement on European Works Council, the provisions of the possibility of dismissal of the possibility of changes to arrangements, including transitional arrangements, and how to negotiate a new arrangement.

§ 295

Arrangements for a procedure for transnational information and consultation

Arrangements for a procedure for transnational information and consultation must be in writing and include the

a) the subject of information and discussion of transnational character, which concern the important interests of employees,

b) the manner and ensuring employees' representatives together to discuss the information that they provide a central,

c) the manner and ensure consultation with the head office or other appropriate level of management,

d) ways to link to inform employee representatives and discussing them in accordance with national legislation, without prejudice to the provisions on employee information and consultation under § 279, 280 and 287,

e) the procedure in case of substantial organizational change.

§ 295a

If an arrangement under § 294 and 295 does not define ways to link to inform employee representatives and discussing them in accordance with national legislation, the employer must ensure that headquarters and transnational information and consultation concerning planned measures that could lead to substantial changes in work organization or contractual relations to all partner levels corresponding to the subject matter itself.

European Works Council established under the Act
§ 296

(1) The council under this Act shall be constituted if

a) together ujednají headquarters and negotiating committee

b) central administration refuses to negotiate a period of 6 months following the request of employees under § 290, paragraph 2 on the establishment of a European Works Council or other procedure for transnational information and consultation, or

c) within 3 years from the application pursuant to § 290 paragraph 2 and the central negotiating committee reached agreement on the process and negotiating body has not delivered at the end of bargaining under § 292nd

(2) The European Works Council shall appoint employees of employee representatives on the joint session. Not where one exists or does not act if at any zaměstnavatele employee representatives, employees will choose the employer representative for them participating in the joint session. It works if the employer more employee representatives elect them employees of the joint representative for them participating in the joint session. Distribution of votes at a joint meeting shall be determined in proportion to the number of represented employees.

(3) Employees of the employer from the territory of each Member State in which the employer or group of employers operating within the territory of the Member State of residence or an organizational unit, are represented by one member for every 10% of the employees of the total number of employees in all Member States together.

§ 297

(1) Members of the European Works Council in the Czech Republic, appoint employees of the employer's workers' representatives at a joint meeting. Not where one exists or does not the employer of any workers' representatives, employees elect a representative to participate in these joint meetings. Distribution of votes at a joint meeting shall be determined in proportion to the number of employees for which the workers involved. It works with employers to more trade unions, the § 286 paragraph 6 accordingly. If necessary a joint meeting, the procedure is similar to the appointment or election of a member of the European Works Council.

(2) The provisions of paragraph 4, even if it is located in the Czech Republic only with the employer's organizational unit within the territory of the Member States.

(3) names and surnames of its members and their job is to address the European Works Council shall without delay to the headquarters, which will forward the information to employers and employee representatives, or employees.

(4) The term of the European Works Council takes 4 years. After 4 years after the inaugural meeting of the European Works Council voted on whether to negotiate with its head office in accordance with § 290 and 291, or whether to establish a European Works Council in accordance with this provision. Decisions adopted by the Board appointed two-thirds majority of all members. For the negotiations shall apply mutatis mutandis § 290 and 291st

(5) At least once per calendar year is required to headquarters on a report drawn up,

a) inform the European Works Council

1) the employer's organizational structure and its economic and financial situation

2) the likely development activities, production and sales,

3) matters which are required with the European Works Council to discuss

b) discuss with the European Works Council

1) the probable development of employment, investments and substantial changes in work organization and technology,

2) cancellation or termination of the employer, the employer or transfer parts of its business, its reasons and consequences of substantial action against employees

3) collective redundancies, the reasons, numbers, structure and conditions for their employees that are to be terminated the employment relationship and the transactions are the responsibility of employees in addition to performance resulting from this legislation.

Headquarters will send the message to the employer.

(6) If exceptional circumstances arise, or to be taken decisions that have a significant impact on the interests of employees, headquarters is obliged without undue delay inform the European Works Council and its request to discuss the necessary measures. If the Committee established pursuant to § 298, paragraph 2, the central committee to deal with this. Members of the European Works Council who were elected or appointed by the employer, which are to be affected, but shall enable the headquarters to participate in this discussion. Exceptional circumstances in particular means

a) cancellation, termination or transfer of an employer or in part,

b) collective redundancies (§ 62).

§ 298

(1) The headquarters is obliged without undue delay, convene a constituent meeting of the European Works Council. At this meeting the Board shall elect its chairman and his deputy.

(2) The Chairman and in his absence his deputy, representing the European Works Council and managed outside its normal activities. The council set up to ensure coordination of their activities more than five-member committee, which consists of a Chairman and other members. Committee members must be at least 2 Member States.

(3) The European Works Council has the right to meet without the presence of the senior staff to discuss the information that passes her head. Date and place of meetings will be agreed with the headquarters. European Works Council meeting in public. European Works Council may call in experts if necessary to fulfill its tasks. It may also invite senior staff to submit additional information and explanation.

(4) Unless otherwise specified, the European Works Council can decide if an absolute majority of its members, Board decisions are taken by an absolute majority of votes of its members.

(5) The council shall adopt rules of procedure which must be in writing and must be accepted by a majority of council members.

§ 298a

Procedure for organizational changes

(1) If there is a significant organizational changes in the structure of the employer or group of employers operating within the territory of the Member States and does not include the arrangements on the European Works Council or a procedure for transnational information and consultation procedure in these cases, or the provisions of these arrangements inconsistent proceed by analogy with § 290 paragraph 2

(2) If the analogy under § 290, paragraph 2, the negotiating committee shall appoint already established European Works Council or other establishment of workers' representatives of its members at least 3 other members.

(3) establishment of a European Works Council and employee representatives in accordance with another negotiated procedure does not stop its activities. If necessary, adjust its business arrangement with the headquarters. The activities of established European Works Councils and other procedures for the transnational information and consultation ends with the conclusion of a headquarters agreement for the establishment of European Works Council or a procedure. This immediately cease and the previously executed agreement.

§ 299

The provisions of § 288 to 298a shall not apply to European society and European cooperative society unless special legislation provides otherwise 82).

PART THIRTEEN

COMMON PROVISIONS

TITLE I

Workload and work pace

§ 300

(1) The employer is obliged to determine the amount of work required and the pace to take into account the physiological and neuropsychological opportunities for employees, provisions to ensure the safety and health at work and time to the natural needs, food and rest. The amount of work required and the pace of work is also possible to determine the consumption standard of work.

(2) The employer shall ensure that the conditions referred to in paragraph 1, or consumption of standard works, if it was intended, were created before starting work.

(3) The amount of work required and the pace of work, or the introduction or amendment of labor consumption standards determined by the employer, unless agreed upon in the collective agreement, after consultation with the trade unions.

TITLE II

ESSENTIAL DUTIES AND SENIOR EMPLOYEES EMPLOYEES DUE TO EMPLOYMENT

OR agreements on work performed outside employment, OTHER DUTIES OF WORKERS

SPECIFIC DUTIES AND PERFORMANCE OF CERTAIN OTHER EMPLOYEES EMPLOYMENT

§ 301

Employees are required

a) work properly with your might, knowledge and abilities to perform instructions of supervisors issued in accordance with the laws and cooperate with other employees,

b) use of working time and production resources to perform assigned work, perform quality work on time and tasks

c) to comply with laws relating to the work they perform, comply with other regulations related to work performed by them, provided they were properly informed,

d) properly manage the resources entrusted to them by the employer to guard and protect the employer's property against damage, loss, destruction and abuse and to act in conflict with the legitimate interests of employers.

§ 301A

Other obligations of employees

Employees at the time of the first 14 calendar days in the period from 1 January 2011 to 31 December 2013 during the first 21 calendar days of temporary incapacity for work shall comply with the specified mode is temporarily unable to work the insured in respect of an obligation to remain during the temporary incapacity at the residence and observed the time and range of walks allowed by the Health Insurance Act 107).

§ 302

Managers are also required

a) manage and control the work of subordinate staff and assess their work performance and work results

b) best to organize work,

c) create favorable working conditions and ensuring the safety and health at work

d) ensure the remuneration of employees under this Act;

e) create conditions for increasing the professional level of employees

f) ensure compliance with laws and internal regulations,

g) ensure the adoption of measures to protect the employer's assets.

§ 303

(1) Employees

a) in the administrative offices,

b) employees in

1) Police of the Czech Republic,

2) the Armed Forces of the Czech Republic, 83),

3) General Inspection of Security Forces,

4) Safety Information Service,

5) Office for Foreign Relations and Information,

6) the Prison Service of the Czech Republic,

7) Probation and Mediation Service,

8) Office of the President,

9) Office of the Chamber of Deputies,

10) Office of the Senate

11) Office of the Ombudsman,

12) Office of Financial Arbitrator

13) Office of the Government Representation in Property Affairs,

14) Czech Social Security Administration and the district social security administrations,

15) the Supreme Audit Office,

16) the Office for Personal Data Protection

17) Institute for the Study of Totalitarian Regimes

18) protected landscape areas and national parks

c) employees in the courts and prosecutors' offices,

d) employees

1) The Czech National Bank

2) state funds,

e) employees of local governments include

1) to the municipal office

2) the municipality,

3) the municipality or the City Hall territorially divided statutory city, municipal district office or district office territorially subdivided statutory town

4) Regional Office,

5) City of Prague and the Office of the City of Prague,

with the exception of officials of local governments under a special legal regulation 84),

f) local government staff positions in the municipal police,

g) employees of schools established by the Ministry of Interior, 85) and employees of the Police Academy of the Czech Republic, 86),

have increased the obligations referred to in paragraph 2

(2) Employees referred to in paragraph 1 shall be obliged

a) act and decide impartially and to refrain from work on anything that might jeopardize confidence in the impartiality of decision making,

b) maintain the confidentiality of the facts they have learned in the course of employment and in the interests of the employer shall not be communicated to others, this does not apply if they were exempted from this obligation, statutory body or its authorized senior employee, unless special legislation provides otherwise,

c) in connection with the performance of work not to accept gifts or other benefits, except for gifts or benefits provided by the employer where they are employed or under law

d) to refrain from acts that could lead to a conflict of public interest, personal interests, especially not to misuse information acquired in connection with employment in favor of their own or someone else.

(3) Employees referred to in paragraph 1 shall not be members of management or supervisory bodies of legal entities engaged in entrepreneurial activity, this does not apply if, within such a body had been sent by the employer for which they are employed in connection with this membership are not paid by the legal person engaged in business activity.

(4) Employees referred to in paragraph 1 may take 87) only with the prior written consent of the employer for which they are employed.

(5) The restriction provided for in paragraph 4 shall not apply to scientific, educational, journalistic, literary or artistic and managing their own property.

(6) The provisions of paragraphs 1 to 5 shall apply, unless a special law provides otherwise 88).

§ 304

(1) Employees in addition to his employment exercised in the basic employment relationship engage in gainful employment, which coincides with the employer's business activity in which they are employed only with the prior written consent.

(2) If an employer under paragraph 1 of consent appeals, the appeal must be in writing and the employer is obliged him to state the reasons for reversing its decision. The employee is then obliged to terminate employment for its manner arising out of the end of the relevant legislation.

(3) The restriction provided for in paragraph 1 shall not apply to the exercise of scientific, educational, journalistic, literary and artistic activities.

(4) The provisions of paragraphs 2 and 3 shall apply, unless a special law provides otherwise 88).

TITLE III

INTERNAL CODE

§ 305

(1) An employer may establish internal regulation of rights in labor relations, of which the employee is entitled to more favorably than provided by law. It shall be prohibited to internal staff regulations impose obligations or curtailed the rights provided for in this Act. If it deviates from this employer prohibition is of no account.

(2) Internal regulations must be issued in writing, shall not be contrary to law or to be issued with retroactive effect, otherwise the whole or in part invalid. Unless the work order shall be issued an internal regulation usually temporary, but at least for 1 year; internal regulations relating to the payment can be issued for a shorter period of time.

(3) Internal regulation is mandatory for employers and for all its employees. Become effective on the date specified in it, but no earlier than the date on which the employer was promulgated.

(4) The employer is obliged to familiarize employees with the issuing, modifying or deleting an internal regulation within 15 days. Internal regulations must be accessible to all employees of the employer. The employer must keep an internal regulation for 10 years from the date of expiry of its validity.

(5) If employees arising from the internal regulation of the basic law of the employment relationship as referred to in § 3, in particular wage, salary or other labor relations law, abolition of internal regulation does not affect the duration and satisfaction of this right.

§ 306

Conditions of Employment

(1) Conditions of Employment is a special type of internal regulation, expands the provisions of this Act or special legislation under specific conditions with the employer regarding the obligations of employers and employees arising from employment relations.

(2) Conditions of employment can not contain an adjustment under § 305 paragraph 1

(3) Employers listed in § 303 paragraph 1 shall be obliged to issue a work order.

(4) The employer, at which a trade union may issue or modify the conditions of employment only with the prior written consent of the union, otherwise the issuance or amendment invalid.

(5) The Ministry of Education, Youth and Sports issued in agreement with the Ministry of Labour and Social Affairs Decree, the work rules for employees of schools and school facilities established by the Ministry of Education, Youth and Sports, region, community and voluntary union of municipalities.

TITLE IV

SALARY, SALARY AND OTHER RIGHTS

§ 307

(1) If the assessment is based (§ 113, paragraph 4 and § 136) to meet the law employees employed on a smaller scale than that of the contract or until the internal regulation is part of the void.

(2) Where an agreement or internal regulations of the wage or salary adjustment of rights and other rights in labor relations, according to which employees belong more equal rights, it is for him only one such law, namely that the employee may determine.

§ 307a

For dependent work under § 2 is also considered cases where the employer under a license pursuant to special legislation (hereinafter referred to as "agencies") temporarily assigns an employee to perform work for another employer, by agreement in the contract or agreement on work activities, employment agency which undertakes to exercise its temporary employees work under employment contracts or contracts for work by the user and the employee undertakes to perform this work as instructed by and under a temporary assignment of employees of agencies, concluded between the agency and the user.

TITLE V

EMPLOYMENT AGENCY

§ 308

(1) Agreement with the user agencies for temporary assignment of employees of the Agency's work must include

a) the name or names, surname, maiden name, nationality, date and place of birth and residence temporarily assigned employees,

b) the type of work that the employee will be temporarily assigned to perform, including requirements for the competence or medical fitness necessary for this kind of work,

c) the period during which an employee is temporarily assigned to work with users

d) the place of work

e) the day when an employee temporarily assigned to work with users

f) information on wages and working conditions of employees or pay a user who performs or would perform the same work as an employee temporarily assigned, subject to qualifications and length of professional practice (hereinafter referred to as "comparable employee");

g) the conditions under which the secondment of an employee or member terminated before the expiry of the period for which it was agreed, but you can not negotiate the terms for ending the period of secondment before the expiry of the period for which it was agreed only for the benefit of users,

h) number and date of the decision, the agency issued work permits for employment mediation.

(2) Agreement with the user agencies for temporary assignment of employees of agencies must be made in writing.

§ 309

(1) During the period of secondment, temporary agency workers to perform work for the user to store temporary agency workers work tasks, organizes, directs and controls his work, giving him instructions to that effect, creates favorable working conditions and ensuring health and safety at work user . However, the user must to temporary agency workers legally act on behalf of agencies.

(2) employment agency assigns an employee to temporarily perform work at the user based on the written instruction, which includes mainly

a) the name and address of the user

b) the place of work by the user,

c) the duration of the secondment,

d) determination of the head of the user authorized to assign employees and work to control it

e) the terms of a unilateral declaration of termination of employment before the expiry of the secondment if they have been agreed in the secondment of its staff work [§ 308 paragraph 1 point. g)],

f) information about job and wage or salary employees by comparable conditions.

(3) The temporary assignment ends with the expiry of the period for which it was agreed, before the expiry of this period, the agreement between the agency and the employee temporarily assigned, or by a unilateral declaration or temporarily assigned employee under the terms agreed in the secondment agreement on temporary agency workers.

(4) If the Agency work that employees temporarily assigned to work with users, paid staff for damage incurred in the course of work or in direct connection with the user, is entitled to compensation for the damage to the user if the User agrees otherwise.

(5) The Agency works and users are obliged to ensure that employment and wage conditions temporarily assigned employees were worse than or comparable to the conditions of employees. If the period of service for users working conditions or wage employee temporarily assigned worse, the employment agency shall at the request of an employee temporarily assigned or, if this fact is found otherwise, without request, to ensure equal treatment; temporarily assigned employee shall be entitled to claim agencies to meet the rights conferred on him was as follows.

(6) of the same agency may not assign employees temporarily to work with the same user for more than 12 consecutive months. This restriction does not apply in cases where the agencies that requested temporary agency work, or in the case of work performed for compensation by the employee, who on maternity or parental leave for employees or users who take parental leave.

(7) To be between the user and the temporary agency worker taken to protect property by force, these measures may not be for temporary workers less favorable than those under § 252 to 256

(8) Extent of temporary agency work can be limited only in the collective agreement concluded by the user.

TITLE VI

Restraint of trade clause

§ 310

(1) If the competition clause agreed upon by the employee agrees that for some time after termination of employment, but not later than 1 year, abstain from gainful employment, which would be consistent with the employer or activity that would be against him competitive nature, non-competition clause is part of the commitment of employers to provide employees a reasonable cash settlement, but at

least one half of average monthly earnings for each month of the undertaking. Cash compensation shall be payable monthly in arrears, unless the parties agree to a different maturity.

(2) Competitive clause an employer may negotiate with the employee if the employee can reasonably be required by the nature of information, knowledge, knowledge of working and technological procedures to obtain employment with the employer and whose use in the activities referred to in paragraph 1 could employers seriously hamper its activities.

(3) If the competitive clause in a contractual penalty, which the employer shall pay the employee if the breach commitment, commitment to employee terminates from the non-competition clause payment penalty. The amount of penalty shall be proportionate to the nature and significance of the conditions referred to in paragraph 1

(4) The employer may withdraw from the competition clause only for the duration of the contract employees.

(5) An employee may terminate the non-competition clause if the employer did not pay cash settlement or in part within 15 days after its due date; competition clause expires the first day of the calendar month following receipt of notice.

(6) restraint of trade clause must be made in writing, the same applies for withdrawal of non-competition clauses, and for her testimony.

§ 311

The provisions of § 310 can not be used for teachers at schools and school facilities established by the Ministry of Education, Youth and Sports, region, community and voluntary union of municipalities, whose object tasks in education and the teaching staff in social services, 89).

TITLE VII

PERSONAL FILE, CERTIFICATE OF EMPLOYMENT AND WORK REPORT

§ 312

(1) The employer is entitled to keep a personal file employees. Personal file may contain only documents which are required to perform work in the basic employment relationship referred to in § 3

(2) The personnel file may be consulted by senior employees who are senior employees. The right to inspect the personnel file of labor inspection body, the Labour Office of the Czech Republic, the Office for Personal Data Protection, the court, prosecutors, police authority, the National Security Agency and intelligence services. For access to personal file shall not submit individual papers from this employer file an external supervisory body which inspects the employer and who have requested this document in connection with the subject of checks by employers.

(3) The employee has the right to inspect his personal file, make excerpts from it and make copies of documents contained in it, at the expense of the employer.

§ 313

(1) Upon termination of employment, contracts for work or contracts for work, the employer must give the employee a certificate of employment, specifying

a) data on employment, whether it was the employment, contracts for work or an agreement on work activity and the time of their duration,

b) the type of held work

c) formal qualifications

d) time worked and other facts relevant for achieving the maximum permissible exposure time,

e) whether the employee payroll deductions are made, for whose benefit, how high is the claim for which deductions are to be carried further, what is the amount of rainfall has made and what is the order of the claim,

f) details of the chargeable period of employment in the first and

II. job category for the period prior to 1 January 1993, for purposes of pension insurance.

(2) Data on the amount of average earnings, whether employment, employment agreement or an agreement to work dissolved; the employer for breach of obligations under the law relating to employee work performed particularly gross manner or for breach of other duties of the employee under § 301A particularly gross manner, and other facts relevant for the assessment of entitlement to unemployment benefit 90), the employer must indicate on the request of an employee in a separate confirmation.

§ 314

(1) If the employee of the employer to issue an opinion on the work (employment report), the employer must, within 15 days to issue a staff report that Employer is not obliged to give it to him before the time of two months before the termination of his employment. Working opinion, all documents relating to the evaluation of an employee's work, his skills, abilities and other factors that are related to work.

(2) Other information about the employees than those that may be contained in the working report (paragraph 1, second sentence), the employer is entitled to serve on the staff only with his consent, unless special legislation provides otherwise.

§ 315

If the employee disagrees with the contents of a certificate of employment or the employment report may claim within 3 months from the date of the content learned in court that the employer was ordered to modify it appropriately.

TITLE VIII

Protection of property interests of employers PROTECTION

PERSONAL RIGHTS OF EMPLOYEES

§ 316

(1) Employees shall not be used without consent of the employer for his personal use and production work means employers, including computer equipment or its telecommunications equipment. Compliance with the prohibition under the first sentence, the employer is entitled to adequate controls.

(2) An employer may not without good reason lying in the special nature of the activity of the employer interfere with employee privacy in the workplace and in public areas of employer by an employee undergoing open or covert surveillance, interception and recording of phone calls, checking e-mail or letters addressed to control employees .

(3) If the employer is given a compelling reason involving the special nature of the employer, which justifies the introduction of control mechanisms under paragraph 2, the employer must inform employees directly control the extent and manner of implementation.

(4) The employer may require the employee information, which is directly linked to work performance and the basic employment relationship referred to in § 3 Not require particular information on the

a) pregnancy,

b) family and financial circumstances,

c) sexual orientation,

d) origin,

e) trade union membership,

f) membership in political parties or movements,

g) belonging to a church or religious society,

h) criminal integrity;

that, with the exception of subparagraphs c), d) e) f) g) shall not apply if it is material reason given to the nature of the work to be performed and if this requirement is reasonable, or in cases when required by this Act or special legislation. This information must obtain the employer or through third parties.

TITLE IX

SPECIAL NATURE OF WORK SOME EMPLOYEES, THE EXCLUSION

Employment relationship and seconded to work in the territory

ANOTHER MEMBER STATE OF THE EUROPEAN UNION

§ 317

The labor relations employee who does not work in the workplace the employer, but under the terms agreed for him to perform work in the working hours of his or her listings, this Act applies, with the

a) it does not change working patterns, delays or interruptions due to adverse weather conditions,

b) for other important personal obstacles to work for him to wage compensation, unless otherwise implementing regulation (§ 199 paragraph 2) or in the case of wage compensation under § 192, for the purpose of providing compensation for wages or salary according to § 192 applies to the employee working hours set out in shifts to the employer for this purpose shall determine

c) he is not wage or salary or compensatory time off for overtime or compensatory leave or remuneration or bonus for work on public holidays.

§ 318

Basic employment relationship referred to in § 3 can not be between spouses or partners 51a).

§ 319

(1) If an employee of the employer from another EU Member State posted to work in the framework of transnational provision of services 91) in the Czech Republic, it relates to treatment of the Czech Republic in terms of

a) maximum work periods and minimum rest periods,

b) a minimum length of annual leave or pro rata part

c) the minimum wage, the appropriate level of guaranteed minimum wages and overtime supplements,

d) Safety and Health at Work

e) working conditions of pregnant workers and workers who are breastfeeding, and workers up to nine months after the birth and youth workers

f) equal treatment of men and women and non-discrimination,

g) working conditions for temporary agency work.

The first sentence shall not apply to rights under the law of the Member State of the European Union, from which the employee was sent to work in the framework of transnational provision of services would be better. Convenience is assessed for each right arising from an employment relationship alone.

(2) The provisions of paragraph 1 letter. b) c) shall not apply if the time of sending employees to work in the framework of transnational provision of services in the Czech Republic does not exceed the total period of 30 days per calendar year. This does not apply if the employee is sent to work in the transnational provision of services agency work.

TITLE X

Rights of trade union, employers' organizations

And control in labor relations

§ 320

(1) Bills and other draft laws concerning the vital interests of workers, particularly economic, production, labor, labor, cultural and social conditions, are discussed with the relevant trade unions and employers' organizations.

(2) The central administrative offices, which issue the implementing labor laws, they do so after consultation with the relevant trade unions and relevant employers' organizations.

(3) The competent national authorities negotiated with the unions on the issues of working and living conditions of workers and trade unions provide the necessary information.

(4) acting unions in labor relations for employees of state 6), organizations 15), 92), state funds 14) and local governments 40) have the explicit right to

a) discuss and comment on the proposals in matters of employment conditions for employees and staff,

b) to make proposals, negotiate and deliver opinions on proposals for improving conditions in matters of employment and remuneration.

§ 321

Trade unions shall ensure compliance with this Act, the Employment Act, legislation on occupational safety and health at work and other labor laws.

§ 322

(1) Trade unions have the right to exercise control over the state of health and safety at work for individual employers. The employer is obliged to allow trade union power and control for that purpose, it

a) ensure the possibility to examine how employers fulfill their responsibilities in the care of health and safety at work and that systematically creates the conditions for safe and healthy work

b) provide the opportunity to screen work and facilities for employees and employers to check with the employer's personal protective equipment,

c) ensure the possibility of investigating whether the employer properly investigate accidents at work,

d) ensure the possibility to participate in the investigation of occupational accidents and occupational diseases, or is explain

e) allow to participate in negotiations on health and safety at work.

(2) Costs incurred for checks over health and safety at work covered by the state under an agreement with trade unions.

§ 323

Performance monitoring in labor relations are regulated by special legislation 36).

TITLE XI

§ 324

repealed by Act No. 365/2011 Coll.

TITLE XII

Death of the employee

§ 325

repealed by Law No. 365/2011 Coll.

§ 326

repealed by Law No. 365/2011 Coll.

§ 327

repealed by Law No. 303/2013 Sb,

§ 328

(1) Pecuniary rights of the employee's death do not expire. In an amount equal to three times his average monthly earnings pass wage and salary employment relationship rights referred to in § 3, second sentence changed with his spouse, children and parents, if living with him at the time of death in the household, the succession becomes, if not these people.

(2) employers' rights expire Monetary death of employees, with the exception of rights, which were finally decided, or who were employed before his death, acknowledged in writing as to the reasons as above, and rights to compensation for damage caused intentionally.

TITLE XIII

Limitation, repayment of amounts unduly paid and the EXPIRY

§ 329

repealed by Law No. 365/2011 Coll.

§ 330

The demise precisely because it was not done by the deadline, there is only in the cases referred to in § 39, paragraph 5, § 57, § 58, 59, 72, § 267, paragraph 2, § 268, paragraph 3, § 315 and § 339a first paragraph

§ 331

Repayment of amounts wrongly paid, the employer may require the employee only if the employee knew or should have expected from the circumstances that they are improperly designed or amounts paid in error, within 3 years from the date of payment.

§ 332

repealed by Law No. 365/2011 Coll.

§ 333

The period begins on the first day and ends on the last day prescribed or agreed period, it is also the case when the expiry of the conditional appearance and disappearance of law ..

TITLE XIV

DELIVERY

§ 334

General provisions on service employer

(1) Documents relating to the creation, modification and termination of employment or contracts for work outside employment, dismissal from the job manager, important documents relating to remuneration, which are the wage assessment (§ 113, paragraph 4) or pay assessment (§ 136) and a record of breaches of the insured person temporarily unable to work (hereinafter referred to as' document ") must be delivered into the hands of employees.

(2) A document served on the employer to an employee into his own hands at work in his apartment or anywhere else will be caught, or over a network or electronic communications services and, if not possible, the employer may effect service by postal services.

(3) If the employer does not deliver the document through a network or electronic communications services or through postal services, it is also a document to be delivered if an employee refuses to accept the document.

(4) If the document is delivered through postal services, the employer selects a postal service to the postal contract closed 94) resulted obligation to deliver the mail containing the document under the terms of this Act.

(5) Conditions of service of documents lawyers are governed by § 48 of Civil Procedure.

§ 335

Delivery via the employer or service

electronic communications

(1) Through a network of electronic communications services or the employer may effect service only if an employee with this method of service and expressed written consent of the employer provided e-mail address for service.

(2) A document delivered via the network or electronic communications services shall be signed by a recognized electronic signature 95).

(3) A document delivered via the network or electronic communications service is delivered on the date of receipt will confirm the employer employee data message signed by his recognized electronic signature 95).

(4) service of a document over a network or electronic communications services is ineffective if the document is sent to the email address of employer employee returned as undeliverable or if the employee within 3 days of sending the document confirmed the employer receives a data message signed by his recognized electronic signature 95).

§ 336

Delivery via your employer

postal services

(1) A document delivered by the employer through the postal service, the employer sends employees to the last address which he is known. The document can also be delivered to the one employee designated to accept service on the basis of a written power of attorney with a notarized signature of the employee 96).

(2) the employer's service of a document delivered by postal services must be accompanied by a written record of delivery.

(3) Unless the employee, which is to be served by postal service reached, the document is stored on the premises of postal services or local authority. Invite the employee written notice of delivery failure notice, so you saved the document within 10 working days of pick up, while he tells where, from which day and time you can pick up the document. The notification under the second sentence must be an employee also informed about the consequences of refusal to take documents or failure to provide any assistance necessary to serve it.

(4) The employer's obligation to deliver the document is met when the employee takes the document. If the employee saved the document (paragraph 3) not collected within 10 working days shall be considered delivered on the last day of this period, this document is sending undelivered employer returns. If an employee service of documents by postal services to prevent, by mail containing the document rejects or fails to provide any assistance necessary to serve the document, the document shall be deemed to be delivered on the date of effecting service of documents occurred. The employee must be informed about the consequences of messengers refusal to take the document and the instruction must be made a written record.

§ 337

Service of documents for the workers

(1) The employee delivers the document to the employer usually personal delivery at the place where the employer. At the request of an employee, the employer is obliged to serve it in the first sentence confirmed in writing.

(2) If the employer agrees with it, the employee can deliver the document to employers through a network or electronic communications to an electronic address for this purpose, the employer told employees, the employer must document to be signed by a recognized electronic signature of the employee 95).

(3) The service of a document addressed to the employer is satisfied once the employer has taken.

(4) A document transmitted to designated employers through a network or electronic communications service is delivered on the date of its receipt by the employer confirms the employee data message signed by his recognized electronic signature or his designated a recognized electronic sign 95).

(5) service of a document for employers through a network or electronic communications services is ineffective if the document is sent to the email address of the employer's employees returned as undeliverable or if the employer within 3 days of sending the document confirmed its employees receives a data message signed his electronic signature based on qualified Certificate 95) or sign an electronic mark based on a qualified system certificate 95).

TITLE XV

Transfer of rights and obligations arising from labor relations and TERMINATION RIGHTS AND OBLIGATIONS of labor relations EXERCISE OF A TRANSITION And duties under industrial relations

Part 1

Transfer of rights and obligations under industrial relations, and termination rights and obligations under industrial relations, if individual employer

§ 338

(1) The transfer of rights and duties from labor relations can occur only in cases prescribed by this Act or special legislation.

(2) When a transfer of business activities of the employer or the employer or the employer or the transfer of tasks to another part of their employers, the rights and obligations of labor relations in full to the successor employer; rights and obligations under the collective agreement are transferred to the accepting zaměstnavatele for the effectiveness of collective agreements, but only until the following calendar year.

(3) The tasks or activities of the employer for these purposes includes in particular tasks related to ensuring the production or provision of services and similar activities under special legislation, a legal or natural person performs in the facilities used for such activities or the usual places for their performance under own name and on his own responsibility. In accepting the employer regardless of the legal reason for the transfer and whether there is a transfer of property rights, considered legal or natural person who is qualified as an employer to continue the tasks or activities of the current employer or a similar type of activity.

(4) The rights and obligations existing employers to employees whose labor relations came to an end until the transfer date, shall remain unaffected, unless a special law provides otherwise, 21a).

§ 339

(1) Before the effective date of transfer of rights and duties from labor relations to other employers are receiving current employer and employees must in advance, no later than 30 days before the transfer of rights and obligations to other employers to inform trade unions and Works Council of this fact and discuss with them to comply

a) the date or proposed date of transfer,

b) the reasons for transfer

c) the legal, economic and social consequences of transfer for the employees,

d) measures prepared in relation to employees.

(2) It does not if the employer or trade union council is present and receiving the employer must inform employees in advance who will be directly affected by the transfer on the factors listed in paragraph 1 not later than 30 days before the effective date of transfer of rights and obligations to another employer .

§ 339a

(1) If the employee notice filed within 2 months from the effective date of transfer of rights and obligations arising from employment relationships or transfer becomes effective exercise of the rights and

duties from labor relations, or if a staff member at the same time the agreement is terminated, the the employee to seek a court declaration that the dismissal was due to substantial deterioration of working conditions in relation to the transfer of rights and obligations arising from employment relationships or moving exercise of the rights and obligations arising from employment relations.

(2) If the termination of employment for reasons mentioned in paragraph 1, the employee is entitled to compensation (§ 67 paragraph 1).

§ 340

The provisions of § 338 and 339 also apply to cases where the transfer activities of the employer or the employer or the employer or the transfer of tasks to another part of their employer decided to superior authority (§ 347 paragraph 2).

§ 341

(1) Upon the termination of the employer division take over from previous employer rights and responsibilities of employers, labor relations, embarking instead. The provisions of § 338 paragraph 2 sentence after the semicolon shall apply mutatis mutandis.

(2) is repealed if the employer shall designate the authority which repeals the employer, which the employer is required to satisfy the demands of the employees of the employer canceled, or assert his claims. If done at the employer's cancellation of its liquidation, shall be done according to a special legal regulation 97).

(3) In case under § 338 to transfer the employer with whom the management responsibilities for the performance of tasks exercised superior authority (§ 347 paragraph 2), expiry or achieving the purpose for which it is established, that authority shall determine to which employers are switching its rights and obligations arising from labor relations.

§ 342

(1) death of an individual who is the employer, the basic employment relationship terminates (§ 48 paragraph 4), it does not continue in business. If the recipient does not intend to person in the trade pursuant to § 13 paragraph 1, point. b) c) e) of the Trade Act or continue the provision of health services under the Act on health services continue, the basic employment relationship terminates futile expiry of three months from the date of death of the employer.

(2) The Regional Branch of the Labour Office competent according to activity of the employer under paragraph 1 shall issue a staff member whose employment contract or agreement on work activity ceases, at his request, confirmation of employment, on the basis of documents submitted by the employee.

Part 2

Moving the rights and obligations of labor relations

§ 343

(1) establishes a special legal rule that a government department 7) terminates the merger or merger with another government department, transferred the exercise of rights and obligations of labor relations in full to the receiving state organizational unit.

(2) establishes a special legal regulation that the government department terminates the division is moving to exercise the rights and obligations arising from employment relations at the organizational units of the state emerging. Special legislation provides that the newly formed government departments takes from existing government departments to exercise the rights and obligations of labor relations that the date of its distribution disappeared.

(3) If a special law that a government department shall be established for some time, this regulation also provides for which state organizational unit passes the exercise of rights and obligations arising from employment of the dissolution of government departments that period expires. Lapses if a government department established under the decision of the founder for some time the end of this time, passes the exercise of rights and obligations under the labor relations of the founder if the founder did not hold that these rights and obligations to carry out the other government department set up by him.

§ 344

(1) establishes a special legal regulation, that part of the organizational units of the state 7) transferred to another government department, transferred the exercise of rights and obligations of labor relations on the part of the organizational units of the state to an accepting state organizational unit. Converts the decision, according to founder in connection with the change of the foundation deed of the government department to another government department, transferred the exercise of rights and obligations of labor relations on the part of government departments on accepting a state organizational unit. The provisions of § 338 paragraph 2 the sentence following the semicolon shall apply accordingly.

(2) The rights and obligations of the industrial relations to employees of government departments transferred pursuant to paragraph 1, which ceased to exist until the transfer date, carries on the existing government department.

§ 345

(1) establishes a special legal regulation, the organizational unit of the state 7) is canceled, this Regulation also lays down on the state organizational unit passes the exercise of rights and obligations under the labor relations of employees of abolished government departments and the organization of the state 7) satisfy employees' rights revoked branch 7) State or requirements applicable to these employees.

(2) cancels the decision of the founder, according to a government department 7), transferred the exercise of rights and obligations under industrial relations, the canceled government departments 7) of the founder if the founder did not hold that these rights and duties to perform other organizational unit of the state 7) set up by him.

§ 345a

The provisions of § 339 and 339a shall apply mutatis mutandis.

TITLE XVI

SPECIAL TREATMENT OF EMPLOYMENT Employees with regular

WORK ABROAD

§ 346

Government regulation, may determine derogation of employment of employees with regular workplace abroad, including the authority and responsibilities of employees of employers with regard to

a) the possibility of repeated renewal of employment for a definite period abroad, including the ability to negotiate the length of employment for a definite period to the period of secondment to work abroad

b) conditions

1) diversion working time abroad, including in relation to days of rest (§ 91),

2) restrictions on the movement of personnel safety reasons, the employer's headquarters abroad.

§ 346a

repealed by Law No. 303/2013 Coll.

§ 346b

(1) An employer may not employees for breach of his obligations under the basic employment relationship to impose monetary penalties or require from him, it does not cover damage for which the employee is responsible.

(2) The employer shall not carry the risk of dependent work performance of employees.

(3) The employer must the employee in connection with the performance of dependent work require a financial guarantee.

(4) The employer may not, in any way affect or disadvantage because they are lawfully seeking their rights arising from employment relations.

§ 346c

The employee can not waive the employer's obligation to provide him wages, salaries, remuneration of the agreement and their compensation, severance pay, compensation for standby duty and reimbursement of expenses pertaining to employees in connection with the work.

§ 346d

(1) The lien is not possible to secure debt from the basic employment relationship, which has employees against the employer only arise in the future. A lien can not be established to the point to which employees the right of ownership arises only in the future.

(2) The employer or employee may hold a movable thing the other Party to ensure the debt arising from the basic employment relationship.

(3) An employee or the employer can not commit to a contract with a third party, if they are to be the content of the rights and obligations of the employee or the employer.

(4) the claims of the basic employment relationship by the employee against the employer or the employer to an employee, it is not possible to move to another. The employment contract or agreement for work performed outside employment can not be transferred.

(5) Debt, the employee against the employer or the employer against an employee shall not accept another person.

(6) Employees shall not undertake to fulfill the obligations jointly and severally.

(7) the penalties may be stipulated only if provided for by this Act.

§ 346e

If it deviates from the Party of the adjustment referred to in § 346b to 346d, is of no account.

TITLE XVII

CERTAIN PROVISIONS FOR LIABILITIES AND INTERPRETATION OF CERTAIN TERMS

§ 347

(1) threat of occupational disease means a medical condition that arose while working the adverse effects of the conditions under which occupational disease arise 98), but do not attain a degree of damage to health, can be assessed as an occupational disease, and other performance of work under the same conditions would lead to the creation of an occupational disease. Medical opinion on the risk of occupational disease medical services provider issued by a competent medical opinion to the issue of occupational disease 99). Government regulation may provide that a medical condition is a threat of occupational diseases and the conditions under which it is recognized.

(2) the governing body for the purposes of this Act means the authority which is under special laws against the employer is entitled to exercise control powers in carrying out its tasks.

(3) For employees who are exposed at work adverse effects of ionizing radiation, for the purposes of § 215, paragraph 2, point. c) consider radiological workers of category A according to the Decree on Radiation Protection 99a).

(4) For purposes of this Act shall also mean the isolation quarantine 99b), and emergency measures and the risk of an epidemic of the Act on the protection of public health and amending certain related acts, if the prohibition or restriction of contact groups of individuals suspected of being infected with other individuals and other prohibition or regulation of an activity for disposal or the danger of an epidemic of 99C), to prevent such prohibitions, restrictions or regulations in staff work.

(5) For the purposes of this Act, means a household community of individuals who are permanently living together and sharing expenses for their needs.

§ 348

(1) The performance of the work is considered time

a) the employee does not work for barriers to work, except for the period of leave granted at the request of an employee, if agreed in advance of his napracování, and the time after which the work was discontinued due to adverse weather conditions,

b) leave,

c) When an employee chooses compensatory time off for overtime or work on public holidays,

d) When an employee does not work because it is a holiday for which it shall pay compensation, or for which his wages or salary nekrátí.

(2) The provisions of paragraphs 1 and § 216, paragraph 2 and 3 shall apply for purposes of the wage or salary and remuneration from the agreement.

(3) Whether it is an unexcused missed work, the employer determines, after consultation with the trade unions.

§ 349

(1) Legal and other regulations to ensure the safety and health regulations are to protect life and health, sanitary and epidemiological regulations, technical regulations, technical documents and technical standards, building codes, traffic laws, regulations and fire protection regulations handling of inflammable materials, explosives, weapons, radioactive materials, chemical substances and chemical preparations and other substances harmful to health when regulating matters concerning the protection of life and health.

(2) Guidelines to ensure the safety and health at work are the specific instructions of the leading staff employees who are senior to him.

(3) The provisions on working place for the purposes of § 113 paragraph. 2 and § 122 paragraph. 2 means in relation to the employer negotiate an employment contract or appointment.

§ 350

(1) lonely means unmarried, widowed or divorced women, single, widowed or divorced men and women and lonely men for other serious reasons, if not living with spouse, or with a companion or partner 51a).

(2) Adolescents staff are employees younger than 18 years.

§ 350a

Week for the purposes of this Act means 7 consecutive calendar days.

TITLE XVIII

Average earnings

Part 1

General Provisions

§ 351

To be in the basic labor relations referred to in § 3, the average earnings must be followed if it is detected only under this Title.

§ 352

Average earnings of employees means the average gross earnings, unless otherwise labor legislation.

§ 353

(1) The average wage an employer determines the gross wage or salary paid to employees charged in the period and the hours worked during the relevant period.

(2) The qualification period is considered to be time for the employees for the wages or salary.

(3) If the settlement of wages or salary for overtime work (§ 114 paragraph 2 and § 127, paragraph 2) in a decisive period than that in which such work is performed, shall be included in hours worked in accordance with paragraph 2 also overtime for which the wage or salary is provided.

Part 2

The vesting period

§ 354

(1) Unless this Act otherwise stipulated, the decisive period of the previous calendar quarter.

(2) The average wage is determined on the first day of the calendar month following the reference period.

(3) The creation of employment during the preceding calendar quarter, the applicable period of time since the creation of jobs by the end of the calendar quarter.

(4) The application of working time accounts (§ 86 and 87) is a decisive period of the preceding 12 calendar months before the start of successive smoothing period (§ 86 paragraph 3).

Part 3

Likely earnings

§ 355

(1) If an employee in the period neodpracoval at least 21 days, the likely earnings.

(2) the employer determines likely earnings from gross wages or salary which the employee has reached the relevant period from the beginning, or the gross wage or salary would probably achieved, while taking into particular consideration the individual components of the normal wage or salary or a wage or salaries of employees performing the same work or work of equal value.

Part 4

Forms of average earnings

§ 356

(1) Average earnings are calculated as the average hourly earnings.

(2) In order to apply the average gross monthly earnings, recalculate the average hourly earnings for 1 month the average number of hours per 1 month in an average year, an average year for this purpose has 365.25 days. Average hourly earnings are multiplied by the employee weekly working hours of the employee and the coefficient of 4.348, which is the average number of weeks per 1 month in an average year.

(3) To be applied to the average monthly net earnings, it is found that earnings of the average monthly gross earnings by deducting premiums for pension savings, social security insurance and contribution to the state employment policy 100), of general health insurance 101) and backups tax on personal income from employment 102), calculated in accordance with the conditions and rates applicable to employees in the month in which the average monthly net earnings determined.

Part 5

Common provisions on average earnings

§ 357

(1) If the average employee earning less than minimum wage (§ 111), to which the employee a right in the calendar month in which it was necessary to apply the average earnings, average earnings increase with the amount corresponding to the minimum wage, it is also true when application of the probable earnings (§ 355).

(2) An employee who experienced a change in the employment contract because of risk of occupational diseases or to achieve maximum exposure and where the occupational disease is detected

after this change, based on the assessment base for the purpose under the rules of the average accident insurance Earnings last detected before the change of employment contract, if it is more favorable to workers.

§ 358

If the employees in the period accounted for the payment of wages or salary, or part thereof which is provided for a longer period than the calendar quarter shall be determined for purposes of determining the average earnings of the proportional part for the calendar quarter and the remaining part (s) of wages or salary shall be included in gross wages or salary to determine the average earnings in the next period (other periods). Number of additional period is determined by the total time for which the wage or salary provides. In gross wages or salary for the purposes of determining average earnings in the period included the proportion of the wage or salary corresponding to the first sentence by the time worked.

§ 359

In cases where, under the legislation used in connection with compensation for average earnings of pupils or students or individuals with disabilities, 103), who are not employed and the preparation for the profession (activity) is performed in accordance with special legislation, is based on of the above-average earnings under § 357th

§ 360

If more convenient for employees, for the purposes of the assessment base by accident insurance legislation applicable period of the previous calendar year.

§ 361

Determine the average earnings of active employees on the basis of agreements on work performed outside the employment relationship is governed by this Act. If the negotiated lump sum payment of the remuneration of the agreement until after the work task, the relevant period (§ 354 paragraph 1) all the time taken for the agreed task.

§ 362

(1) The wages or salary for the purposes of determining average earnings deemed as remuneration from the agreement, the remuneration or other income provided to employees for work at his job, sitting in a relationship than working as an employee referred to in § 3, second sentence, unless a special the law provides otherwise.

(2) If an employee performs work for the same employer in more basic labor relations referred to in § 3 or more in labor relations, then the wage, salary or remuneration in each basic employment relationship referred to in § 3, or employment relationship separately.

TITLE XIX

PROVISIONS WHICH is implementing European Union law

PROVISIONS AND WHICH IS NOT POSSIBLE TO THE DEPARTED

§ 363

Provisions of which are incorporated provisions of the European Union, the heading of Title IV of Part One, § 16, paragraph 2 and 3, § 30, paragraph 2, § 37, paragraph 1-4, § 39, paragraph 2-6, § 40 par . 3, § 41, paragraph 1, in the introductory part of a letters c), d), f) and g), § 47, the word "board if the employee after maternity leave or employee after parental leave in the span of time after which the employee is entitled to take maternity leave, to work, the employer is obliged to include them in their original work and the workplace, "§ 51a, § 53, paragraph 1, the word" prohibited to give notice to the employee "a point. d) § 54 letter. b), the word "this does not apply in the case of a pregnant female employee, who is on maternity leave, an employee at the time of parental leave to the period during which a woman is entitled to take maternity leave," § 54 letter. c), the word "not an employee on maternity leave or the employee at the time of parental leave to the time during which a woman is entitled to take maternity leave," § 54 letter. d) "of pregnant workers and workers receiving maternity leave, or the employee or employees who take parental leave", § 62-64, § 78, paragraph 1, point. a) to f), j), k) am), the word "average weekly working time must not exceed the agreed weekly working time", the words "for a maximum period of 26 weeks consecutive," and the phrase "Just this collective agreement may define a maximum period of 52 weeks consecutive. ", Article 79 § 1, § 79a, § 85, paragraph 4, the word" average weekly working hours in the buffer is filled with period determined by the employer, but no later than the period specified in § 78 paragraph . 1 point. meters), "§ 86 paragraph 3 and 4, § 88, paragraph 1 and 2, § 90, 90a, § 92, paragraph 1, 3 and 4, § 93, paragraph 2, second sentence of paragraph 4 , § 93a, paragraph 1-3 and paragraph 5, § 94, § 96, paragraph 1, point. a) points 1 and 3 and Article 2, § 101, 102, § 103, paragraph 1, point. a) to h), j) and k) until the end of paragraph 1, paragraph 2-5, § 104, § 105, paragraph 1, the word "employer where the work accident occurred is required to clarify the causes and circumstances of this accident ", paragraph 3 lit. a), 4 and 7, § 106, paragraph 1-4 point. a), c), d), f) and g), § 108, paragraph 2, 3, 6 and 7, § 110, paragraph 1, § 113, paragraph 4, § 136, paragraph 2, § 191, the word " The employer is obliged to excuse the absence of an employee from work for nursing a child younger than 10 years, or another member of the household in cases under § 39 of the law on health insurance and care for a child younger than 10 years for the reasons set out in § 39 of the Health Insurance Act, or because when an individual who cares for a child or have undergone examination or treatment by healthcare providers, which could not be secured outside working hours, and therefore can not care for the child, "§ 195, 196, § 197, paragraph 3 , the word "Parental leave under paragraph 1 for the date of receipt of the child until the day when the child reaches the age of 3 years ', the word' parental leave for the" § 197 paragraph 3, second sentence, and the third, § 198, paragraph 1 to 4 when it comes to parental leave, § 199, paragraph 1, § 203, paragraph 2, point. a), § 213, paragraph 1, § 217, paragraph 4, regarding parental leave, § 218, paragraph 1, § 222, paragraph 2, § 229, paragraph 1, the word 'professional experience is considered work performance, for which the employee wage or salary ", § 238, paragraph 1 and 2, § 239, § 240, paragraph 1, § 241, paragraph 1 and 2, § 245, paragraph 1, § 246, paragraph 2, first sentence, § 276 The first sentence of paragraph 1 and paragraph 2 to 6 and 8, § 277, the word "employer shall, at his own expense to employee representatives to create conditions for the proper performance of their activities," § 278, paragraph 1-3, paragraph 4, second sentence and third, § 279, paragraph 1, point. a), b), e) to h) and Article 3, § 280, paragraph 1, point. a) to f), § 281, paragraph 5, § 288-299, § 308, paragraph 1, in the introductory part of a letter b), § 309, paragraph 4 and 5, § 316, paragraph 4, the word "employer may not require the employee information, particularly on "a point. a), c), d), e), g) and h) and the words "shall not apply if it is determined valid reason based on the nature of the work to be performed, and if this requirement is proportionate" § 319, § 338, paragraph 2 and 3, § 339, paragraph 1, in the introductory part of, § 339, paragraph 2, 339a, 340, 345a, 346b, paragraph § 4 and § 350 second paragraph

PART FOURTEEN

TRANSITIONAL AND FINAL PROVISIONS

TITLE I

TRANSITIONAL PROVISIONS

§ 364

(1) This Act is also governed labor relations arising before 1 January 2007, unless this Act otherwise provided below.

(2) Under the existing legislation governing the legal acts relating to the creation, modification and termination of employment, contracts for work or contracts for work, as well as other legal acts made before 1 January 2007, even though their legal effects occur after that date.

(3) Working conditions established under existing legislation an election or appointment shall be considered as employment relationships based employment contract, this does not apply in the case of employment

a) Head of government departments 7),

b) a senior official and the head office 104),

c) the head of the organizational units of government departments 7),

d) Director of Public undertaking 13),

e) the head of the organizational units of the state enterprise 13),

f) the Head of State Fund, if the individual at its head body 14),

g) the Head of the contributory organization 15),

h) the head of the organizational units of subsidized organizations 15),

i) Director of the school legal entity 16) and

j) when the appointment is regulated by specific legislation.

(4) Claims for occupational injury, which occurred before the effective date of legislation employee accident insurance or occupational disease that was identified before the effective date of legislation, accident insurance, for compensation, which has been finally decided or them was an agreement or if the compensation is provided, shall be governed by existing laws.

(5) The compensation of occupational accident, which occurred in the period before entry into force of legislation or accident insurance of employees from an occupational disease has been detected in the period before entry into force of legislation, accident insurance, and was not provided, shall be governed by existing legal regulations. Damages in these cases, the authority which is competent under the law of accident insurance of employees.

(6) Claims for occupational injury, which occurred before 1 January 1993 or from occupational disease, which has been observed before 1 January 1993, for compensation, which has been finally decided or have an agreement or if the compensation provided to the satisfaction does not workmen's compensation insurance for work injuries or occupational diseases under the Act No. 65 / 1965 Coll., Labour Code, as amended, or mandatory contractual insurance under special laws shall be governed by existing law, unless this Act otherwise provided below.

(7) Compensation for loss of earnings after the sick leave and compensation for survivors of maintenance costs pertaining to the day preceding the effective date of legislation, accident insurance of employees of the effective date of accident insurance legislation deemed to be employees Accident annuity and accident survivor annuity under regulation of accident insurance of employees; its amount shall not be less than compensation for loss of earnings after the sick leave or pay the costs for the maintenance of survivors, that it shall be the surviving victim or the day preceding the effective date of accident insurance regulatory staff.

(8) Claims for occupational injury, which occurred before 1 January 1993 or from occupational disease, which has been observed before 1 January 1993, for damages, which were finally decided or have an agreement or if the compensation is provided, where the obligation to satisfy the claim passed to the state before the effective date of legislation, accident insurance, shall be governed by existing legislation ; compensation for loss of earnings after the sick leave and compensation for survivors of maintenance costs pertaining to the day preceding the effective date of legislation, accident insurance of employees with the effective date of legislation employee accident insurance annuity consider accident and accident survivor annuity under the rules accident insurance. The amount of accident annuities and accident survivor annuity shall not be less than the amount of compensation for loss of earnings after the sick leave or compensation for survivors of maintenance costs, which shall be for the victim or survivor on the day preceding the effective date of accident insurance regulatory staff.

(9) Claims for occupational injury, which occurred before 1 January 1993 or from occupational disease, which has been observed before 1 January 1993, for damages, which were finally decided or have an agreement or if the compensation provided to the satisfaction does not workmen's compensation insurance for work injuries or occupational diseases under the Act No. 65 / 1965 Coll., Labour Code, as

amended by Act No. 231/1992 Coll. or mandatory contractual insurance under special legislation to repeal the employer to meet such demands to the employer designated authority, the employer set aside. If the cancellation of the employer into liquidation, has a duty under the first sentence of the authority conducting the liquidation, or the state. If the obligation to satisfy the claim under the first sentence was created after the effective legislation, accident insurance, shall be governed by the rules satisfy claims accident insurance. Compensation for loss of earnings after the sick leave and compensation costs for the maintenance of survivors belonging to a date preceding the effective date of legislation, accident insurance of employees of the effective date of accident insurance legislation deemed to be employees Accident annuity and accident survivor annuity, but the amount not be less than the amount of compensation for loss of earnings after the sick leave or reimbursement of maintenance costs of survivors, that it shall be the surviving victim or the day preceding the effective date of accident insurance regulatory staff.

Part 1

Employer's liability for damages for accidents at work and occupational diseases

Section 1

General provisions

§ 365

(1) From the effective date of this Act to the effective date of accident insurance legislation governing the liability of employees of the employer for damages for occupational accidents and occupational diseases, § 272 to 274 and the provisions of this title, this Act, § 205d of Act No. 65 / 1965 Coll., Labour Code, as amended by Act No. 231/1992 Coll., Act No. 74/1994 Coll. and Act No. 220/2000 Coll. and Decree No. 125/1993 Coll., laying down the conditions and rates of employer liability insurance for work injuries or occupational diseases, as amended by Decree No. 43/1995 Coll. , Decree No. 98/1996 Coll. Decree No. 74/2000 Coll. and Decree No. 487/2001 Coll.

(2) The administrative costs of insurance in statutory employer liability insurance for work injuries or occupational disease is 4% of the total earned premiums paid by employers in a given calendar year.

Section 2

The scope of liability and waiver of liability

§ 366

(1) The employer is responsible for damage caused by employees of an accident at work, if damage occurred during the course of work or in direct connection with him.

(2) The employer is responsible for damage caused by employee illnesses, if the employee last worked before finding an employer under conditions in which there is an occupational disease, which has been affected.

(3) of occupational disease and compensation to be incurred prior to its inclusion on a list of occupational diseases, and its inclusion in the list and for a maximum period of 3 years prior to its inclusion on the list.

(4) The employer is obligated to pay damages, even if complied with the obligations arising from legal and other regulations to ensure safety and health at work as to the liability in whole or in part relieves.

§ 367

(1) The employer shall be relieved of liability completely, if he proves that the damage resulted

a) by the affected employee violated his fault law or other regulations or guidelines to ensure health and safety at work, although with them has been properly informed and their knowledge of and adherence to required and were continuously monitored, or

b) due to the drunkenness of the affected employees as a result of abuse or other addictive substances, and the employer could not prevent damage,

and that these were the only cause damage.

(2) The employer shall be relieved of liability in part, if he proves that the damage resulted

a) due to the facts set out in paragraph 1 letter. a) b) and that these were one of the causes of damage

b) because the employee has acted contrary to the usual behavior so that it is clear that although the law did not infringe or other regulations or guidelines to ensure health and safety at work, acted carelessly, though he had given his qualifications and experience be aware that you may cause injury. For reckless conduct can not be considered ordinary carelessness and conduct arising from the risks of working.

(3) waive the liability of the employer in part, the employer shall determine part of the damage by the employee, the degree of his culpability, in the case referred to in paragraph 2. b) however, the employer must pay at least one third of the damage.

(4) In determining whether an employee violated the law or other regulations or guidelines to ensure health and safety at work, the employer can not rely on general provisions under which the act has everyone so as not to endanger their health and that of others.

§ 368

An employer can not waive liability, in whole or in part if the employee suffered a work injury while averting imminent harm employers or directly imminent danger to life or health, if the employee intentionally did not induce this state.

Section 3

Form of replacement

§ 369

(1) Employees who have suffered an accident at work or with which he has contracted an occupational disease, the employer is the extent to which it is responsible for the damage, is obliged to provide compensation for

a) loss of earnings,

b) pain and social impairment,

c) reasonably incurred costs associated with treatment,

d) damage to property, the provisions of § 265 paragraph 3 applies here as well.

(2) The manner and amount of damages, the employer is obliged without delay to discuss with unions and employee.

§ 370

Compensation for loss of earnings for a period of incapacity

(1) Compensation for loss of income during the incapacity of the employee the difference between the average earnings before the damages caused by an accident at work or occupational diseases and the full amount of wage compensation under § 192 and the full amount of sickness. Compensation for loss of earnings under the first sentence up to the employee's average earnings before the damage occurred even while he at the time of the first 3 calendar days of temporary incapacity for work does not belong to sickness 105) or when it under § 192 paragraph 1 of the second sentence semicolon is not for wage compensation.

(2) Compensation for loss of earnings pursuant to paragraph 1 and the employee in his other work disability due to the same industrial accident or occupational disease. Average earnings before the damage occurred by the first sentence, the average earnings of employees before the emergence of further damage. If before the emergence of other employees shall be for damages compensation for the loss of earnings after the sick leave, compensation for loss of earnings referred to in paragraph 1 shall provide employees up to the amount to which he is entitled to compensation for loss of earnings after the sick leave, if not unable to work. For earnings after an industrial accident or occupational disease shall be deemed to wage compensation under § 192 and sickness.

§ 371

Compensation for loss of earnings after the sick leave

(1) Compensation for loss of earnings after the sick leave or disability in recognition of the employee equal to the difference between the average earnings before the damage occurred and earnings achieved after an industrial accident or occupational disease plus any disability benefits received for the same reason. To reduce the disability pension for concurrence with other pensions under the legislation on pension insurance, nor to employee earnings, which amounted to an increased work effort is taken into account.

(2) Compensation for loss of earnings pursuant to paragraph 1 and the employee for sick leave for any reason other than the original work injury or occupational disease, the earnings of the industrial accident or occupational disease is considered earnings from which the amount of sickness.

(3) Compensation for loss of earnings after the sick leave or disability recognized under paragraph 1 and for the employee who is kept in the register of job seekers, the earnings of the industrial accident or occupational disease is considered earnings of minimum wage (§ 111). If an employee received before they became a contender for the job, compensation for loss of earnings after the sick leave, it is for him such compensation at a level in which it had acquired the rights for the duration of employment.

(4) If an employee reaches the fault of their own lower earnings than other employees performing the same job with the employer or the work of the same species, it is considered income for work injury or occupational disease the average earnings, which amount to these other employees.

(5) Employees who without good reason refuses to take the work that the employer ensure for the compensation for loss of earnings pursuant to paragraph 1 only in the difference between the average earnings before the damage occurred and average earnings, which could reach the work which has been ensured. Employer fails to pay damages to the employees the amount they have good reasons for failing to earn.

(6) Compensation for loss of earnings after the sick leave the employee no later than the calendar month in which it has attained age 65 years or until the date of a retirement pension from pension insurance.

§ 372

Compensation for pain and social impairment

(1) Compensation for pain and social impairment is provided by a single employee.

(2) The Ministry of Health in agreement with the Ministry of Labour and Social Affairs of the Decree in which it is possible to provide compensation for pain and social impairment and determining the amount of compensation in individual cases.

§ 373

Reasonably incurred costs associated with treatment

Reasonably incurred costs associated with treatment belongs to those who have incurred these costs.

§ 374

Damages under this Act is not any loss of income.

Section 4

Types of compensation for death of employee

§ 375

(1) If an employee dies due to a work injury or occupational disease, the employer is required to the extent of their responsibility to provide:

a) reimbursement of reasonably incurred costs associated with its treatment,

b) to pay reasonable funeral expenses,

c) the expenses for the maintenance of survivors

d) one-off compensation to survivors,

e) compensation for damage to the provisions of § 265 paragraph 3 applies here as well.

(2) The rights conferred by paragraph 1 are not dependent on whether the affected employee prior to his death within a specified period exercised their rights to compensation.

§ 376

Náhrada reasonably incurred costs associated with treatment

and reimbursement of reasonable costs associated with funeral

(1) Compensation for reasonably incurred costs related to medical treatment and compensation for reasonable costs associated with the funeral belongs to those who have incurred these costs. The reasonable funeral expenses funeral expenses be deducted provided under a special legal regulation.

(2) reimbursement of reasonable costs associated with funeral expenses are charged for funeral, cemetery fees, cost of establishing a memorial or boards up to at least 20 000 CZK, expenditure on treatment or memorial board, travel expenses and one-third the usual expenses for funeral clothing for persons close to .

(3) The Government may, in view of the changes that occurred in the evolution of price levels, the amount of regulation to establish a memorial board or pursuant to paragraph 2

§ 377

Reimbursement Alimony for Survivors

(1) Compensation of maintenance costs for the survivors of the survivors whom the deceased employee or food provided was obliged to provide, within the period in which this duty should be, but within the calendar month in which the deceased employee has reached 65 years of age.

(2) Reimbursement under paragraph 1 for the survivors of 50% of the average earnings of employees, established before his death, when food was provided or required to provide one person, and 80% of average earnings, if food was provided or required to provide more people. The amounts attributable to each survivor pension awarded is deducted survivors. The possible survivors earnings shall be disregarded.

(3) When calculating the cost of food to survivors based on the average earnings of the deceased employee, reimbursement for the maintenance of all survivors must not exceed the total amount to which the deceased incumbent workers compensation for loss of earnings under § 371, and must not be granted more than incumbent deceased employees under § 371 paragraph 6

§ 378

One-time compensation for survivors

(1) One-time compensation for the surviving spouse and surviving dependent child, and each of at least CZK 240 000, parents of a deceased employee if the employee had lived in the household, a total of 240 000 CZK. One-time compensation of 240 000 CZK responsibility even if the deceased employee lived in a single parent household.

(2) The Government may due to the changes that occurred in the development of wage levels and living costs, one-time compensation regulation survivors.

§ 379

Compensation for damage

Compensation for damage for the heirs of the employee.

Section 5

Common and specific provisions on liability

§ 380

(1) an accident at work for the purposes of this Act, injury or death of employees, were, if they are beyond its control, the short, sudden and violent action of external influences during the course of work or in direct connection with him.

(2) As a work accident is judged whether or injury suffered by the employee to perform work tasks.

(3) is not an accident at work accident, which happened on the way employees to work and back.

(4) Occupational diseases are diseases listed in a special legal regulation.

§ 381

Compensation for loss of earnings during sick leave and compensation for loss of earnings after the sick leave for the same reason, a separate law, which is not next to each other.

§ 382

(1) In determining the average earnings for purposes of compensation for occupational accidents and occupational diseases is a decisive period of the previous calendar year, if the vesting period for employees better.

(2) Compensation for loss of earnings and compensation for survivors of maintenance costs, the employer is obligated to pay on a monthly basis, unless other agreed method of payment.

§ 383

The limitation of employer liability for damages for occupational accidents and occupational diseases shall be governed by § 367th

§ 384

(1) An employer who replaced the injured party damages is entitled to compensation against the person injured is responsible for such damage under the Civil Code, to the extent that the extent of this responsibility to the victim, unless otherwise agreed in advance.

(2) In the case of compensation for occupational diseases, the employer has to pay damages, the right to compensation from all employers for which the affected employee working under conditions of which was an occupational disease, which has been affected, in extent that the time for which he worked for the employer under such conditions.

(3) In the case of other than personal injury due to work injury or occupational disease applies to the manner and extent of damages provisions on occupational accidents.

§ 385

An employee who at the time of an accident or occupational disease in several fixed or operating under an agreement to work performed outside the employment relationship, the level of compensation for loss of earnings based on average earnings achieved in all these labor relations , and for as long as they could take.

§ 386

(1) Employees who sustains an injury or to which the occupational disease in employment contracted for a fixed period or during the performance of work under a work concluded for a definite period for the compensation for loss of earnings only until the employment relationship had ended. After this moment, compensation for loss of earnings if it is possible under the circumstances to assume that the victim would continue to be employed. Other rights arising from an accident at work compensation or occupational disease are not affected.

(2) if the business suffers an accident or if the occupational disease in recipients of old-age pension or disability pension for third-degree disability, he shall be entitled to compensation for loss of earnings over time, if not ceased to be employed for reasons unrelated to the accident at work or illness, inoperative for reasons related to work injury or occupational disease, he shall be entitled to compensation for loss of earnings for the period during which, because of his medical condition before the work injury or illness could work. The provisions of § 371, paragraph 6 apply here as well.

§ 387

(1) On the way to work and back is a trip from the employee's place of residence (accommodation) to the point of entry to the building of the employer or other place designated for the performance of work tasks and vice versa for workers in forestry, agriculture and construction as well on the way for gathering and back.

(2) The path from the village of residence of the staff in the workplace or place of accommodation in another village, which is the aim of the mission, if not also their regular community work and back is considered a necessary action before the start of work or after its termination.

§ 388

In exceptional cases the court may set the amount of compensation to the implementing regulation (§ 372 paragraph 2) appropriately increased.

§ 389

Not be limited to the right of employees to compensation for loss of earnings due to work injury or occupational illness or injury other than by reason of industrial injury or occupational disease, and the right to reimbursement for nutrition survivors. Rights to individual performance resulting from them are not barred.

§ 390

(1) a change in circumstances substantially damaged, which were crucial for the assessment of damages, it may be damaged and employer demand changes in the organization of its rights or obligations.

(2) The Government may due to the changes that occurred in the development of wage levels, modify the terms, amount and method of compensation for loss of earnings granted to employees after termination of incapacity resulting from an accident at work or occupational diseases, it also applies to reimbursement for nutrition survivors.

§ 391

(1) high school students, conservatories and language schools authorized to organize state language examinations or students of higher professional schools correspond to a legal person performing activities of the school or school facility or a natural or legal persons whose workplaces with practical training, for any damage to it caused the theoretical or practical training or in direct connection with him. If the damage occurred in education outside the classroom in a school or in direct connection with her pupils or students are responsible for any damage legal person performing the activity of the school facility. University students are responsible for the damage of high school, which caused her to study or practice in a study program at college or in direct connection with them. If the damage occurred in the study or practice, or in direct connection with the other legal entities or natural persons, students are responsible natural or legal person for which the study or practice were made.

(2) for damage arising from pupils of primary schools and basic schools of art in education or in direct connection with him, corresponds to a legal person performing activities of the school, in education outside the classroom in a school or in direct connection with it shall be liable for legal entity performing the activities of the school facility.

(3) The relevant legal person performing activities of a school is responsible for pupils of secondary schools, academies and language schools authorized to organize state language examinations and students of colleges for the damage that they suffered a violation of legal obligations or injury during theoretical and practical education at school or in direct connection with him. If any damage in the practical teaching of legal or natural person or in direct connection therewith, shall be liable for any legal or natural person, in which the practical training takes place. If any damage in education outside the classroom in a school or in direct connection therewith, shall be liable for legal person performing activities of the school facility. Performs the activities of a school or school facility state organizational unit or part thereof shall be liable for damages on behalf of the state government department.

(4) corresponds to the relevant college to university students for the damage that they suffered a violation of legal obligations or injury during the study or practice in a study program at college or in direct connection with them. If the damage occurred in the study or practice, or in direct connection with the other legal entities or individuals responsible legal entity or individual with which the study or practice were made.

(5) The relevant legal person performing activities of school facilities responsible natural person with ordered institutional education or protective education imposed and individuals in preventive educational care for the damage that they suffered a violation of legal obligations or injury during the implementation of this work or in direct connection with her.

§ 392

(1) Natural persons performing public functions and trade union officials responsible for damage incurred in the performance of official duties or in direct connection with the person for whom they were employed, individuals and officials responsible for damage to those for whom they were employed.

(2) Persons with disabilities who are employed and their preparation for future occupation is carried out in accordance with special regulations, responsible for damage caused by an accident at work or occupational diseases in this preparation, one of which is preparation for a career is made.

§ 393

(1) Right to compensation for damages resulting from accidents at work are members of volunteer fire brigades units and the mining community and Rescue Service who suffer injury at work in these congregations. In these cases corresponds to them one at which the Corps was established.

(2) The right to damages resulting from accidents at work with individuals who challenge the administrative agencies or local government unit or commander and according to his instructions or with his knowledge personally assist in the crackdown on incidents or when removing its consequences and suffer in activities of these injuries. For the loss suffered by an accident they are the responsibility of the authority or municipality, unless a special law provides otherwise.

(3) The right to damages resulting from accidents at work are individuals who volunteer at events organized by the local government unit employees assist in carrying out important tasks in the interest of society, such as individuals who help out temporarily magnifying the community and suffer injury during these activities. For the loss suffered by them corresponds to the accident, for whom at the time of this accident work.

(4) The right to damages resulting from an accident at work, members of cooperatives who suffer injury in the performance of their duties, or agreed activities for the team, the Red Cross paramedics, the collection of blood donors, members of the Mountain Rescue Service, as well as natural persons on the challenge and its instructions personally assist in rescue operation in the field, individuals who perform volunteer service, social security care, and individuals who have been entrusted with the employer a certain function or activity, if sustained injury while performing the tasks associated with the performance of the functions or activities. For the loss suffered by an accident that corresponds to them for whom they were employed during this accident.

Part 2

Application of the provisions relating to compensation for wages, salary or remuneration contracts for work at temporary (quarantine) and certain other provisions

§ 393a

(1) The provisions of § 57, § 66 paragraph 1 second sentence, and § 192 to 194 shall apply for the first time from the date on which, Act No. 187/2006 Coll. On health insurance.

(2) was created to temporary incapacity or if it was quarantined prior to the date on which, Act No. 187/2006 Coll. On health insurance, wage compensation, salary or remuneration for work agreement under § 192 to 194 for the period of temporary incapacity or quarantine is not. ".

Part 3

Using the implementing legislation

§ 394

(1) Until the issue implementing regulations to implement § 104, paragraph 6, § 105, paragraph 7, § 137, paragraph 3, § 189, paragraph 6, § 238, paragraph 2 and § 246 paragraphs 2 and 4 proceed by

a) Government Regulation No. 495/2001 Coll. on the extent and detailed conditions for the provision of personal protective equipment, washing, cleaning and disinfection,

b) Government Regulation No. 447/2000 Coll. on how to regulate the amount of money spent on salaries and bonuses for being on call employees paid under the Act on pay and remuneration for work readiness in budgetary and some other organizations and bodies

c) Government Regulation No. 494/2001 Coll. establishing a method of recording, reporting and sending a record of injury, pattern of injury record and a range of institutions, which marks the work accident and sends a record of the accident,

d) Government Regulation No. 469/2002 Coll. establishing a catalog of works and qualification requirements, and amending the Government Decree on salaries of employees in public services and administration, as amended,

e) Government Regulation No. 289/2002 Coll. establishing the scope and method of providing data to the Information System Salaries, as amended by Government Regulation No. 514/2004 Coll.

f) Government Regulation No. 62/1994 Coll. on the compensation of employees expenditure of some budgetary and contributory organizations with regular workplace abroad, as amended,

g) Decree No. 288/2003 Coll. providing work and workplaces that are prohibited to pregnant women, breastfeeding women, mothers up to nine months after the birth and youth, and the conditions under which minors can exceptionally do such work because vocational training.

(2) Until the entry into force of legislation, accident insurance is governed by Decree No. 440/2001 Coll. Compensation for pain and social impairment, as amended by Decree No. 50/2003 Coll.

TITLE II

FINAL PROVISIONS

§ 395

Are repealed:

1) Act No. 65/1965 Coll. Labour Code,

2) Act No. 153/1969 Coll. Amending and supplementing the Labour Code,

3) Act No. 72/1982 Coll. Amending and supplementing the Labour Code, § 105,

4) Act No. 111/1984 Coll. To extend the basic amount of holiday leave and supplementing the Labour Code, § 5,

5) Act No. 22/1985 Coll. Amending and supplementing § 92 and 105 of the Labour Code,

6) Act No. 52/1987 Coll. Amending and supplementing certain provisions of the Labor Code,

7) Act No. 231/1992 Coll. Amending and supplementing the Labour Code and Employment Act,

8) Act No. 74/1994 Coll. Amending and supplementing the Labour Code No. 65/1965 Coll., As amended, and certain other laws

9) Act No. 220/1995 Coll. Amending Act No. 74/1994 Coll. Amending and supplementing the Labour Code No. 65/1965 Coll., As amended, and certain other laws

10) Act No. 1/1992 Coll. Wage remuneration for work readiness and average earnings,

11) Act No. 119/1992 Coll. Of traveling expenses,

12) Act No. 44/1994 Coll. Amending and supplementing Act No. 119/1992 Coll. Of traveling expenses,

13) Act No. 125/1998 Coll. Amending and supplementing Act No. 119/1992 Coll. On travel expenses, as amended by Act No. 44/1994 Coll.

14) Act No. 36/2000 Coll. Amending Act No. 119/1992 Coll. On travel expenses, as amended,

15) Act No. 475/2001 Coll. On working time and rest time employees with uneven organization of working time in transport,

16) Government Regulation No. 108/1994 Coll. Implementing the Labour Code and some other laws,

17) Government Regulation No. 461/2000 Coll. Amending Government Regulation No. 108/1994 Coll. Implementing the Labour Code and some other laws,

18) Government Regulation No. 342/2004 Coll. Amending Government Regulation No. 108/1994 Coll. Implementing the Labour Code and certain other Acts, as amended by Government Regulation No. 461/2000 Coll.

19) Government Regulation No. 516/2004 Coll. Amending Government Regulation No. 108/1994 Coll. Implementing the Labour Code and certain other Acts, as amended,

20) Government Regulation No. 252/1992 Coll. On conditions for granting and the amount of extra charge for carrying out operations in difficult and harmful working conditions,

21) Government Regulation No. 77/1994 Coll. Amending and supplementing Government of the Czech Republic No. 252/1992 Coll. On conditions for granting and the amount of extra charge for carrying out operations in difficult and harmful working conditions,

22) Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night,

23) Government Regulation No. 308/1995 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night,

24) Government Regulation No. 356/1997 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended Government Regulation No. 308/1995 Coll.

25) Government Regulation No. 318/1998 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

26) Government Regulation No. 132/1999 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

27) Government Regulation No. 312/1999 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

28) Government Regulation No. 163/2000 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

29) Government Regulation No. 430/2000 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

30) Government Regulation No. 437/2001 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

31) Government Regulation No. 560/2002 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

32) Government Regulation No. 464/2003 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

33) Regulation No. 700/2004 Coll. Amending Government Regulation No. 333/1993 Coll. The setting of minimum wage rates and wage benefits for work in difficult and harmful working environment and work at night, as amended amended,

34) Government Regulation No. 303/1995 Coll. On minimum wage

35) Government Regulation No. 320/1997 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage

36) Government Regulation No. 317/1998 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended by Government Regulation No. 320/1997 Coll.

37) Government Regulation No. 131/1999 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

38) Government Regulation No. 313/1999 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

39) Government Regulation No. 162/2000 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

40) Government Regulation No. 429/2000 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

41) Government Regulation No. 436/2001 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

42) Government Regulation No. 559/2002 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

43) Government Regulation No. 463/2003 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

44) Government Regulation No. 699/2004 Coll. Amending Government Regulation No. 303/1995 Coll. On minimum wage, as amended,

45) Government Regulation No. 330/2003 Coll. On salaries of employees in public services and administration,

46) Government Regulation No. 637/2004 Coll. Amending Government Regulation No. 330/2003 Coll. On salaries of employees in public services and administration,

47) Article I of Regulation No. 213/2005 Coll. Amending Government Regulation No. 330/2003 Coll. On salaries of employees in public services and administration, as amended by Government Regulation No. 637/2004 Coll. Government Regulation No. 469/2002 Coll. establishing a catalog of works and qualification requirements, and amending the Government Decree on salaries of employees in public services and administration, as amended,

48) Government Regulation No. 307/2005 Coll. Amending Government Regulation No. 330/2003 Coll. On salaries of employees in public services and administration, as amended,

49) Government Regulation No. 537/2005 Coll. Amending Government Regulation No. 330/2003 Coll. On salaries of employees in public services and administration, as amended,

50) Decree No. 140/1968 Coll. On relief work and economic security of students on the job,

51) Decree No. 197/1994 Coll. Amending the ministerial decree No. 140/1968 Coll. On relief work and economic security of students on the job, as amended by Act No. 188/1988 Coll.

52) Decree No. 172/1973 Coll. On the release of the employees to perform functions in the revolutionary labor movement,

53) Decree No. 75/1967 Coll. Additional holidays for workers who perform work harmful to health or particularly difficult, and compensation for loss of earnings after the sick leave for some occupational diseases,

54) Decree No. 45/1987 Coll. On the principles for the reduction of working hours without reducing wages for reasons of health workers within 21 years of age in the deep underground mines,

55) Decree No. 95/1987 Coll. Additional holidays for workers who work with chemical carcinogens,

56) Decree No. 96/1987 Coll. On the principles for the reduction of working hours without reducing wages for reasons of health workers who work with chemical carcinogens,

57) Decree No. 108/1989 Coll. Amending and supplementing Decree No. 96/1987 Coll. On the principles for the reduction of working hours without reducing wages for reasons of health workers who work with chemical carcinogens,

58) Decree No. 104/1993 Coll., The period with a lower need for labor organizations of forest owned by the State

59) Decree No. 275/1993 Coll., Which provides for a period of lower military organizations need to work farms and forests,

60) Decree No. 18/1991 Coll. Other acts of general interest

61) Decree No. 367/1999 Coll., The period with a lower need for carriers and operators to work on the national and regional.

§ 396

Efficiency

(1) This Act shall take effect on 1 January 2007.

(2) The provisions of § 238 paragraph 1 shall expire on the date of termination shall become effective on the ILO Convention No. 45 concerning the employment of women underground work in underground mines of all kinds, 1935 (No. 441/1990 Coll.).

Zaorálek v. r

Paroubek v r

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1) Council Directive of 14 October 1991 on an employer's obligation to inform employees of conditions applicable to the contract or employment relationship (91/533/EEC).

Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies.

Council Directive of 28 99/70/ES June 1999 concerning the framework agreement on fixed-term work concluded by UNICE, CEEP and the ETUC.

Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC.

Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in access to goods and services and their provision.

Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure for informing and consulting employees in the scale undertakings and Community-scale groups of undertakings within the Community.

Council Directive 97/74/EC of 15 December 1997, the scope of Directive 94/45/EC of the European Works Council or a procedure for informing and consulting employees in the scale undertakings and Community-scale groups of undertakings within the Community to the United Kingdom of Great Britain and Northern Ireland .

Council Directive 2006/109/EC of 20 November 2006 by reason of the accession of Bulgaria and Romania are covered by Directive 94/45/EC of the European Works Council or a procedure for informing and consulting employees in the scale undertakings and Community-scale groups of undertakings within the Community.

Directive of the European Parliament and Council Directive 2002/14/EC of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community.

Article. 13 of Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to employee involvement.

Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees in the event of transfers of undertakings, businesses or parts of undertakings or businesses.

Directive of the European Parliament and Council Directive 96/71/EC of 16 December 1996 concerning the posting of workers in the provision of services.

Council Directive 96/34/EC of 3 June 1996 concerning the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC.

Directive of the European Parliament and Council Directive 2003/88/EC of 4 November 2003 concerning certain aspects of working time.

Council Directive 94/33/EC of 22 June 1994 on the protection of young workers.

Council Directive of 25 June 1991 supplementing the measures to improve safety and health at work of workers with fixed-term or temporary employment relationship (91/383/EEC).

Council Directive of 12 June 1989 on the introduction of measures to improve safety and health of workers at work (89/391/EEC).

Council Directive of 30 November 1989 concerning the minimum safety and health requirements for the use of personal protective equipment at the workplace (third individual Directive within the meaning of Article 16, paragraph 1 of Directive 89/391/EEC) (89/656/EEC).

Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to improve safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16, paragraph 1 of Directive 89/391/EEC).

Council Directive 2010/18/EU of 8 March 2010, implementing the revised framework agreement on parental leave concluded by UNICE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC.

Directive of the European Parliament and Council Directive 2006/54/EC of 5 July 2006 on the principle of equal opportunities and equal treatment for men and women in employment and occupation.

Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

Directive of the European Parliament and Council Directive 2002/15/EC of 11 March 2002 on the organization of working time of persons performing mobile road transport activities.

Council Directive 2005/47/EC of 18 July 2005 agreement between the Community of European Railways (CER) and the European Transport Workers' Federation (ETF) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services in the railway transport.

Article. 15 of Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for European Cooperative Society with regard to the involvement of employees.

Directive of the European Parliament and Council Directive 2009/38/EC of 6 May 2009 on the establishment of a European Works Council or a procedure for informing and consulting employees in Community-scale groups of undertakings and the Community (recast).

2) For example, Act no. 234/2014 Coll., The Civil Service Act no. 361/2003 Coll., On the service of members of security forces, as amended.

3) § 226 Commercial Code.

4) Act No. 6/2002 Coll. On Courts and Judges, Judges and State Administration of Courts and Amending Certain Other Acts (Act on Courts and Judges), as amended.

Act No. 283/1993 Coll. Prosecution, as amended.

Service Act.

4) Act No. 563/2004 Coll. On Pedagogical Staff and on amendment to some laws, as amended.

4b) § 68 of Act No. 61/2000 Coll. Shipping.

4c) § 15a of Act No. 85/1996 Coll. On Advocacy, as amended by Act No. 79/2006 Coll.

4d) § 36a of Act No. 6/2002 Coll., As amended by Act No. 79/2006 Coll.

4e) § 32a of Act No. 283/1993 Coll. On the Public Prosecutor, as amended by Act No. 121/2008 Coll.

4f) Act No. 358/1992 Coll. On notaries and their activities (the Notarial Code), as amended.

4g) Act No. 120/2001 Coll. On court executors and execution activities (Execution Act) and to amend other Acts, as amended.

4h) § 36 et seq. Act No. 85/1996 Coll. on Advocacy, as amended.

5) Act No. 312/2002 Coll. Local government officials and amending certain Acts, as amended.

Act No. 111/1998 Coll. On universities and amending other Acts (the Higher Education Act), as amended.

Act No. 349/1999 Coll., The Ombudsman, as amended.

Act No. 257/2000 Coll. Probation and Mediation Service and amending Act No. 2/1969 Coll. On the establishment of ministries and other central bodies of state administration in the Czech Republic, as amended, Act No. 65/1965 Coll. , Labour Code, as amended, and Act No. 359/1999 Coll. on Social and Legal Protection of Children (Law on Probation and Mediation Service).

Act No. 229/2002 Coll. Financial Arbiter, as amended.

6) § 6 and 7 of Act No. 219/2000 Coll. Property of the Czech Republic and its representation in legal matters.

7) § 3 and 51 of Act No. 219/2000 Coll.

8) § 6, paragraph 2, point. d) Act No. 83/1990 Coll. on association of citizens.

10) § 16 paragraph 2 of Law No. 83/1990 Coll., As amended by Act No. 300/1990 Coll.

11) Act No. 2/1991 Coll. On Collective Bargaining, as amended.

12) For example Act No. 451/1991 Coll. Establishing certain additional requirements for certain positions in state bodies and organizations of the Czech and Slovak Federal Republic, the Czech Republic and Slovak Republic, as amended.

13) Act No. 77/1997 Coll. On state enterprises, as amended.

14) For example Act No. 256/2000 Coll. On the State Agricultural Intervention Fund and Amending Certain Other Acts (Act on the State Agricultural Intervention Fund), as amended, Act No. 211/2000 Coll. On the State Fund for Housing Development and amending Act No. 171/1991 Coll. competence of the Czech Republic in matters of transfer of state property to other persons and the Fund of National Property of the Czech Republic, as amended, as amended, Act No. 104/2000 Coll. the State Transport Infrastructure Fund and amending Act No. 171/1991 Coll. competence of the Czech Republic in matters of transfer of state property to other persons and the Fund of National Property of the Czech Republic, as amended, as amended.

15) § 54 of Act No. 219/2000 Coll., As amended.

§ 27 of Act No. 250/2000 Coll. On budgetary rules of territorial budgets.

16) Act No. 283/1991 Coll. Of Police of the Czech Republic, as amended.

16) For example, § 2, paragraph 6 and 7 of Act No. 312/2002 Coll., As amended, § 102, paragraph 2, point. g) and § 103 paragraph 3 of Act No. 128/2000 Coll., on Municipalities (Municipal Establishment), as amended, § 59 paragraph 1 point. c) and § 61 paragraph 3 point. b) Act No. 129/2000 Coll. on regions (regional government), as amended, § 68 paragraph 2 point. v) and § 72 paragraph 3 point. b) Act No. 131/2000 Coll. capital city Prague, as amended, § 7, paragraph 4 and § 8, paragraph 1 of Act No. 245/2006 Coll. on public non-profit institutional medical facilities and amending certain Laws, § 10 of Decree No. 394/1991 Coll. on the status, organization and operation of hospitals and other hospitals, selected specialized therapeutic institutes and regional public health control stations in the Ministry of Health of the Czech Republic, § 131 of Act No. 561/2004 Coll . on preschool, primary, secondary, vocational and other education (Education Act), § 14, paragraph 3 of Act No. 201/2002 Coll. Office of the Government Representation in Property Affairs, § 17, paragraph 2 of Law No. 341/2005 Coll. on public research institutions, § 8, paragraph 1 point. a) and § 9, paragraph 4 of Act No. 483/1991 Coll., on Czech Television, § 8, paragraph 1 point. a) and § 9, paragraph 4 of Act No. 484/1991 Coll. on Czech Radio, § 8, paragraph 1 point. b) Act No. 517/1992 Coll. Czech News Agency, § 9, paragraph 2 of Act No. 256/2000 Coll., § 6, paragraph 5 of Act No. 211/2000 Coll., § 8, paragraph 4 of the Act No. 104/2000 Coll., § 12, paragraph 2 and 3 of Law No. 77/1997 Coll., § 24, paragraph 3 of Act No. 250/2000 Coll.

16b) For example, § 148, paragraph 18 of Act No. 435/2004 Coll. On Employment, § 48 of Act No. 251/2005 Coll. On Labour Inspection, Article II, section 17 of Act No. 274/2003 Coll. Which to amend certain acts relating to the protection of public health, § 9, paragraph 3 of Act No. 256/2000 Coll.

17) § 92 paragraph 2 of Act No. 435/2004 Coll., As amended by Act No. 347/2010 Coll.

18) § 66 of Act No. 435/2004 Coll.

19) § 4, paragraph 1 of Act No. 98/1987 Coll. Special allowance to miners, as amended.

20) § 89-101 of the Employment Act.

21) § 56 paragraph 2 point. b) Act No. 187/2006 Coll. on health insurance.

21a) Act No. 182/2006 Coll. On Bankruptcy and Settlement (Insolvency Act), as amended.

22a) Act No. 108/2006 Coll. On Social Services, as amended.

23) Act No. 245/2000 Coll. On Public Holidays, on Important Days and days of rest, as amended.

23a) Act No. 95/2004 Coll. Conditions for the acquisition and recognition of professional competence and specialized qualifications for the medical profession a doctor, dentist and pharmacist, as amended.

23b) Act No 96/2004 Coll. Conditions for extraction and recognition of qualifications for non-medical professions and for activities related to providing health care and amending certain related laws (the Paramedical Professions), as amended.

24) Act No. 56/2001 Coll. On traffic conditions on-road vehicles and amending Act No. 168/1999 Coll. On liability insurance for damage caused by vehicles and amending some related Acts (the Insurance Motor Vehicle Liability), as amended by Act No. 307/1999 Coll.

25) Act No. 13/1997 Coll. On roads, as amended.

26) § 3, paragraph 1 point. a) to c) of Act No. 266/1994 Coll. Railways, as amended.

27) § 2. c) Decree No. 175/2000 Coll. transport regulations for public rail and road passenger transport.

28) Act No. 49/1997 Coll. On civil aviation and amending Act No. 455/1991 Coll., On Trades (Trade Act), as amended.

29) Act No. 114/1995 Coll. On inland navigation, as amended.

31) § 67 of Act No. 133/1985 Coll. On Fire Protection, as amended.

32) § 37 of Act No. 258/2000 Coll. On the protection of public health and amending some related Acts, as amended.

33) Act No. 379/2005 Coll. Measures to protect against damage caused by tobacco products, alcohol and other addictive substances and amending related laws.

34) Government Regulation No. 21/2003 Coll. Laying down technical requirements for personal protective equipment.

35) Act No. 167/1998 Coll. On addictive substances and to amend other Acts, as amended.

36) For example Act No. 251/2005 Coll. On Labour Inspection Act No. 61/1988 Coll. On mining activities, explosives and state mining administration, as amended, Act No. 18/1997 Coll. peaceful uses of nuclear energy and ionizing radiation (Atomic Act) and amending and supplementing some laws, as amended.

37) Act No. 309/2006 Coll., As amended by Act No. 362/2007 Coll.

37a) § 9 of Act No. 309/2006 Coll.

38) § 39 of Act No. 258/2000 Coll., As amended.

39) For example Act No. 201/1997 Coll. On salary and some other particulars of public prosecutors and amending and supplementing Act No. 143/1992 Coll. On pay and remuneration for work readiness in budgetary and some other organizations and bodies, as amended.

40) Act No. 128/2000 Coll., On Municipalities (Municipal Establishment), as amended.

Act No. 129/2000 Coll. On regions (regional government), as amended.

Act No. 131/2000 Coll. On the City of Prague, as amended.

41) § 124 of the Education Act.

42) Act No. 526/1990 Coll. On prices, as amended.

43) Act No. 151/1997 Coll. On valuation and amending certain Acts (the valuation), as amended.

43) For example, § 118, paragraph 2 of Law No. 90/1995 Coll. On the Rules of Procedure of the Chamber of Deputies, § 147, paragraph 2 of Act No. 107/1999 Coll. On Senate Rules of Procedure, § 4, paragraph 3 of Act No. 114/1993 Coll. on the Office of the President of the Republic, as amended by Act No. 281/2004 Coll.

44) § 24 to 26 of Act No. 250/2000 Coll. On budgetary rules of territorial budgets.

45) § 2 of Act No. 563/2004 Coll. On Pedagogical Staff and on amendment to some laws.

46) Education Act.

47) Act No. 563/2004 Coll.

48) Act No. 365/2000 Coll. On public administration information systems and amending some other Acts, as amended.

49) Act No. 101/2000 Coll. On the protection of personal data and on amendment to some laws, as amended.

50) § 16 paragraph 1 of Act No. 6/1993 Coll. On the Czech National Bank.

51) Act No. 121/2001 Coll. On court executors and execution activities (Execution Act) and to amend other Acts, as amended.

51a) Act No. 115/2006 Coll. On registered partnership and amending some related Acts, as amended by Act No. 261/2007 Coll.

52) Act No. 337/1992 Coll. On taxes and fees, as amended.

53) Act No. 500/2004 Coll. Administrative Code, as amended by Act No. 413/2005 Coll.

54) § 276 to 302 of Civil Procedure.

Act No. 119/2001 Coll. Laying down rules for cases of concurrent execution of judgment.

55) § 277 of Civil Procedure.

56) Act No. 499/2004 Coll. Archives and Records Service and amending certain Acts, as amended.

57) For example Act No. 236/1995 Coll. On wages and other factors associated with the duties of state power representatives and certain state bodies, judges and members of the European Parliament, as amended.

58) Act No. 187/2006 Coll., As amended.

59) Act No. 258/2000 Coll., As amended.

61) § 26 of Act No. 187/2006 Coll.

62) § 48 paragraph 2 of Act No. 187/2006 Coll.

63) § 33 of Act No. 187/2006 Coll.

64) § 21 paragraph 1 point. a) Act No. 187/2006 Coll., as amended by Act No. 261/2007 Coll.

64a) § 22 of Act No. 187/2006 Coll.

65) § 31 of Act No. 187/2006 Coll.

66) § 56 paragraph 2 point. b) Act No. 187/2006 Coll.

67) § 83 paragraph 2 point. b) Act No. 187/2006 Coll.

68) § 7, paragraph 12 of Act No. 117/1995 Coll. On state social support, as amended.

69) For example, Council Decision 2003/479/EC of 16 June 2003 on the rules applicable to national experts and military staff on secondment to the General Secretariat of the Council.

70) For example, § 7, paragraph 5 of Act No. 104/2000 Coll. On the State Transport Infrastructure Fund and amending Act No. 171/1991 Coll. Competence of the Czech Republic in matters of transfer of state property to other persons and the National Property Fund Czech Republic, as amended, § 15, paragraph 9 and § 83 paragraph 11 of the Law on Higher Education, Education Law § 184, § 38 of Act No. 95/2004 Coll. conditions for the acquisition and recognition of professional competence and specialized for the medical profession a doctor, dentist and pharmacist, and § 90 paragraph 1 of Act No. 96/2004 Coll. conditions for extraction and recognition of qualifications for non-medical professions and for activities related to providing health care and amending certain related Acts (Law on the paramedical professions).

71) For example § 200 of the Commercial Code.

71a) Act No. 627/2004 Coll. European companies, as amended.

Act No. 307/2006 Coll. SCE, as amended by Act No. 126/2008 Coll.

Act No. 125/2008 Coll. Transformation of commercial companies and cooperatives.

72) The Higher Education Act.

73) Decree No. 114/2002 Coll. Fund for cultural and social needs, as amended.

75) Decree No. 430/2001 Coll. On the costs of catering and order in government organizations and state contributory organizations.

76) § 67 to 84 of the Employment Act.

77) § 42 to 44 of Act No. 187/2006 Coll.

77a) § 8 of Act No. 108/2006 Coll. On social services.

78) For example § 17 of the Commercial Code, Act No. 412/2005 Coll. On protection of classified information and security capacity.

79) § 200x Civil Procedure.

80) § 21 Commercial Code.

82) Act No. 627/2004 Coll. European companies, as amended by Act No. 264/2006 Coll. Act No. 307/2006 Coll. SCE.

83) Act No. 219/1999 Coll. On the Armed Forces of the Czech Republic, as amended.

84) Act No. 312/2002 Coll., As amended.

85) § 172 paragraph 2 of the Education Act.

86) § 94 paragraph 2 of the universities.

87) § 2, paragraph 1 of the Commercial Code.

88) Act No. 159/2006 Coll. Conflict of interest.

89) § 34 and § 115 point. d) Act No. 108/2006 Coll., as amended.

90) § 39 to 57 of the Employment Act.

91) Art. 49 of the Treaty establishing the European Community.

92) § 53 of Act No. 218/2000 Coll. On budgetary rules and amending certain related acts (budgetary rules), as amended.

93) § 278 of Civil Procedure.

94) Act No. 26/2000 Coll. On postal services and amending certain other acts (Act on Postal Services), as amended.

95) Act No. 227/2000 Coll. On electronic signature, as amended.

96) For example Act No. 21/2006 Coll., On verification of compliance with a transcript or a copy of the document and signature authentication and amending certain Acts (the checks).

97) For example, the Commercial Code, Act No. 328/1991 Coll., As amended.

98) Decree No. 342/1997 Coll. Laying down the procedure for recognition of occupational diseases and the list of medical devices that recognize these diseases, as amended by Decree No. 38/2005 Coll.

99) Government Regulation No. 290/1995 Coll. On the list of occupational diseases.

99a) § 16 paragraph 2 of Decree No. 307/2002 Coll. On Radiation Protection, as amended by Decree No. 499/2005 Coll.

99b) § 2, paragraph 5 of Act No. 258/2000 Coll. On protection of public health and amending certain related acts.

99C) § 69 paragraph 1 point. b) h) of Act No. 258/2000 Coll., as amended by Act No. 274/2003 Coll.

100) Act No. 589/1992 Coll. On social security and state employment policy, as amended.

101) Act No. 592/1992 Coll. On premiums for universal health insurance, as amended.

Law No. 48/1997 Coll. On public health insurance and amending certain Acts, as amended.

102) § 38h of Act No. 586/1992 Coll. On Income Tax, as amended.

103) § 67 of the Employment Act.

104) § 2, paragraph 5 of Act No. 312/2002 Coll., As amended.

105) § 15 paragraph 1 and 3 of Law No. 54/1956 Coll., On Employee Sickness Insurance, as amended.

107) § 56 paragraph 2 point. b) Act No. 187/2006 Coll., as amended by Act No. 305/2008 Coll.

108) Act No. 198/2009 Coll. On equal treatment and legal means of protection against discrimination and amending certain acts (Antidiscrimination Act).

109) Act No. 83/1990 Coll., As amended.

110) For example § 24 paragraph 2 of Act No. 563/2004 Coll., § 22 of Act No. 95/2004 Coll., § 51 and 54 of Law No. 96/2004 Coll.

111) § 7 paragraph 1 of Act No. 2/1991 Coll., As amended by Act No. 225/2005 Coll.

Articles 18 § 1 and § 19 of Act No. 89/1995 Coll. On State Statistical Service, as amended by Act No. 220/2000 Coll. and Act No. 411/2000 Coll.

112) § 6, paragraph 2, point. d) Act No. 83/1990 Coll.

Annex to Act No. 262/2006 Coll.

Characteristics of grades

1) grade

Work consisting of a unique repetitive job operations. Working with objects with simple tools and hand tools without links to other processes and activities. Implementation of the various handling operations with individual objects and pieces of light weight (5 kg). Current demands on sensory function. Working in the favorable external conditions.

2) grade

The work of the same kind held on the exact input and outputs clearly defined, with little variation and traceability framework for further processes. Working with multiple elements (objects) constituting a whole, such as manipulation of objects requiring special treatment (fragile, heavy, flammable, the risk of infection). Implementation of partial works that are part of broader processes.

Long-term unilateral loading and small muscle groups (fingers, wrist) and forced labor rhythm and slightly worse (eg climate) external conditions. Working with the potential risk of occupational injury.

3) grade

Working with well defined inputs and outputs and general framework defined procedure with relation to other processes. Working with units and assemblies with a logical (purposeful) ordering without links to other units (assembly). Any responsibility for the risks to health and safety of employees within a team.

4) grade

Homogeneous work with the framework and clearly defined by specifying outputs, with a greater choice of alternative arrangements and framework, subject to further processes (hereinafter referred to as simple professional work "). Working with units and formations of several individual elements (objects) and logical (purposeful) arrangement with partial ties to other units (assembly). work assuming a simple working relationship.

Long-term unilateral loading and larger muscle groups. Slightly increased mental demands associated with a separate group of homogeneous solution time steady work operations in accordance with those procedures.

5) grade

Simple technical work performed with many interconnected elements that are part of a system. Streamlining routine and simple handling and changing processes in groups, teams and other non-permanent organizational units and groups of employees without subordination associated with responsibility for damages which can not be removed on their own and in a short time.

Increased mental demands stemming from separate tasks, which are mainly represented by specific phenomena and processes of diverse nature with demands for long-term memory, imagination and partial predictability, the ability to compare, attention and flexibility. Accurate differentiation of small sensory details. Long-term, unilateral and excessive burden on different muscle groups of objects weighing over 25 kg.

6) Grade

Diverse, generally defined work assignments according to normal procedures, with the stated outputs, processes and linkages to other processes (hereinafter referred to as "professional work"). Work with complete systems composed of many elements, with some links to a small range of other systems. Coordination of work variable groups.

Increased mental demands stemming from separate tasks with various specific phenomena and processes and demands on the imagination and predictability, the ability to compare, attention and flexibility. Much sensory intensity. A considerable burden of large muscle groups in a very difficult working conditions.

7) Grade

Professional work done with complete separate systems with the possible breakdown into sub-subsystems, and links to other systems. Directing and coordinating professional works simple. Responsibility for the health of other persons or damage only removed a group of other employees or persons acting for damages on the basis of false statements or actions removed for a longer period.

The psychological strain arising from a separate tasks, which are evenly represented in concrete and abstract phenomena and processes of diverse nature. Claims for application skills and adaptability to different conditions, logical thinking and some imagination. High demand for the identification of very small details, characters, or other important information visually and increased demands on the vestibular apparatus. Excessive loading of large muscle groups in extreme conditions.

8) grade

Providing a wider set of research papers generally provided with inputs and methods for performing and defined outputs, which are an organic part of broader processes (hereinafter referred to as "specialized professional work"). Work within complex systems with an internal division into coherent subsystems with close ties to other systems and breakdown inside and outside the organization.

9) grade

Professional specialized work, which is the subject of a separate complex system composed of several homogeneous units or more complex separate units. Coordination and administration of professional work.

Increased psychological strain arising from a separate solution of tasks, which are represented by more abstract phenomena and processes, demands for knowledge, understanding and interpretation of phenomena and processes. High demands on memory, flexibility, ability of analysis, synthesis and general comparisons. The high demands on the vestibular apparatus. Particular pressure nervous system.

10) grade

Provision of complex activities generally defined inputs, outputs generally established, considerable variability and how to deal with specific procedures and links to a wide range of processes (hereinafter referred to as "system work"). The work is a complex system composed of separate disparate systems, the major determinants of internal and external ties. Coordination and administration of specialized professional work.

11) grade

System works, whose business activities are sub-disciplines with broad powers.

The performance of the work involve considerable psychological strain arising from the great complexity of cognitive processes and higher level of abstract thought, imagination, generalization and necessary decisions according to various criteria.

12) grade

The complex system of activities with the general variant inputs, outputs, and generally set in advance unspecified modalities and procedures with wide connections to other processes (hereinafter referred to as "the system of specialized labor"), which are the subject lines of business of the composite systems with extensive external and internal links.

13) grade

The system of specialized labor, whose business is the set of disciplines or branch structure with extensive internal and external links. Comprehensive coordination and streamlining the system works.

High mental strain resulting from the high demands for creative thinking. Discovering new processes and ways of finding solutions and unconventional way. Transmission and application of methods and ways of other sectors and areas. Decision-making within combinable considerably more abstract and diverse phenomena and processes from different sectors and disciplines.

14) grade

Activities with unspecified inputs, solutions and very generally defined outputs with very broad ties to other processes, creative development and conceptual work and coordination system (hereinafter referred to as "creative work the system"). Object is a set of fields or field with extensive internal breakdown and numerous linkages to other disciplines and competencies and broad impact on populations or otherwise challenging the sum of fields. Coordination and administration of the system of specialized labor.

15) grade

Creative work system, which is the subject of a set of interrelated disciplines or fields of most fundamental importance.

Very high psychological strain arising from high demands on creative thinking in a highly abstract level with considerable variability and combines processes and phenomena and the ability of an unconventional system of looking in the broadest context.

16) grade

Activities with unspecified inputs, outputs and way of addressing possible links with the whole range of other activities which are subject to various sciences and disciplines and the widest and most other systems.