

Amendment to the Czech Labour Code

Substantial changes are planned in the area of **Employment law** in the Czech Republic, as a major amendment to the Labour Code is currently going through the legislative process. The amendment to the Labour Code is primarily a transposition amendment – it occurs because of the necessary transposition, i.e. the adoption of legal institutes set out in directives of European law, into the national legal system of a Member State. In particular, it concerns two directives:

- WLB directive
- TPWC directive

Directive 2019/1158 on work-life balance for parents and carers. WLB, or "**work-life balance**", aims to address the under-representation of women in employment and support their career development, but also to better involve fathers in caring for their families. Emphasis is put on the introduction of paternity leave (already in the Czech Labour Code), parental leave arrangements, carers' leave and **flexible working arrangements for parents or carers**.

Directive 2019/1152 on transparent and predictable working conditions in the European Union. TPWC or **Transparent and Predictable Working Conditions**, requires expanding the scope of the information obligation on the content of the employment relationship, informing employees posted to the territory of another country, amending regulation of flexible agreements (agreement to complete a job and



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agreement to perform work), and allowing for the transition from flexible agreements to a more secure form of employment.

The most important changes relate specifically to **employee information, flexible agreements, compulsory written form for additional documents, uninterrupted rest, parental rights** or, for example, **the extension of remote working arrangements**. Last but not least, there are changes in the area of **electronic delivery** of documents and **digitalisation**. Certain changes are described in more detail later in this document.

This article was written with the collaboration of: **Daniel Aleš Weiss**.



Practice Area News

Informing the employee. The scope of obligation to inform employees will be extended:

- the duration and conditions of the probationary period
- process of termination of employment
- the professional development provided by the employer
- length of compensatory period and overtime work
- the minimum continuous daily and weekly rest periods
- details of the social security authority

The information is to be newly provided within just **7 days**.

Digitalisation. The scope of documents with special delivery rules will be reduced to termination documents only. Substantial facilitation of electronic delivery of these documents. New rules for electronic conclusion of employment contracts, flexible agreements, amendments thereto or terminations thereof accompanied by employers' obligation to send a copy to the employee's electronic address and the employee's right to withdraw within 7 days in writing will be introduced.

Flexible agreements. For employees employed under an **agreement to complete a job or an agreement to perform work**, the new employer's obligation to prepare a **written schedule of weekly working hours** and to acquaint employees therewith no later than 3 days before the start of the shift or period for which the working time is scheduled, unless agreed otherwise. Newly, **entitlement to annual leave** – employs above will newly be entitled to annual leave.

Remote work ("home office"). The amendment introduces an extension to the arrangements for working from home, introducing:

- a written remote working agreement; can be terminated by both parties with 15 days' notice, **non-cancellability** can be agreed;
- reimbursement:
 - lump sum;
 - actual costs;
 - agreement on no reimbursement.

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