

## THE CZECH-MORAVIAN CONFEDERATION OF TRADE UNIONS IS HERE FOR YOU

The objective of ČMKOS is to improve the integration of foreign employees into the employment relations on the territory of the Czech Republic. ČMKOS emphasizes mutual intercultural communication while minimizing any discriminatory aspects on the side of employers, in particular with respect to wage and social dumping.

Local trade union organisations and their legal possibilities for maintaining a social dialogue – collective bargaining in individual businesses and organisations are an important tool for minimizing unfair conduct on the part of employers. **Concluded collective agreements guarantee the full extent of labour, social, wage and a number of other conditions for all employees, including foreigners.**

Foreigners can be members of trade unions in the Czech Republic, which allows them together with the other members of trade union organisations to actively influence the working environment and conditions under which employees work in the Czech Republic. Remember: **Everybody is entitled to get organised in trade unions!**

### The Czech-Moravian Confederation of Trade Unions (ČMKOS)

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FAMILY REUNIFICATION, YOUR STUDIES, TYPES OF RESIDENCE, APPLICATION MODELS

### ✓ Reunification of your family

In the case of reunification of your family, a distinction must be made between the long-term visa and the long-term residency for family purposes and the long-term residency for the purpose of family reunification on the territory.

In the case of the long-term visa for family purposes you do not have any free access to the labour market and you will need a permit from the Labour Office of the Czech Republic or the employee card so that you could work. In the case you are a holder of the long-term residency permit for family purposes and you wish to work, you have to apply for the employee card.

In the case of the long-term residency for the purpose of family reunification on the territory, you as a foreigner have free access to the labour market according to s. 98 of the Employment Act.

### ✓ Your studies

The decisive aspect for the purpose of free access to the labour market is in particular whether it is an accredited study course at a secondary school, conservatory, higher vocational school that can be considered to be “systematic preparation for a future career”. In these cases, you have free access to the labour market according to s. 98 of the Employment Act.

### The specimen application for an employee card

### The specimen application for the residence options available

### ✓ Other possible options of your stay

This category includes other (not stated above) purposes of stay, when some of them have their own identification by means of codes (for example cultural, sports or health purposes). In addition, there are however also purposes that are generally identified as a stay for “other” purposes, in practice, it is often studies in study programmes without accreditation or educational activities of another type (language courses, etc.).

**A work permit or employee card is required for holders of long-term visas so that they could pursue activities as employed persons on the territory of the Czech Republic; holders of the long-term residence permit must apply for the employee card.**

### ✓ Permanent resident

The residence permit that gives you as a foreigner the widest range of rights is the permanent residence permit. In the case of permanent residence permit, you as a holder of such a permit have free access to the labour market according to s. 98 of the Employment Act. Persons who have been granted asylum or subsidiary protection on the territory of the Czech Republic can be also listed under the same group.

OFFICES OF THE MINISTRY (MVČR) – SUBMITTING AN APPLICATION FOR TEMPORARY RESIDENCE

### The offices of the Czech Ministry of Interior where an application for temporary residence can be submitted

#### South Bohemian Region

The České Budějovice office (address: Pražská 1257/23, tel. 974 226 851, 859)

The Písek office (address: Na Výstavišti 377, tel. 974 235 851, 859)

The Jindřichův Hradec office (address: Janderova 147/II, tel. 974 233 851, 2, 5, 7, 9)

#### South Moravian Region

The Brno office (address: Hněvkovského 30/65, tel. 543 213 313, 543 214 316)

#### Karlovy Vary Region

The Karlovy Vary office (address: Krymská 47, tel. 974 360 360, 974 360 391)

#### Hradec Králové Region

Hradec Králové Region (address: Ulrichovo nám. 810/4, tel. 974 520 791)

The Trutnov office (address: Horská 78, tel. 974 539 813)

#### Liberec Region

The Liberec office (address: Voroněžská 144/20, tel. 974 460 850)

#### Moravian Silesian Region

The Ostrava office (address: Výstavní 55, tel. 974 725 897, 974 725 899)

The Frýdek-Místek office (address: Beskydská 2061, tel. 974 732 899)

#### Olomouc Region

The Přerov office (address: U Výstaviště 3183/18, tel. 974 760 399)

#### Pardubice Region

The Pardubice office (address: Pernerova 168, tel. 974 560 781)

[For up-to-date information see „www.mvcr.cz“](http://www.mvcr.cz)

### Plzeň Region

The Plzeň office (address: Slovanská alej 2046/26, tel. 974 320 800, 974 320 810)

The Klatovy office (address: Dragounská 130, tel. 974 320 800, 974 320 890)

### Prague

The Prague office (address: Žukovského 888/2, Praha 6, tel. 974 820 680)

The Prague office (address: Cigánkova 1861/2, Praha 4, tel. 974 820 680)

The Prague office (address: Hládkov 682/9, Praha 6, tel. 974 820 680)

The Prague office (address: Nad Štolou 936/3, Praha 7)

### Central Bohemian Region

The Benešov office (address: Jiráskova 801, tel. 974 820 680)

The Kladno office (address: Severní 2952, tel. 974 820 680)

The Kutná Hora office (address: Hornická 642, tel. 974 820 680)

The Mladá Boleslav office (address: Štefánikova 1304, tel. 974 820 680)

The Příbram office (address: Žežická 498, tel. 974 820 680)

### Ústí nad Labem Region

The Ústí nad Labem office (address: Berní 2261/1, tel. 974 420 361)

The Chomutov office (address: Jiráskova 5338, tel. 974 443 158, 974 443 156)

### Vysočina Region

The Jihlava office (address: Tolstého 1914/15, tel. 974 260 399)

### Zlín Region

The Zlín office (address: Pod Vrškem 5360, tel. 974 660 399, 577 210 874)



## EMPLOYING FOREIGNERS IN THE CZECH REPUBLIC

This information leaflet provides you with basic information, transferring relevant knowledge about the position of foreigners or foreign workers vis-à-vis local employers.

The key purpose of this information leaflet is to give a comprehensive insight into the complex process of employing foreigners in the Czech Republic while meeting all the obligations provided for by the law of the Czech Republic.

The process of employing must also include the fundamental prerequisites for conducting collective bargaining, which trade unions and trade union organisations are exclusively distinguished by.



[www.cmkos.cz](http://www.cmkos.cz)

## ČMKOS and the employment of foreigners

ČMKOS (Czech-Moravian Confederation of Trade Unions) deals with issues related to the employing of foreigners on a long term basis and it must be highlighted that ČMKOS has never opposed the employment of foreigners. On the contrary, it has always spoken out against the practices of social dumping, the sole objective of which is to abuse the objectively weaker position of foreign employees (from so called third countries) in the Czech labour market. Social dumping results in decreasing the wage and employment standards and leads to the precarization of labour condition of all employees in the Czech Republic.

✓ **ČMKOS** rejects the efforts of many business companies to put off the end of cheap labour in the Czech Republic and intentionally abuse cheap labour force.

✓ **ČMKOS** requires that the Czech immigration policy should include prerequisites to guarantee the equal treatment of all legal employees in the Czech labour market, regardless of their national origin.

✓ **The prohibition** of any discrimination is stipulated in the body of constitutional law, specifically it is the Charter on Fundamental Rights and Freedoms, Article 3 (1), where everyone is guaranteed the enjoyment of her fundamental rights and basic freedoms without regard to gender, race, colour of skin, language, faith and religion, political or other conviction, national or social origin, membership in a national or ethnic minority, property, birth, or other status.



**The information in this leaflet focuses in particular on foreigners from non-EU countries (so called third countries).**

*The document applies only to persons without permanent residence; the conditions for these persons have been set up in the manner nearly the same as in the case of the Czech Republic citizens.*



## The obligations that you as a foreigner have to meet before entering into an employment agreement

You as a foreigner according to Act No. 435/2004 Coll., on employment, as amended, can be employed only when you have a valid work permit and a permit of residence on the territory of the Czech Republic. This condition is automatically satisfied by those who hold the employee and blue card.

Furthermore, it is necessary that you as a foreigner have a relevant employment contract, an agreement to perform work or a written agreement to complete a job.

The working and wage conditions of employment for you in the Czech Republic should be the same as for the citizen of the Czech Republic in the same official job position and according to applicable legal regulations.

Employment relations and wage conditions for individual types of permits (**employee and blue cards**) must also be considered.

THE OBLIGATIONS OF FOREIGNERS BEFORE ENTERING INTO AN EMPLOYMENT AGREEMENT

Therefore, you as a foreigner may work in the Czech Republic only if you have:

- ✓ an employee card,
- ✓ a blue card, or
- ✓ a work permit.

**You can apply for a work permit and obtain it as follows**

**You apply for the granting of your work permit through the respective regional branch of the Labour Office**, usually before your arrival to the territory of the Czech Republic. You as a foreigner can be represented in these proceedings by your employer or another authorized representative on the basis of a power of attorney.

You submit your application for work permit at the regional branch of the Labour Office that has the territorial competence over **the place where you will perform your employment activities.**

This basic type of permit in itself does not entitle you to work, however, it is one of the necessary documents for getting the residence permit for the purpose of employment. There are no special requirements for the qualification of an employee, however, it is always necessary that your employer should declare in advance that he will employ you. Therefore, it is always a specific person whom the work permit is issued for.

**The work permit is valid for two years at most**, however, it can be prolonged repeatedly by no more than two years. So that it would be possible to get a job for you in the Czech Republic, it is necessary that the application for a work permit should contain your exact identification:

- ✓ Your passport data, nationality, birth certificate number, place of residence, etc.;
- ✓ The address for service and the address in the country of your permanent residence;
- ✓ Identification of your travel document (the authority that issued it, the number of the document, etc.);
- ✓ Identification of your future employer (its name, registered office, Company ID, etc.);
- ✓ Specification of the work that you will perform, including an indication of the place and time of the work performance.

**You also have to enclose a copy of the respective annexes with the request:**

- ✓ Your travel document;
- ✓ Documents proving your qualification for the performing of the respective job (a university diploma, secondary school leaving certificate or an apprenticeship certificate, etc.);
- ✓ A written statement by the employer that he is going to employ you as a foreigner;
- ✓ Other documents that may be linked to a specific type of employment.

## Regional branches of the Labour Office



### South Bohemian Region

České Budějovice (address: Klavíkova 1570/7, České Budějovice 3, 370 04 České Budějovice 4)

### South Moravian Region

Brno (address: Polní 1011/37, Štýřice, 639 00 Brno 39)

### Karlovy Vary Region

Karlovy Vary (address: Závodní 385/98, 360 01 Karlovy Vary 1)

### Hradec Králové Region

Hradec Králové (address: Wonkova 1142/1, 500 02 Hradec Králové 2)

### Liberec Region

Liberec (address: Dr. Milady Horákové 580/7, Liberec IV-Perštýn, 460 01 Liberec 1)

### Moravian Silesian Region

Ostrava (address: Zahradní 368/12, 701 60 Ostrava - Moravská Ostrava)

### Olomouc Region

Olomouc (address: Vejvodského 988/4, Hodolany, 779 00 Olomouc 9)

### Pardubice Region

Pardubice (address: Boženy Vikové-Kunětické 2011, Zelené Předměstí, 530 02 Pardubice 2)

### Plzeň Region

Plzeň (address: Kaplířova 2731/7, Jižní Předměstí, 320 73 Plzeň 1)

### Prague

Praha (address: Domažlická 1139/11, Žižkov, 130 00 Praha 3)

### Central Bohemian Region

Příbram (address: náměstí T. G. Masaryka 145, 261 01 Příbram 1)

### Ústí nad Labem Region

Ústí nad Labem (address: Dvořákova 1609/18, Ústí nad Labem-centrum, 400 21 Ústí nad Labem)

### Vysočina Region

Jihlava (address: Brtnická 2531/21, 586 01 Jihlava 1)

### Zlín Region

Zlín (address: Čiperova 5182, 760 42 Zlín 1)

For up-to-date information please go to [www.mpsv.cz](http://www.mpsv.cz)

## Your application for a temporary residence permit

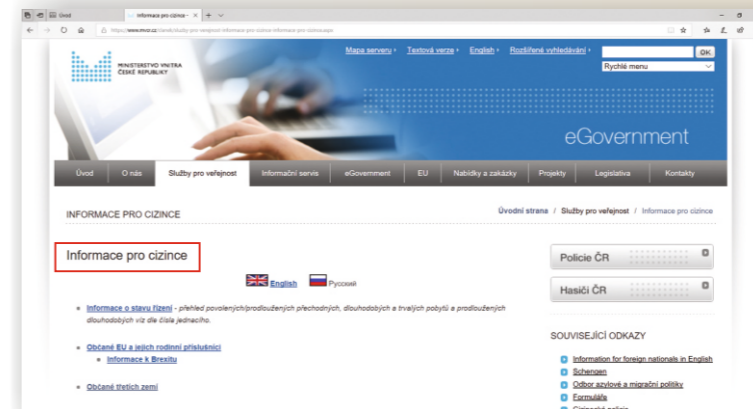
**You can submit your application for a temporary residence permit at any office of the Czech Ministry of Interior**; at best, at the office that is the nearest to your place of residence as there may arise a necessity of further subsequent negotiations and errands. The application must be processed within thirty days from the commencement of the proceedings. Following a successful application, you will be invited to collect the “Certificate of Temporary Residence”.

**Any formal requisites of your application for temporary residence may not be older than 180 days, except for the birth certificate and ID card.**

**You may stay on the territory of the Czech Republic on the basis of the following:**

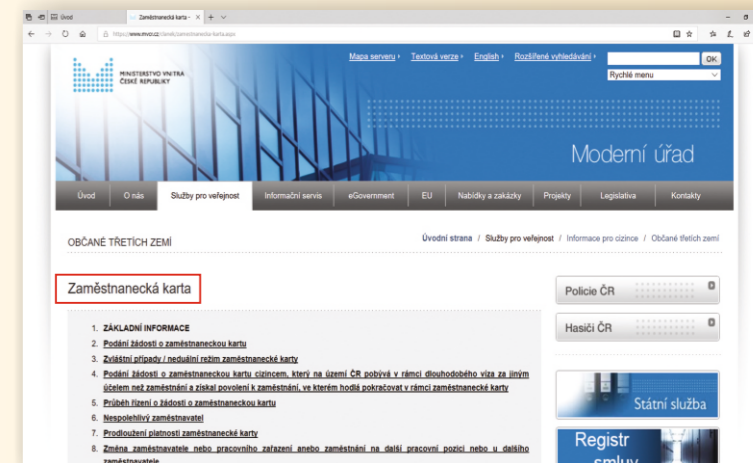
- ✓ A visa-free stay – third-country nationals;
- ✓ A short-term visa – third-country nationals;
- ✓ A long-term visa – third-country nationals;
- ✓ A long-term residence permit – third-country nationals;
- ✓ A certificate of temporary residence on the territory – EU, EEA and Switzerland citizens;
- ✓ A temporary residence permit for family members – citizens of EU, EEA and Switzerland;
- ✓ A permanent residence permit – third-country nationals, citizens of EU, EEA, Switzerland and their family members.

As a foreigner, you can change the purpose of your stay on the territory of the Czech Republic under certain conditions. If you are a holder of a long-term visa, you are not allowed to change the purpose of your stay.



As a holder of a long-term visa issued for another purpose, you may however apply, in defined cases, for an employee card, blue card or another long-term residence permit on the territory of the Czech Republic. If you already have a long-term residence permit, there are various other limitations imposed on changing the purpose of a stay (for example it is possible to switch to business purposes only after a lapse of 5 years, from tolerated stay to an employee card only after a lapse of 3 years). A holder of a long-term visa for the purpose of a seasonal employment is not allowed to change the purpose of his or her stay.

Furthermore, you as a foreigner may also be issued a long-term residence permit for several various purposes of stay concurrently. However, in addition to the permitted purpose of your stay, you as a foreigner may, in actual fact, also serve other purposes of stay without any need to formalize such a purpose by obtaining a permit for it (e.g. if you are staying for the purpose of family reunification, or you are also allowed to study). If you as a foreigner have been issued a long-term residency permit for several purposes of stay, you always have only one certificate.



**A long-term visa for the purpose of a seasonal employment** is issued for a maximum period of 6 months and you need a work permit from the Labour Office of the Czech Republic. If enjoying this type of an entitlement to stay, you are not allowed, except for a limited range of cases, to apply for a long-term residence permit for another purpose of stay on the territory of the Czech Republic.

**The employee card is the most frequent type of your stay as a foreigner for the purpose of employment.** It is issued as a dual or non-dual card. In the case of a **dual employee card** you have to have a free job from the central register of vacancies that can be occupied by employee card holders, which is administered by the Ministry of Labour and Social Affairs via individual branches of the Labour Office of the Czech Republic.

**The non-dual employee card** applies to the foreigners who have free access to the labour market according to s. 98 of the Employment Act or have been issued a work permit by the Labour Office (posted employees).

The employee card entitles you to perform work for the employer, on the job position and the site of job performance which the card has been issued for. Where identification by means of codes is used, no distinction is made between the dual and non-dual employee card.

**The blue card** is designated for the foreigners who have university education or higher vocational education (if the respective studies lasted at least for 3 years) and their wage is at least 1.5 times the amount of the average gross annual wage (annually determined by means of a communication issued by the Ministry of Labour and Social Affairs). As a foreigner, you have to have a job vacancy stated in the central register of vacancies that can be occupied by blue card holders.

TEMPORARY RESIDENCE, EMPLOYEE CARD, BLUE CARD, OTHER PERMITS

