**Manual for foreign employees**

Foreigners are subject to the same rights and obligations in the employment relationship as a citizen of the Czech Republic. The relevant employee of the Institute, who submits a proposal to conclude an employment relationship ( all the forms of it) shall inform the foreign employees of their rights and obligations.

**For the purpose of employing a Foreigner, the rights and obligations are divided into three basic groups :**

1. **rights and obligations common to all Foreigners,**
2. **special rights and obligations for EU citizens**
3. **special rights and obligations for third-country nationals \*.**

**\*** )Third-country nationals are citizens of countries neither members of the EU, nor citizens of Iceland, Liechtenstein, Norway and Switzerland, nor their family members.

The rights and obligations specified in Section I apply to all Foreigners - employees, ie also to Foreigners listed in Sections II and III. The information in Sections II and III defines only specific adaptations to the general rules.

## Rights and obligations common to all Foreigners

1. The relevant employee of the Institute is obliged to inform the Foreigner about her / his rights and obligations arising from the employment contract or agreement before concluding the employment contract or agreement, in particular about the Foreigner's obligations specified in point 2 below, the type of work performed, other working conditions, especially on occupational safety and health protection. The familiarization with these safety regulations must be signed in the form.
2. A Foreigner is obliged to:
3. fill in the **personal questionnaire**
4. send **required documents** to the HR department - a personal questionnaire, proof of education – copies of her/his diplomas, photocopy of a valid travel document ( preferably passport), in particular, the documents referred to in Sections II and III (eg A1 confirmation including social insurance details, an official document confirming the residency)
5. employee who concludes any kind of the employment relationship with a Foreigner is obliged to submit concluded contract or agreement together with the photocopy of travel document and possibly copies of other documents (see the employment of third-country employees) to the Payroll Office.
6. A Foreigner who is an academic or scientific, research and development worker does not need a work permit from the Labor Office of the Czech Republic (the exception stipulated by Section 98 of the Employment Act No. 435/2004 Coll.). The employer shall notify the Labor Office of the Czech Republic on the commencing and termination of employment relationships of all foreign employees. The employer also notifies the Labor Office of the Czech Republic of any changes in personal data and facts that the Foreigner is obliged to notify immediately to the HR Department.
7. Every foreign employee must have a bank account in the Czech Republic and in CZK. The Foreigner is obliged to notify to the Payroll Office about the name of the banking institution and the account number to which the wage should be sent. Only exceptionally is it possible to allow a Foreigner to have a bank account abroad; in such a case, the Foreigner is obliged to provide in writing the name and address of the financial institution, the name of the account, IBAN, SWIFT CODE, account holder name and whether it is possible to send wages to the account in CZK or in any other currency.
8. If the income from the employment relationship is subject to the payment of insurance premiums (social and health insurance), these amounts are always paid through the employer. To find out the current amount of health and social insurance payments, please contact the HR Department (Payroll Office). The health insurance card for newly insured persons in the Czech Republic - Foreigners - will be handed over to the Foreigner by the employer immediately upon receipt from the health insurance company. The insured person's card is valid ONLY for the duration of the employment relationship – contract or agreement. After the expiry of this relationship, the Foreigner is obliged to return the insured card to the HR department so that it can be returned to the health insurance company that issued it.
9. The payment of income tax (income from the employer) is governed by the legislation of the Czech Republic and international treaties for the avoidance of double taxation.

[http://www.mfcr.cz/en/legislativa/dvoji-zdaneni/prehled-platnychsmluv/2013/prehledplatnych-smluv-ceske-republik](http://www.mfcr.cz/cs/legislativa/dvoji-zdaneni/prehled-platnych-smluv/2013/prehled-platnych-smluv-ceske-republiky-o-10203)y-o-10203

Employee - Foreigner can apply for personal income tax credit (for current tax rate please contact HR department - payroll office) according to Act No. 586/1992 Coll., as amended (see the enclosed quotation of the Act):

*„35ba (2) In the case of a taxpayer referred to in § 2 para. 3, the tax shall be reduced for the tax period by the amounts specified in paragraph 1 b) to e), if the sum of his income from sources in*

*the territory of the Czech Republic according to § 22 is at least 90% of all his income except for income that is not subject to tax according to § 3 or 6, or is exempt from tax according to § 4, 6 or 10, or income from which the tax is levied by deduction at a special rate. '*

1. For information, here are the basic areas of related laws:

* Act No. 262/20006 Coll., Labor Code (as amended)
* Act No. 435/2004 Coll., Employment Act (as amended)
* Act No. 634/2004 Coll., Act on Administrative Fees (as amended)
* Act No. 48/1997 Coll., Public Health Insurance Act (as amended)
* Act No. 251/2005 Coll., Labor Inspection Act (as amended)
* Act No. 326/1999 Coll., the Act on the Residence of Foreignerin the Czech Republic (as amended)
* Act No. 101/2000 Coll., Personal Data Protection Act (as amended)
* Act No. 198/2009 Coll., Anti-discrimination Act (as amended)
* Act No. 589/1992 Coll., on Social Security Premiums and Contributions to the State Employment Policy (as amended)
* Act No. 586/1992 Coll., on Income Taxes (as amended)
* Act No. 280/2009 Coll., Tax Code (as amended)
* MoLSA Decree No. 518/2004 Coll., Implementing Act No. 435/2004 Coll., On Employment

Basic information from the above-mentioned laws can be purchased or ordered in English or German in:

**LINDE PRAHA, a. s.**

**Shop Prague:** Opletalova 35, 115 51, Prague 1, Czech Republic

Email: [obchod@linde.cz](mailto:obchod@linde.cz)

Order e-mail: [objednavky@linde.cz](mailto:objednavky@linde.cz)

phone: +420 224 212 214

office phone: +420 224 211 073

phone book manager: 224 235 211 fax: 224 211 073

## Obligations of EU citizens

Based on the submitted personal data of the Foreigner, it must be clear whether the Foreigner is also working in another EU, EEA and Switzerland country or whether she/he will work only in the Czech Republic.

1. **If an EU citizen is working also in another country within the EU, EEA and Switzerland except the Czech Republic at the same time and intends to submit the A1 form**, which determines her/his affiliation to social security legislation of a country other than the Czech Republic, **she/he is obliged to do this well before the commencement and at the same time to cooperate with the settlement of the application of the GCRI for insurance with the institutions of his state. Pending all the above-mentioned - Foreigner cannot be employed.**

The Foreigner is obliged to hand over to the HR Department and also to the Payroll Office the following documentation:

1. A1 confirmation identifying the Member State whose social security legislation is a Foreigner subject to,
2. the name and address of the Institution where the employer will pay the insurance premium,
3. IBAN account for premium payments,
4. the amount and composition of premium payments as a percentage (in%).

Premiums are paid by the employer according to the legislation of the state specified in the A1 confirmation.

1. **If an EU citizen works only in the Czech Republic**, at the same time as signing an employment contract or agreement, she/he is obliged to sign a declaration to the employer that she/he has no other income within the EU, EEA and Switzerland. If the income from the employment relationship is subject to the payment of social security and health insurance premiums, it is paid by the employer in the Czech Republic, ie according to the legislation of the Czech Republic.
2. **Reporting obligation of EU citizen after arrival to the Czech Republic**

Within 30 days of the date of entry into the Czech Republic, the Foreigner is obliged to personally report to the Foreign Police the place of her / his stay in the Czech Republic. This obligation does not apply to a Foreigner if the period of stay does not exceed 90 days per year or if the accommodation provider fulfils the reporting obligation for the Foreigner.

## Obligations of third-country nationals \*

**\*** ) **Third-country nationals** are citizens of countries neither members of the EU, nor citizens of Iceland, Liechtenstein, Norway and Switzerland, **nor their family members**.

1. **"Hosting agreement" and "Commitment to cover the costs of the researcher´s stay"**

Before the employment relationship is established, the Foreigner is obliged to submit all required documents. The HR department will prepare a proposal to conclude an employment contract and at the same time will prepare also “ Hosting Agreement " and „Commitment to cover costs“.

1. **Residence permit**

Before the employment is established, the Foreigner is obliged to obtain a residence permit in the Czech Republic. The application for a residence permit shall be submitted to the relevant embassy in time. The application must include, inter alia, the “Hosting Agreement” and the “Commitment to Cover the Costs”.

**The duration of the employment relationship cannot be concluded for a longer period than the period specified in the document on the residence permit.**

1. **Reporting obligation**

Third-country nationals are obliged to register their accommodation address in the Czech Republic with the nearest Foreign police department **within 3 working days** of entering the Czech Republic. If they have arrived in the Czech Republic to pick up a long-term or permanent residence card, they may also perform their obligation of registration at an Immigration office of the Ministry of the Interior office, where they may also perform their obligation to provide biometric data. The Foreign police or the Immigration office of the Ministry of the Interior confirms the alien's application for residence by stamp to the passport of the Foreigner containing the date by which the alien has a residence permit. The Foreigner shall immediately submit a copy of this document to the Human Resources Department. The document is a condition for the processing of the health insurance card.

The Foreigner is obliged to report any change of personal data and facts immediately to the HR Department or the Payroll Office.

**General information for Foreigners**

**Salary is** due \* after the end of the month in the pay period, which is stated on the intranet in **Internal Regulation** No. 6/2016 of 1 May 2016. In special cases, the employee may ask the payroll office to provide a wage advance before the end of the month.

\* Foreigner with an A1 certificate may have different deadlines due to different regulations in force in other countries.

**Electronic monthly payroll tickets** are available after registering here - <https://idp.eis.cas.cz/idp/Authn/UserPassword>

GCRI provides employee **benefit in the form of meal vouchers.** Meal vouchers can be used to buy food in shops and restaurants. The meal voucher´s value is 100 CZK. The amount of meal vouchers in a month depends on the number of days worked. No meal voucher is payable on days when travel expenses are used. GCRI pays 55% of the meal voucher + 30 CZK from the social fund. Consent to the wage deduction of the salary is part of the signature sheet when vouchers are handed over. Every employee with a contract over 0.6 is entitled to get meal vouchers.

Employees can pick up meal vouchers in person from the wage accountant, who announces the exact date of handover each month.

At the same time, the employee may authorize another person to collect the meal vouchers on behalf of her/him.

**Useful contacts:**

**Foreign Police:** <https://www.policie.cz/clanek/kontakty-odbor-cizinecke-policie-odbor-cizinecke-policie.aspx>

**Immigration office:** <https://www.mvcr.cz/docDetail.aspx?docid=21667282&doctype=ART>

**Ministry of the Interior office in Brno:**

Foreigners` Residence Unit South Moravia Region,

Tuřanka 1554/115b, Brno

Tel.: 974 620 371, 974 620 372 (incl. telephone appointments)

Opening hours: Mo, We: 8.00 - 17.00  
 Tu, Th: 8.00 - 14.00  
 Fr: ***by invitation only***