



## EU Posted Worker Directive

A new EU Posted Worker Directive came into effect on **30th July 2020**. All EU countries had until that date to transpose this directive in their national law. Here is a brief overview of the Posted Workers Notification in Czech Republic (Czechia).

### Important points to remember :

1. Registration obligation
2. Working conditions
3. Methods of Administration
4. End of Assignment

# 1

## Registration obligation

A foreign employer posting workers to the Czech Republic pursuant to Directive 96/71 / EC is obliged to keep records of these persons containing the following data:

- identification data of the worker;
- the address in the country of residence and the address for delivery of consignments;
- the number of the travel document and the name of the issuing authority;
- the type of work, the place of performance of the work ;
- the period for which the employment should be performed;
- the sex of these natural persons,
- the date of commencement and the date of termination of work or posting to the territory of the Czech Republic.

**Obligation to have a copy of the employment contract translated into Czech at the workplace.**

An employer sending his employee to the Czech Republic is obliged to have copies of documents proving the existence of an employment relationship at the workplace, and the documents used to fulfill this obligation must be translated into Czech (no official translation is required, but the translation must correspond to the original documents in the Slovak language are also accepted).

**Failure to comply with this obligation may result in a fine of up to CZK 500,000.**

# 2

## Working conditions

If posting an employee from another EU Member State to work within the bounds of the transnational provision of services within the territory of the Czech Republic, the regulation of the Czech Republic applies to such an employee on the condition that this is more favourable for that employee as far as the following are concerned:

- maximum working hours and minimum rest periods;
- the minimum period of holiday time in a calendar year or the pro rata part thereof;
- the minimum wage, the relevant lowest guaranteed wage and additional payment for overtime work;
- occupational health and safety,
- the working conditions of pregnant workers, workers who are breastfeeding and workers until the end of the ninth month after childbirth and of juvenile workers;
- equal treatment of workers and non-discrimination;
- working conditions for agency employment.

# 3

Favourability is assessed separately for each right arising from the employment relationship. The provisions on the minimum period of holiday time in a calendar year or the pro rata part thereof and the minimum wage, the relevant minimum guaranteed wage and additional payment for overtime work do not apply when an employee is posted to work on the trans-national provision of services in the Czech Republic for not longer than 30 days in total in a calendar year.

**This does not apply if the employee is posted to work as part of the trans-national provision of services by an employment agency.**

## Methods of Administration

The following delivery options are available for the electronic submission of forms:

- through the data box information system
- by sending an e-mail message to the e-mail address

Another option is to submit the printed form to the relevant workplace of the Labor Office of the Czech Republic. **The form can be filled in directly in electronic form, then printed out and, after printing, signed by hand.**

Another way to fill in the form is to print a blank form and then fill it out.

# 4

## End of Assignment

At the end of the posting, the employer is obliged to inform the relevant regional branch of the Labor Office about the termination of the work of the posted worker in the Czech Republic within 10 calendar days at the latest.

**A fine of up to CZK 100,000 may be imposed for non-compliance with the information obligation.**

Source: <https://www.mpsv.cz/web/cz/-/informace-o-vyslani-pracovnika-oznameni-zamestnavatele-vysilajici-spolecnosti-o-vyslani-pracovnika-ku-na-uzemi-ceske-republiky-dle-smernice-96-71-es-1>

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