

The Rights and Obligations of Foreigners Related to the Establishment of Employment or a Work Agreement at Palacký University in Olomouc

(Information for Foreigners)

Employed foreigners are governed by the same rights and obligations as citizens of the Czech Republic. The Foreigner-Employee is informed about these rights and obligations by his/her Senior Employee at Palacký University in Olomouc; the Employer (hereinafter referred to as "PU") presents a proposal for entering into an employment relationship or presents an agreement to complete job or an agreement to perform work.

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

- I. The rights and obligations common to all foreigners,
- II. Specific rights and obligations for foreigners from the EU, EEA and Switzerland, and
- III. Specific rights and obligations for foreigners from third countries *).

The rights and obligations set out in Section I apply to all foreigner-employees, i.e. also for foreigners mentioned in Sections II and III. Information in Sections II and III only defines special treatment from the generally applicable rules.

I. Rights and Obligations Common to All Foreigners

1. The Senior Employee is required before entering into an employment relationship or work agreement to acquaint a foreigner with his/her rights and obligations arising from the employment relationship or work agreement, in particular the obligations of foreigners referred to in the following paragraph 2, the type of work, place of work, salary classification, hours of work and other working conditions, particularly on safety and health regulations and practices at work.

2. A foreigner is required before entering into an employment relationship or work agreement:

a) to fill in a **personnel questionnaire** and **attachment to the personnel questionnaire** for employment, **personnel questionnaire for to agreements ACJ, APW** (it is possible to do so electronically but it must be signed after printing)

b) take a **preliminary medical examination** by a physician designated by the employer,

c) to a person he/she reports to or to the Human Resources department to submit the **documents required from employees** - personnel questionnaire with addendum (for agreements without attachments), confirmation of education, a report from a doctor on the results of the medical examination, and any other required documents, in particular those listed in Sections II and III (e.g. A1 and certificate of data on social security insurance, proof of residency permit).

3. Information about the medical examination, the rights and obligations arising from the employment, safety and health regulations and practices at work, the rules of driving on the roads in the Czech Republic and forms of employment documents are available in English at www.upol.cz.

4. A foreigner who is an academic, scientific, or research and development worker does not need a work permit from the Czech Labour Office (for PU operates according to an exemption set under § 98 of the Employment Act No. 435/2004 Law Coll.). Appointment and termination of employment of all foreigner-employees is announced by the employer to the Labour Office. At the same time it must also announce to the Labour Office any changes to the foreigner's personal data and the foreigner is always obliged to notify the Human Resources department of them.

5. Every foreigner-employee must have a bank account based in the Czech Republic in CZK. A foreigner is obliged to notify the Human Resources department of the bank name and account number to which his/her salary should be sent. Only in exceptional cases it is possible to allow a foreigner to use a bank account abroad for payment of PU wages; in this case the foreigner is obligated to submit in written form the name of the account, IBAN, name and address of the financial institution as well as the information whether the salary can be sent to the account in CZK or otherwise in some other currency.

6. If insurance (social security and health insurance) is supposed to be deducted from the income, it is always transferred by the employer. Registering the foreigner into and out of Czech health and social insurance is done by the employer. The proof of health insurance card for foreigner-insured persons is obtained by the employer, who, after being issued it by the health insurer, shall immediately forward it to the foreigner.

7. Payment of tax on income from employment (receipts from the employer) is governed by the legislation of the Czech Republic and international treaties on avoidance of double taxation.

II. Duties of Foreigners from EU countries, EEA and Switzerland

Based on the submitted data it must be clear whether the foreigner works at the same time in another EU country, or whether he/she will only work in the Czech Republic.

1. If a foreigner from the EU works at the same time in another country of the EU,

he/she is required before entering into an employment relationship to start **confirmation A1** processing, under which it will be obvious to which country in the EU will the employer transfer social and health insurance.

A foreigner is obliged to provide the Human Resources department or payroll accountant:

- a) confirmation of the A1, in which will be determined the Member State whose social security legislation is subject to the foreigner,
- b) the name and address of the institution to which the employer will transfer insurance,
- c) the IBAN account for insurance deductions,
- d) the amount and composition of the insurance deduction in percentage terms (in %).

The insurance payment is conducted by the employer in accordance with the legislation of the country specified in the confirmation of A1.

2. If a foreigner from the EU works only in the Czech Republic,

he/she shall simultaneously with the signing of the contract or work agreement sign for the employer a statement that he/she does not have any other income in the framework of EU countries.

If social and health insurance is supposed to be deducted from the employment relations income, then the employer pays it in the Czech Republic, i.e., under the legislation of the Czech Republic.

3. Reporting obligation for EU citizens on arrival in the Czech Republic

Within 30 days of entry into the Czech Republic the foreigner must personally report to the Foreign Police his/her place of residence in the Czech Republic. This obligation does not apply to a foreigner if his/her expected period of stay does not exceed 30 days, or if the foreigner fulfilled his/her duty by reporting at the person providing accommodation.

III. Obligations of Foreigners from Third Countries *)

1. The “Hosting” Agreement and “Commitment to Cover Costs”

A foreigner is required to submit all the required documents before the establishment of an employment relationship. The head of their division will prepare a proposal for the employment agreement to the personnel department, on the basis of which the personnel department will prepare the proposals “**Hosting Agreement**” and “**Commitment to Cover Costs**”.

2. Residency Permit

Before entering into an employment relationship, a foreigner is obliged to arrange their residency permit in the Czech Republic. The application for authorization shall be made at the relevant embassy. The “**Hosting Agreement**” and the “**Commitment to Cover Costs**” must also be attached to the application.

3. Reporting obligation

A foreigner is required to report his/her presence on the territory of the Czech Republic to the appropriate department of the Foreign Police within three working days from the date of entry into the territory of the Czech Republic. The obligation to report to the police does not apply to a foreigner who fulfilled his/her duty by reporting at the person providing accommodation. The Foreign Police shall confirm the residency check-in and issue a document containing the date until which the foreigner has a residency permit. A copy of this document shall immediately be reported to the Human Resources department. The document is a prerequisite for processing the health insurance card issued by insurance companies.

Any change in personal data and facts must be reported immediately to the Human Resources department.

Olomouc, Czech Republic, 16 January 2013

*Ing. Jana Hanychová, Department of Human Resources and Payroll, Palacký University
Rector’s Office*

*) Foreigners from third (other) countries are those who do not have Czech citizenship nor EU citizenship (i.e. not citizens of any EU member state), nor the citizenship of any countries of the European Economic Area (Iceland, Liechtenstein, Norway and Switzerland).