

GLOBAL G.A.P. Risk Assessment on Social Practice (GRASP)

NATIONAL INTERPRETATION GUIDELINE
FOR CZECH REPUBLIC

GRASP V2

ENGLISH **VERSION**

VALID FROM: 15 JANUARY 2025

CREATED BY:

NTWG Czech Republic (Czech Society for Quality)



General concept

The GRASP national interpretation guidelines (GRASP NIGs) provide guidance to producers and assessors on the implementation of the GRASP principles and criteria (P&Cs) based on the respective legal framework of the country and, in certain cases, regions. In countries where a GRASP NIG exists, the NIG is a normative document and shall be used by producers and certification bodies (CBs).

Assessors shall assess producers against the GRASP P&Cs considering the legislation in the country that is relevant to the respective P&Cs. The country's GRASP NIG *does not replace* the original P&Cs and does not release the respective assessor from their obligation to assess producers against the applicable/relevant legislation, but it may provide supplementary guidance on the respective legal framework. The GRASP NIG shall be seen as supplementary information to the GRASP P&Cs and the GRASP general rules, but it shall not be understood as a modification of the contents of those documents.

If there is no applicable/relevant legislation or if the legislation provides *less protection to workers* than the GRASP P&Cs, the P&Cs apply. If there is applicable/relevant legislation in the country which provides *more protection to workers*, this legislation shall be used as the basis for the assessment, i.e., the producer shall comply with such legislation to conform with the GRASP P&Cs.

For guidance on how to develop a GRASP NIG and the approval process, please consult the document "Rules for the development of GRASP national interpretation guidelines". For any queries about GRASP NIGs, please contact the GLOBALG.A.P. Secretariat at graspnig@globalgap.org.

Disclaimer and condition of valuation

The approval process for NIGs includes a review by the GLOBALG.A.P. Secretariat to prevent unacceptable deviations from the GRASP P&Cs. However, the GLOBALG.A.P. Secretariat is not responsible for the contents of the GRASP NIGs, their accuracy, completeness, and currency with other regulations or applicable documents during its lifetime.

Users of the GRASP NIG, e.g., producers using it to implement GRASP and conduct self-assessments and CBs and accreditation bodies using it for their certification activities, are therefore responsible for such use and the consideration of the NIG's accuracy, completeness, and currency with the relevant requirements and local legislation prior to any assessment (see also the GLOBALG.A.P. general regulations – rules for certification bodies, section 12.3.4 (e)). When a CB, accreditation body, or producer becomes aware that any part of a GRASP NIG is not correct, not complete, or not up to date, they shall notify the responsible stakeholder in text form (providing a copy of this information to the GLOBALG.A.P. Secretariat) so that the GRASP NIG can be updated.

What to consider when writing a GRASP NIG

The GRASP NIG shall *not* give examples for implementation, but rather *compile and reference applicable regulations* or collective bargaining agreements in the country.

Legal regulations regarding the P&Cs differ from country to country (e.g., minimum wage, legal minimum age of employment, working hours, etc.).

If several regulations apply, the rule that provides *more protection to the workers* shall be used.

GRASP NIGs (available on the GLOBALG.A.P. website) make requirements transparent to producers and assessors.

If GRASP NIGs are found to challenge the global integrity of the standard, GLOBALG.A.P. reserves the right to withdraw or revise the GRASP NIGs in consultation with the developing stakeholder group.

Instructions on how to use this GRASP NIG template

Each page covers a separate section/topic of the GRASP P&Cs. Under each principal section, you will find guiding questions for the NIG for a specific country. Please answer them in the second column and provide the relevant labor law weblinks, mainly in English if possible. A line for further comments is also included.

- To facilitate the verification of the GRASP principles, labor law weblinks and short extracts of labor law texts shall always be provided in *English*, if possible.
- Please do not copy and paste the complete legal text of the regulation into the NIG:*
Please do not quote the full legal texts, but rather *compile and reference applicable regulations and provide sources (weblinks)* or collective bargaining agreements (e.g., minimum wage, weblinks to resources) that are relevant to the respective P&Cs by answering the questions provided under each section.
- When asked to answer *Yes or No*, please only choose one.
- When asked to provide a *source*, please include the name of the labor law, the year, and the specific article, chapter, or section of the law. (i.e., Labor Law of 1992, section 3, article 5). Please see a few examples here:

LABOR ACT OF TURKEY¶

Law No: 4857¶

Date of enactment: 22.05.2003 → ¶

Published in the Official Gazette on 10.06.2003 No: 25134¶

Latest amendment date: 28/07/2020¶

¶

Definition and form¶

Article: 8¶

Employment contracts in permanent and non-continuous jobs: ¶

Article: 10¶

Part-time and full-time employment contract: ¶

Article: 13¶

NATIONAL EDUCATION BASIC LAW OF TURKEY¶

Law No: 1739¶

Date of enactment: 14/6/1973 → ¶

Published in the Official Gazette on 24.06.1973 No: 14574¶

Latest amendment date: 17/04/2020¶

¶

Primary education¶

¶

Article: 22¶

(Change: 27/6/2019-7180-1-4-art.)¶

Compulsory primary education includes children aged 6-14.¶

- Weblinks* to the law or a place where the law can be found shall be included (in addition to the above information, if available).
- When asked to provide *contact details*, please include the name of the organization, office, or institution, as well as a method of contacting them (e.g., telephone, email, etc.). Weblinks to the organization shall be included, if available.

	GENERAL
G1	The producer shall inform workers of the GRASP assessment and its scope at least two working days before the assessment date.
G2	The producer shall provide a list of any/all workers hired as well as those present on the day of the assessment.
G3	A producer/group of producers shall undergo at least one self-assessment/internal GRASP assessment per year.
G4	Effective corrective actions are taken to address all non-conforming Major Must and Minor Must percentages identified during the GRASP self-assessment/internal assessment.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Definition of "family farm" in local regulations:

The term 'family farm' is not explicitly defined by any local regulation. The definition given by the GRASP rating applies.

The definition of "worker" in local regulations:

The term "worker" is not explicitly defined in local regulations. The Labour Code No. 262/2006 Coll., as amended, only mentions the term "employee", which is a natural person who has undertaken to perform dependent work in a basic employment relationship."

Name and article of the local regulation to which reference is made:

Labour Code 262/2006 Coll.

Additional Notes:

National authority: Ministry of Labour and Social Affairs of the Czech Republic - <https://www.mpsv.cz/>

National System of Occupations - <https://www.mpsv.cz/web/cz/narodni-soustava-povolani>

1	RIGHT OF ASSOCIATION AND REPRESENTATION
1.1	The producer respects the right of workers to join and/or form trade unions or other working organizations of their choice (as well as the right not to join/form such organizations) in accordance with the applicable national legislation.
1.2	If the right to freedom of association and collective bargaining does not exist, is restricted or denied under local law, the producer allows alternative forms of independent worker representation and bargaining that are free from the employer's influence.
1.3	The producer shall not discriminate against or otherwise penalize workers' representation, members of trade unions or other labour organisations on the basis of their membership or affiliation with legally registered labour organisations.
1.4	The producer shall allow all duly registered and duly legally authorised workers' representatives access to the workplace for the purpose of exercising their representative functions in accordance with the applicable national legislation.

List relevant local labor laws and answer the following guiding questions:

Is freedom of association restricted?

No

List the types of organizations associating agricultural workers that are legally allowed, including name and contact:

Name of the organization: Trade Union of Agriculture and Food Workers - Association of Free Trade Unions of the Czech Republic Email: info@ospzv-aso.cz; Address: Tyršova 1811/6, Prague 120 00, Czech Republic; Web: <http://www.ospzv-aso.cz>

The requirements for joining or setting up workers' organisations are set out in this local regulation (please state the title and article of the regulation):

Statutes of the OSPZV-ASO CR approved by the 9th Congress on August 6, 2020 - available: <https://www.ospzv-aso.cz/obsah/72/stanovy-ospzv-aso-cr-schvalene-9-sjezdem-6-srpna-2020/327843>. The establishment of the organization is governed by: Act No. 89/2012 Coll., Civil Code: https://aplikace.mvcr.cz/sbirka-zakonu/SearchResult.aspx?q=89/2012&typeLaw=zakon&what=Cislo_zakona_smlouvy.

Indicate the government organization with which the workers' representation is registered, including names and contacts:

Ministry of the Interior of the Czech Republic, <https://www.mvcr.cz/mvcren/ministry-interior-czech-republic.aspx>, tel.: + 420 974 811 111
(switchboard operator), posta@mvcr.cz

Please indicate the type of proof of registration available (i.e. certificate, ID or letter):

Entry in the public register (Extract from the public register)

Additional Notes:

2	REPRESENTATION OF GRASP STAFF
2.1	The existing staff decided on a suitable representation to help them assess, communicate and pursue their interests with the producer.
2.2	After employees have obtained a representation decision, management communicates to existing employees the composition and type of workers' representation.
2.3	The producer shall ensure that a decision is taken on the representation of workers at the time when workers are most present on the farm.
2.4	The workers' representative/management contact person was instructed on their role, duties and rights within GRASP.
2.5	Workers, their representatives and the producer hold monthly meetings on GRASP-related issues at the time of peak worker presence.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Name the types of trade unions legally active in agriculture:

OSPZV – Trade Union of Agriculture and Food Workers <https://www.ospzv-aso.cz>

Can these organizations have representation at farm level?

Yes. Act No. 262/2006 Coll., Labour Code

List the types of documents required to verify the registration of a work organization:

Registration certificate

Identify the government legal entity overseeing this registration:

Ministry of Justice of the Czech Republic, Vyšehradská 424/16 128 00 Prague 2, New Town, tel.: +420221997111, email: posta@msp.justice.cz, data box: KQ4AAWz

Please indicate the regulation that supports this:

Act No. 304/2013 Coll., Act on Public Registers of Legal and Natural Persons, as amended

List the regulations that grant workers the right to participate meetings on representation without a reduction in their salary:

Act No. 262/2006 Coll., Labour Code, as amended

Name the state labor services available for agricultural workers (include name and contact):

State Labour Inspection Office, Kolářská 451/13, 746 01 Opava, tel.: +420 950 179 178, email: opava@suip.cz, epodatelna@suip.cz, data box: cmwaazf and its local branches

Labour Office of the Czech Republic - General Directorate, Dobrovského 1278/25 170 00 Prague 7 – Holešovice, switchboard, phone: +420 950 180 111, email: podatelna.gr@uradprace.cz, data box: 7hazk97 and its local branches

Both offices are managed by the Ministry of Labour and Social Affairs of the Czech Republic.

Provide an approximate harvest time for the main GLOBALG audit products. A.P.:

June – October

Additional Notes:

The current version of the legislation is available on the website of the Ministry of the Interior of the Czech Republic <https://www.mvcr.cz/web-legislativa.aspx>

3	COMPLAINTS PROCEDURE
3.1	All staff can benefit from a confidential complaints procedure that is free from any retaliation or sanctions.
3.2	A complaints procedure is in place that is appropriate to the number and type of staff to submit a request in person, anonymously or through staff representation.
3.3	The workers' representation was instructed on how to use the procedure on behalf of other workers concerning the rights contained in the producer's human rights policy.
3.4	All staff are provided with clear instructions on the complaints procedure.
3.5	There are one or more well-publicized complaint boards, at least one of which should be independent of the executives.
3.6	The producer shall endeavour to resolve the complaint while the worker is in employment, in a timely manner and proportionate to the nature of the complaint lodged.
3.7	A summary record is kept of all complaints in the last 24 months to show that complaints have been received and dealt with.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Are there organizations (other than a court or government) that resolve conflicts between employers and workers?

Yes. Locally competent trade unions or interest groups, mediators in mediation agreements between the employer or employers and the worker or workers, mediators or arbitrators in disputes pursuant to Act No. 2/1991 Coll. Collective Bargaining Act, as amended. E.g. Trade Union of Agriculture and Food Workers - Association of Free Trade Unions of the Czech Republic

Email: info@ospzv-aso.cz; Address: Tyršova 1811/6, Prague 120 00, Czech Republic; Web: <http://www.ospzv-aso.cz>

Are there government agencies that resolve conflicts between employers and workers?

Yes. Courts with territorial jurisdiction. Their names and contacts are listed on the portal: <https://justice.cz/soudy>

Are the complaint procedures regulated by the local regulation?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended; Act No. 99/1963 Coll., Code of Civil Procedure, as amended; Act No. 2/1991 Coll., the Act on Collective Bargaining, as amended

Does the national regulation stipulate how complaints are handled?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended; Act No. 99/1963 Coll., Code of Civil Procedure, as amended; Act No. 2/1991 Coll., Act on Collective Bargaining, as amended.

Is there a local regulation that sets out how workers can file a complaint with a local court?

Yes. Act No. 99/1963 Coll., the Code of Civil Procedure, as amended

Can any worker lodge a complaint with the local court?

Yes. Act No. 99/1963 Coll., the Code of Civil Procedure, as amended

Can a worker's representation lodge a complaint with the court on behalf of workers?

Yes, at the court with territorial jurisdiction - list at www.justice.cz/soudy

Is there any reference in the local regulation to the internal rules on complaints?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended; Act No. 99/1963 Coll., Code of Civil Procedure, as amended; Act No. 2/1991 Coll. Collective Bargaining Act, as amended.

Additional Notes:

4	PRODUCER'S HUMAN RIGHTS POLICY
4.1	The producer has and adheres to a human rights protection policy that recognizes the rights set out in the ILO fundamental conventions (ILO) and is directed against any form of forced labor, corruption, corporal punishment, harassment or abuse and discrimination, and promotes good working conditions, social practices and human rights for all workers.
4.2	All staff are informed about the content of the producer's human rights policy.
4.3	All managers are informed about the content of the human rights policy.
4.4	The producer acquainted all subcontractors of the work with the human rights policy. Other subcontractors and visitors are familiar when visiting the farm.
4.5	The human rights policy is reviewed every three years or when labour legislation is amended or when GRASP is amended, whichever comes first.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Is there a government agency in charge of workers' rights?

Yes. Ministry of Labour and Social Affairs of the Ministry of Labour and Social Affairs, Na Poříčním právu 1/376, 128 01 Prague 2, tel.: +420 221 921 111, email: posta@mpsv.cz, data box: sc9aavg

Is there an office, organization or any non-governmental organization that works with the protection of human rights?

Yes. Office of the Public Defender of Rights, Údolní 39, 602 00 Brno, tel: 542542888, email: podatelna@ochrance.cz, data box: jz5adky
 League of Human Rights, Burešova 6, 602 00 Brno, E-mail: info@llp.cz, poradna@llp.cz, Data box: nuaa9sr
 Society for Legal Protection, Velehradská 854/22 Prague, 130 00, Ostrava branch: Sokolská třída 1263/24 Ostrava 702 00, tel.: 591142 387, Infoline 792 431 477, e-mail info@ochrana-prav.cz, data box: ngeptuw

Is there a producer association or group that provides information on labour rights?

Yes. Lawyers specialising in labour law, see <https://www.katalog-pravniku.cz/dle-sluzeb/pracovni-pravo> Trade Union Legal Advice Bureau. MPS website

Are any of the human rights mentioned above taken into account in the laws of the country? Yes/No. If yes, please provide attribution (i.e. laws addressing corruption, harassment, discrimination, etc., including web links)

Charter of Fundamental Rights and Freedoms (www.mvcr.cz), International Convention on Human Rights

Are there government departments that provide support/information on these topics?

Yes. Ministry of Labour and Social Affairs, Na Poříčním právu 1/376 128 01 Prague 2, phone: +420221921111, email: posta@mpsv.cz, data box: sc9aavg

Are there organizations (governmental or non-governmental) that support migrants and their rights?

Ministry of Labour and Social Affairs, Na Poříčním právu 1/376 128 01 Prague 2, phone: +420221921111, email: posta@mpsv.cz, data box: sc9aavg
OPU Praha central, Poděbradská 173/5 190 00 Praha 9 – Vysočany, tel.: +420 730 158 779, +420 739 413 983, +420 730 158 779, +420 730 158 781, email: opu@opu.cz, pravni@opu.cz

META, o. p. s., Support of Opportunities in Education, Žerotínova 1124/35 130 00 Prague 3, phone: +420 222 521 446, email: info@meta-ops.cz, data box: pc4hrrii

Association for Integration and Migration, Havlíčkovo náměstí 2 130 00 Prague 3, tel.: +420 224 224 379, E-mail: poradna@migrace.com, data box: u2cd777

InBaze, Legerova 357/50 120 00 Praha 2, e-mail: info@inbaze.cz, tel.: (+420) 739 037 353 (Monday–Thursday), data box: dr4y66d
Amiga-migrant, Záhřebská 539/15 Praha 2 (from Belgická 11, bell: AMIGA o.s.), tel.: +420 736 101 609, e-mail: info@amiga-migrant.cz

Consortium of NGOs Working with Migrants in the Czech Republic, z.s., Lublaňská 5/57 120 00 Praha 2-Vinohrady, Director tel: +420 777 231 668, email: krchova@migracnikonsorcium.cz, data box: wjwf7nh

Additional Notes:

5	ACCESS TO INFORMATION ON LABOUR LEGISLATION
5.1	Workers and their representatives have clear and up-to-date information on minimum wages, working hours, breaks, maternity and sick leave, (sexual) harassment and discrimination, freedom of association, public holidays, trade unions and contacts with local employment authorities.
5.2	Taking into account any differences between national and local legislation and GRASP, the producer always applies a higher level of protection for workers.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Are basic labour laws publicly available (in the local language)? Yes/No. If yes, please indicate the organisation and form in which the laws are available (provide web links if available):

Yes. <https://aplikace.mvcr.cz/sbirka-zakonu/GetAll.aspx>; <https://www.zakonyprolidi.cz>

Additional Notes:

6	DOCUMENTS RELATING TO TERMS OF EMPLOYMENT AND THE FORCED LABOUR INDICATOR
6.1	All workers are legally eligible to work at the producer's workplace and to carry out their assigned activities.
6.2	All workers have started work voluntarily and freely: - without coercion, coercion or intimidation, - without being required to pay (directly or indirectly) a recruitment fee or related recruitment costs or to make cash advances, financial guarantees or contributions of personal assets for employment purposes; - they understand and agree to the working conditions document.
6.3	All contracted employment agencies and subcontractors have a legal permit to operate and/or are registered with the state employment agency, if such registration exists.
6.4	A document with working conditions is available for each employee, which exists from the moment of the employment relationship.
6.5	Information on the worker's full name, nationality and date of birth is verified by the employer before recruitment and is correctly included in the workers' working conditions documents.
6.6	Working conditions documents contain up-to-date information on the duration of employment, type of contract, basic job description, wages, pay, working hours, breaks, holidays, and information on maternity or sick leave under the relevant law.
6.7	The working conditions in this document are in accordance with national legislation and collective agreements.
6.8	Changes to the working conditions document have been recorded, communicated and accepted by the worker.
6.9	The Working Conditions Document, together with other related documents of workers hired during previous or current production cycles, are accessible to these workers.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Is a national identity document required in the country?

Yes

If so, please provide the legal or recognised documents that are required to work in that country. Indicate source:

ID card, passport.

Act No. 269/2021 Coll. Act on Identity Cards, item 117/2021, valid from 19.7.2021, effective from 2.8.2021, version 3, Act No. 435/2004 Coll. Employment Act

Is a work permit required for foreign workers?

Yes. Act No. 435/2004 Coll., Employment Act, Act No. 269/2021 Coll., Identity Card Act

Is it legal to make copies of these documents for keeping in workers' files?

Yes, but only with the consent of the employee, the handling of a copy must not violate Act No. 110/2019 Coll., the Personal Data Processing Act. Act No. 269/2021 Coll. Act on Identity Cards

What is the statutory minimum age for employment?

Generally 15 years of age, exceptions are possible depending on employment.

Act No. 89/2012 Coll. Civil Code Act, §34, §35

Act No. 435/2004 Coll. Employment Act, §8a, §121 - §124

Is it legal to employ prisoners in the country?

Yes. Act No. 169/1999 Coll., on the Execution of Imprisonment

Is the concept of debt slavery regulated in local regulations?

Yes. There is no national regulation, the Czech Republic is governed by European Union law. Communication No. 209/1992 Coll. Communication of the Federal Ministry of Foreign Affairs on the Negotiation of the Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols related to this Convention, Chapter 1, Article 4, Protocol No. 4, Article 1

Act No. 40/2009 Coll. Criminal Code Act, No. 11/2009, valid from 9.2.2009, effective from 1.1.2010, especially §168 and §401

Do local regulations allow for hiring or contracting fees?

Yes. Act No. 435/2004 Coll., Employment Act; Act No. 262/2006 Coll., Labour Code

Are employment agencies regulated in the country?

Yes. Act No. 435/2004 Coll., Employment Act, §58 to §66
Act No. 262/2006 Coll. Labour Code, §147 para. 3

Is there an official/government agency that companies need to register with?

Yes. Labour Office of the Czech Republic - General Directorate, Dobrovského 1278/25 170 00 Prague 7 – Holešovice, operator, phone: +420 950 180 111, email: podatelna.gr@uradprace.cz, data box: 7hazk97

Does this office issue any document as proof of registration?

Yes. Act No. 73/2011 Coll., on the Labour Office of the Czech Republic and on Amendments to Related Acts

Are the terms permanent, seasonal workers, subcontracted workers, short-term workers, etc. defined in local regulations?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended. • Permanent worker – an employee who has concluded an employment contract without specifying the duration • Worker with a short-term relationship – a worker with an employment contract according to Section 39, Fixed-term employment • Subcontracted workers – workers have an employment contract with an employment agency under the Labour Code • Seasonal worker – as a worker with a fixed-term contract or outside of an employment relationship Section 75 – Agreement to complete a job, or Section 76 – Agreement to Perform Work

Additional Notes:

7	PAYMENTS
7.1	Payments to workers are made in accordance with the working conditions documents.
7.2	Workers are informed when payments are made.
7.3	Records with payment information are accessible to existing staff and are kept on file for at least 24 months.

List relevant local labor laws and answer the following guiding questions:

Is there a state payroll data registration system?

Yes. Registration sheets are kept for the Social Security Administration in accordance with Act No. 582/1991 Coll., on the Organization and Implementation of Social Security, as amended. Other related regulations: Act No. 262/2006 Coll., Labour Code, Section 137 and Government Regulation No. 328/2013 Coll.

Also reports for the Czech Statistical Office, Na padesátém 3268/81, 100 82 Praha 10, Tel.: 274 051 111 (switchboard), E-mail: infoservis@czso.cz, Data box ID: 2gfaasy: Práce 2-04 Quarterly report on work

What information do they collect?

For detailed information, see:

Government Regulation No. 328/2013 Coll.

Act No. 582/1991, §39

Do workers have access to information?

Yes. Payslips and employment contracts. Act No. 582/1991 Coll., on the Organisation and Implementation of Social Security

Does the law require accounting records for agriculture?

Act No. 563/1991 Coll., on Accounting, as amended

Act No. 586/1992 Coll., on Income Taxes, as amended

Additional Notes:

8	WAGES
8.1	Payslips or registration slips state the length of working hours (including overtime) or the volume of harvested production and wages paid and/or overtime.
8.2	Wages, salaries, number of hours, state social security and pension contributions and payroll taxes are in accordance with working conditions, national labour legislation and/or collective agreements.
8.3	All workers receive at least the minimum wage and/or the wage under the collective agreement as part of their regular working hours.
8.4	Any deductions from wages are indicated on the payslip and are legally justified in writing, clearly explained and accepted by the worker.

List relevant local labor laws and answer the following guiding questions:

Is there a minimum wage in the country?

Yes.

Does it apply to agriculture?

Yes.

What is the minimum wage in agriculture?

The minimum wage is set annually on the basis of an amendment to Government Regulation No. 567/2006 Coll. on the minimum wage. Information about its amount can be found at: <https://www.mpsv.cz/minimalni-mzda>

Is there a collective agreement for agriculture?

Yes. However, the collective agreement is only applicable where the union of trade unions or the trade unions that negotiated them operate.

Which deductions from wages are allowed by law?

Deductions from income from employment are governed by Act No. 262/2006 Coll., the Labour Code (Sections 145 to 150), as amended. The full list can be found in the Ministry of Labour and Social Affairs manual here: <https://ppropo.mpsv.cz/XXI4Srazkyzprijmuzpracovnepravni>

Does the local regulation limit the deduction allowed to repay loans or advances?

No. Act No. 262/2006 Coll., the Labour Code (Sections 145 to 150), as amended. The full list is available in the Ministry of Labour and Social Affairs handbook here: <https://ppropo.mpsv.cz/XXI7Srazkyzprijmuzpracovnepravni>

Is it legal to charge a recruitment fee in the country?

No (in the case of a worker). Source: Act No. 262/2006 Coll., Labour Code and Act No. 280/2009 Coll., Tax Code, as amended.

Are there sources of information regarding market prices for basic necessities?

Yes. Conducted by the Czech Statistical Office, Na padesátém 3268/81 100 82 Praha 10, Tel.: 274 051 111 (switchboard), E-mail: infoservis@czso.cz,

Data box ID: 2gfaasy

Does the local regulation require proof of payment?

Yes. Act No. 262/2006 Coll., Labour Code

What type of document is required?

In the monthly wage or salary settlement, the employer is obliged to issue the employee with a written document with information on the individual components of the wage or salary and on the deductions made (the so-called payslip). At the employee's request, the employer is obliged to submit to the employee for inspection the documents on the basis of which the wage or salary was calculated. Source: Act No. 262/2006 Coll., Labour Code

Are there regulations in the law regarding wages calculated by piece, unit or quota?

No. The government regulation only includes payroll tables according to the complexity and difficulty of typical work. Remuneration according to pieces, units or quotas can be specified as a performance bonus in a collective agreement or as part of contracts for work outside the employment relationship, see Act No. 262/2006 Coll., the Labour Code. Government Regulation No. 567/2006 Coll., on the minimum wage, must be respected.

Are recruitment agency fees or employment agencies regulated by law?

Yes. Act No. 435/2004 Coll., on Employment.

Are there laws regarding debt slavery in the country?

Yes. Communication of the Federal Ministry of Foreign Affairs No. 209/1992 Coll., on the Negotiation of the Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols related to this Convention. Act No. 40/2009 Coll., the Criminal Code, as amended.

Additional Notes:

National Document Online - Ministry of Labour and Social Affairs: Handbook for Personnel Agenda and Remuneration of Employees - <https://ppropo.mpsv.cz/>

9	WORKING AGE, CHILD LABOUR AND YOUNG WORKERS
9.1	The producer has verified that no worker younger than the statutory minimum age of employment or of compulsory school leaving age (whichever provides higher protection) is working at production/post-harvest sites. The minimum age for employment must not be less than 15 years and 13 years for light work. In countries not covered by ILO Convention (ILO) No 138, the minimum age of employment must not be less than 14 years and 12 years for light work.
9.2	The producer checks that no worker under the age of 18 works at night or performs tasks of a dangerous nature at any production/handling site.
9.3	Children on family farms can only be employed within their family under conditions that promote their protection, right to education and safety.
9.4	Managers were informed of the legal age requirements and an effective remediation plan (in case workers under the age of 18 were found to be working in violation of regulations).

Please indicate the required website to the relevant local labour legislation and add the following definitions:

What is the statutory minimum age for employment?

Usually 15 years - Act No. 89/2012 Coll., Civil Code, exceptions Act No. 435/2004 Coll., on Employment

What is the age of majority in a given country?

Usually 18 years of age, Act No. 89/2012 Coll., Civil Code

Are there activities that are dangerous in agriculture listed in local regulations?

Yes, in general. The basic obligations of the employer are regulated by the Labour Code (Act No. 262/2006 Coll., as amended) to eliminate them and the Act on Ensuring Other Conditions for Occupational Safety and Health (Act No. 309/2006 Coll., as amended). Information e.g. Ministry of Agriculture: https://eagri.cz/public/web/file/63431/Zakladni_zasady_bezpecnosti_prace_v_zemedelstvi.pdf

Is there a legal definition of a family farm?

No. GRASP definition of family farm will be used because legal definition differs from that of GRASP.

How many hours can a minor legally work?

A juvenile employee (15-18 years) must not work more than 8 hours a day and 40 hours a week, even if he has more than one job at once. In this case, employers often require the employee to make an affidavit stating that they do not work for another employer. With legal exceptions, they are not allowed to work at night or overtime, and they must perform work that is adequate to their physical and intellectual development. The employer is also obliged to provide the juvenile employee with a break at work for meals and rest of at least 30 minutes after a maximum of 4.5 hours of continuous work. The employer is obliged to schedule working hours so that a juvenile employee has an uninterrupted rest period of at least 12 hours in 24 consecutive hours between the end of one shift and the beginning of the next shift. Source: Act No. 262/2006 Coll., Labour Code, as amended

A juvenile employee (14-15 years) must not work more than 7 hours a day or 35 hours per week. Employees under the age of 15 or those who haven't completed mandatory schooling are only allowed to engage in light work (Act No. 262/2006 Coll., Section 244a) during the main school holidays. This work must not negatively affect their health, education, or moral development.

A juvenile employee is prohibited from working between 8:00 p.m. and 6:00 a.m. In particular, workers under the age of 15 cannot be employed between 8:00 p.m. and 10:00 p.m., and they are not permitted to do night shifts or overtime.

Source: Act No. 262/2006 Coll., Labour Code, as amended.

What government agency oversees cases of child labor in the country?

State Labour Inspection Office, Kolářská 451/13, 746 01 Opava, tel.: +420 950 179 178, email: opava@suip.cz, epodatelna@suip.cz, data box: cmwaazf and its local branches

Are there other recognised organisations?

Authorities listed under Act No. 359/1999 Coll., on Social and Legal Protection of Children

Do these organizations provide permits (documents) as proof of a permit to work children?

Yes. Work for children under 15 years of age is prohibited. Only artistic, cultural, advertising and sports activities are permitted.

- the permission to perform the child's activity is decided by the regional branch of the Labour Office.
- A permit is not required only if it is a hobby activity of children

Are there public documents (or register) that prove guardianship of a child?

Yes. Records are kept by local courts.

Additional Notes:

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Juvenile workers 14 and below 15 only can do “light work” only — meaning work that:

- Does **not** endanger health, safety, or development
- Does **not** interfere with education
- Is **not** listed in the **Decree on Prohibited Work and Workplaces** (hazardous tasks are forbidden)

Age 14

- Max **7 hours per day**
- Max **35 hours per week**
- **No night work**, no overtime
- Must have **14 hours of uninterrupted rest** in any 24-hour period

☐ Fruit picking is explicitly listed as allowed in the amendment .

- Most other agricultural tasks (machinery, heavy lifting, pesticides, field work) are **not “light work”** and therefore **not permitted** for 14–15-year-olds.
- Employers must comply with the **Decree on Prohibited Work**, which excludes hazardous agricultural activities.

10	AGE OF COMPULSORY SCHOOL ATTENDANCE AND ACCESS TO SCHOOL
10.1	All children of compulsory school age who live or work at any production/post-harvest handling site must have access to school education.
10.2	The producer verifies and keeps records with the full name, names of parents and date of birth of all children at production/post-harvest handling sites that are younger than the age of completion of compulsory schooling.
10.3	If access to school is not possible, the producer arranges the transport of children younger than the age of completion of compulsory schooling.
10.4	If schools are not available for children living and/or employed in the producer's production/handling sites who have not reached compulsory school age, the producer shall arrange on-site instruction.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Is school education compulsory for children by law?

Yes. Act No. 561/2004 Coll., the Education Act, as amended.

Is there a minimum and/or maximum age for compulsory education in local regulations?

Yes. Compulsory school attendance begins at the beginning of the school year following the day on which the child reaches the age of six, unless the child is granted a postponement. School attendance is compulsory for nine school years, but no longer than until the end of the school year in which the pupil reaches the age of seventeen. Source: Act No. 561/2004 Coll., Education Act

Is there a government organization that oversees children's education?

Yes. Ministry of Education, Youth and Sports, Karmelitská 529/5 118 12 Prague 1, tel.: +420 234 811 111, email: posta@msmt.cz,
Data box ID: vidaawt

What government organization oversees education for children?

Ministry of Education, Youth and Sports, Karmelitská 529/5 118 12 Prague 1, tel.: +420 234 811 111, email: posta@msmt.cz,
Data box ID: vidaawt

Additional Notes:

11	ATTENDANCE SYSTEMS
11.1	An attendance recording system is in place, which is suitable for the type and size of the production site.
11.2	The system provides a record of regular working hours and overtime hours for each worker.
11.3	The system provides a record of effective daily breaks, weekly breaks and vacations for each worker.
11.4	All employees are instructed on the attendance recording system and its observance.
11.5	Each worker has access, before or at the time of payment of wages, to an overview of the system records in at least the language in which the worker works or in the predominant language(s) of the workforce.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Are regular working hours defined by law?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended

Is overtime defined by law?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended

Are there other systems for determining total working time?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended

If yes, please indicate the types of systems (e.g. average hours per period, flexible working hours, reduced work weeks, etc.):

By agreement between the employer and the employee - Act No. 262/2006 Coll., the Labour Code, as amended

Is there a maximum number of overtime hours set by law?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended

Are breaks/rest at work regulated by law?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended

Are there collective agreements that regulate working hours in agriculture?

Yes. Each trade union or trade union organization can negotiate its own.

Additional Notes:

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12	WORKING HOURS
12.1	The records show the working hours (including overtime, night work and rest days/breaks) with the peak/harvest period.
12.2	All overtime hours are voluntary, unless otherwise regulated by national legislation or collective agreement.
12.3	Overtime must not be required regularly within the production cycle/year and as stated in the law.
12.4	The working time does not exceed 48 hours per week (excluding overtime), unless stipulated by law or collective agreement. The employer reports the total number of hours worked, and if it exceeds 48 hours, appropriate protective measures are put in place to protect the health and safety of workers. If national legislation and collective agreements provide for lower weekly working hours (excluding overtime), these lower limits must take precedence.
12.5	The rest breaks/rest days listed in the records demonstrate compliance with national regulations and/or collective agreements. Unless specifically regulated for agriculture by local laws or collective agreements, rest periods shall include/breaks at least: (a) Short breaks during working hours (b) Sufficient breaks for meals (c) Daytime or night rest of not less than 8 hours within a 24-hour period (d) Rest at least one full calendar day within one week
12.6	The total weekly working hours (including overtime) recorded in the records demonstrate compliance with national legislation and collective agreements. If national legislation sets limits on total weekly working time of more than 60 hours (including overtime) in the high season and/or agricultural workers are exempt from overtime restrictions, the employer will report the total weekly hours worked and which appropriate safeguards are in place to protect the health and safety of workers.
12.7	Managers are instructed on protective measures to protect the health and safety of workers at work when they work beyond the regular weekly working hours and/or the weekly working hours in the high season.
12.8	Workers are informed about the effective use of rest breaks during the high season.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Is overtime work regulated by law?

Yes. Act No. 262/2006 Coll., Labour Code

Is overtime defined by law as voluntary?

No. The employer may order overtime, but not for all categories of employees. Overtime is not allowed for pregnant women, employees caring for a child under 1 year of age, juvenile employees. Act No. 262/2006 Coll., Labour Code.

Does the law specify special circumstances for requiring overtime?

The employer may order the employee to work overtime only for serious operational reasons, including for a period of uninterrupted rest between two shifts, or under the conditions specified in Section 91 (1) of the Act. 2 to 4 even on non-working days. The ordered overtime work for an employee may not be more than 8 hours in individual weeks and 150 hours in a calendar year. Act No. 262/2006 Coll., Labour Code

Is there a maximum number of overtime *hours* set by law?

The total amount of overtime work must not be more than 8 hours per week on average in a period that may not exceed 26 consecutive weeks. Only a collective agreement can define this period for a maximum of 52 consecutive weeks. The number of hours of maximum permissible overtime work in the compensatory period does not include overtime work for which the employee was granted compensatory time off. Act No. 262/2006 Coll., Labour Code

Does local law allow averaging *total hours* as a way to calculate maximum working hours?

Yes. Act No. 262/2006 Coll., Labour Code

The statutory maximum number of hours worked *in total* is:

48 hours/week. Act No. 262/2006 Coll., Labour Code

The statutory maximum number of *regular* working hours is:

40 hours/week. Act No. 262/2006 Coll., Labour Code

The statutory maximum number of *overtime* hours is:

8 hours/week, total 150 hours/year or 8 hours/week, total 150 hours for 26 weeks continuously. Act No. 262/2006 Coll., Labour Code

The statutory maximum number of working hours for *night shifts* is:

8 hours/24 hours or an average of 8 hours/shift over a continuous 26 weeks. Act No. 262/2006 Coll., Labour Code

Are there any *exceptions* to the statutory maximum number of hours worked?

Yes. There are exceptions only in exceptional situations in the maximum reduction of the rest period to 8 hours in continuous 24 hours for a limited time. Shortened rest can be compensated. Act No. 262/2006 Coll., Labour Code

Statutory maximum hours worked *at peak / harvest time* or when it is at its busiest season:

The maximum number of hours is not specified, but the minimum rest period during the following 24 hours is determined to be 8 hours, the rest can be replaced in the next 3 weeks. Uninterrupted rest in a week must be 24 hours/week, 105 hours/3 weeks, or 210 hours/6 weeks. Act No. 262/2006 Coll., Labour Code

Indicate the *minimum number of breaks per day* stipulated by law.

The employer is obliged to provide the employee with a break at work for meals and rest of at least 30 minutes after a maximum of 6 hours of continuous work. A juvenile employee must be granted this break after a maximum of 4.5 hours of continuous work. A break at work for meals and rest can be divided into several parts, while at least one part of it must be at least 15 minutes. Meal and rest breaks provided are not considered as working hours. Breaks at work for meals and rest should not be confusing with so-called safety breaks. If an employee has the right to a safety break during the performance of work according to special legal regulations, this break is included in the working time. Act No. 262/2006 Coll., Labour Code

The statutory minimum number of *days of rest per week* is:

The number of days is not specified, but the hours. In normal operation, 35 hours/week, otherwise 24 hours/week, but 70 hours in total/ 2 weeks in continuous operation, in agriculture 105 hours/ 3 weeks or 210 hours/ 6 weeks.

Additional Notes:

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If necessary to avert an accident, natural disaster or other emergency or to eliminate its immediate consequences, the daily rest period of an employee over 18 years of age may be reduced to up to 6 hours in 24 consecutive hours. The subsequent rest period shall be extended by the period of such reduction.

13	DISCIPLINARY PROCEEDINGS
13.1	A written disciplinary procedure is available.
13.2	Workers are informed of the terms of disciplinary proceedings, including that any deductions from wages as a disciplinary measure are prohibited.
13.3	Records are kept of all disciplinary actions taken during the last 24 months.

Please indicate the required website to the relevant local labour legislation and add the following definitions:

Are wage deductions regulated by law?

Yes. Act No. 262/2006 Coll., the Labour Code, as amended

What deductions are allowed?

Act No. 262/2006 Coll., the Labour Code, lists cases in which deductions from wages may be made. There are three groups of cases: Deductions from wages based on the Labour Code or a special law. The Labour Code allows the employer to make the following deductions from the employee's salary, e.g. a court decision (Section 147 (1)), even without the employee's consent. Deductions from wages based on an agreement on deductions from wages or to satisfy the employee's obligations. Deductions from wages to pay membership fees of an employee who is a member of a trade union. Deductions from the employee's salary in favour of the employer for hiring, for the payment of financial guarantees or for the payment of contractual penalties are not permitted. Deductions from wages to compensate for damage are only possible on the basis of an agreement on deductions from wages.

Additional Notes:

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