Conclusions of the Council for Economic and Social Accord working team for employment of foreign workers session of 25 March 2020

The members of the CESA for employment of foreign workers have agreed that during the state of emergency the following principles must be complied with:

1. Employers must ensure equal treatment for their foreign employees and their Czech employees in cases such as imposed quarantine, unfitness for work, essential care for a child, temporary non-allocation of work, temporary reduction or closure of operation or compulsory work from home. An overview of specific rights and obligations is provided in the Employment-related Ten Commandments for combating the coronavirus drawn up by the Ministry of Labour and Social Affairs:

2. Employers who are forced to terminate the contractual employment of employee card holders due to the economic impacts of the coronavirus epidemic must comply with the procedure for terminating contractual employment as required under the Labour Code. Termination of contractual employment by agreement must not be abused, laid-off employees must be paid all rewards due for the work performed, departing employees must be issued with a Termination of Employment Form etc.

3. Employers should help employment cards holders who are forced to terminate or not extend contractual employment with registration as job seekers on the MLSA website (https://www.mpsv.cz/web/cz/prace-pro-cizince). Transfer of such foreign nationals to another employer who may have longer-term suitable employment opportunities for them should be the preferred solution to the situation.

4. Sanctions involving future exclusion from participation in government approved migration programmes may (under a decision by the Coordination Body for protection of the state borders and migration) be imposed on employers who are found to have abused the vulnerable position of foreign employees during the state of emergency.

Representatives of the Confederation of Industry, the Confederation of Employers’ Associations and the Czech Chamber of Commerce will call on its members to follow the above procedure. The Bohemian-Moravian Confederation of Trade Unions and the Association of Independent Unions will monitor through its union organisations in the workplace whether employers are proceeding according to the above points and whether or not abuse of the state of emergency is occurring to the detriment of foreign employees.