



## Basic information for jobseekers

The rights and obligations of a jobseeker are set out in Act No 435/2004 Coll., on Employment, as amended (hereinafter referred to as the "Act").

### 1. Job placement by regional branches of the Labour Office of the Czech Republic (hereinafter referred to as "LO regional branch")

The right to employment is the right of a natural person who is willing and able to work and who applies for a job, to employment in an employment relationship, to employment mediation and to the provision of other services under the conditions laid down by law. In exercising the right to employment and access to employment, the law ensures equal treatment and prohibits any discrimination. Job placement by the LO regional branch is free of charge.

#### 2. A jobseeker has the right to

- **job placement**, i.e. finding suitable employment, counselling and **information on job opportunities and vacancies**,
- **extra care** in job placement if they need it for serious reasons,
- **vocational rehabilitation** if he/she is disabled,
- **unemployment benefits** if the conditions set by law are met.

#### 3. A suitable employment is employment,

- which imposes an obligation to pay pension insurance premiums and contributions to the state employment policy,
- the working time of which is at least 80 % of the fixed weekly working time,
- which is agreed for an indefinite period, or for a fixed period of more than 3 months, and
- which is appropriate to the jobseeker's medical fitness and, as far as possible, his or her qualifications, abilities, length of employment to date, accommodation options and transport accessibility to employment,
- which is performed within the framework of community service, if it corresponds to the health capacity of the JS and the length of its working time is not more than half of the specified weekly working time.

For a jobseeker (hereinafter referred to as "JS") who has been registered in the register of jobseekers (hereinafter referred to as "JS register") for more than 1 year, suitable employment includes employment that meets the conditions set out in points (a), (b) and (d), or meets the conditions set out in points (a), (c) and (d), and the length of his/her working time is at least 50 % of the specified weekly working time.

#### 4. Job placement is carried out by the contact office of the LO regional branch (hereinafter also "RB contact office"). To increase the possibility of employment, it develops an Individual Action Plan (IAP) with the JS. The content of the IAP is in particular the determination of the procedure and timetable for the implementation of individual measures to increase the possibility of the JS's employment on the labour market. The content of the IAP is based on the qualifications, health status, possibilities and abilities of the JS. A jobseeker may request the preparation of an IAP at any time during the course of inclusion in the JS register. The IAP is always drawn up if the JS is included in the JS register continuously for more than

- 3 months, if the person with special needs is a person classified in the second level of profiling or a person who has completed a custodial sentence or has been released from protective detention,
- 5 months, if the person with special needs is classified in the first level of profiling, or
- 12 months.

A person with specific needs will be placed in profiling by the regional branch of the LO.

#### 5. A natural person may apply for suitable employment at the contact offices of the regional branch of the Labour Office in whose territorial district he or she resides, and only at one of these contact offices.

The domicile of a citizen of the Czech Republic is the address of the place of permanent residence in the territory of the Czech Republic or the address of the place where he/she usually resides in the territory of the Czech Republic. The residence of a foreigner who is a citizen of the European Union or a member of his/her family or a family member of a citizen of the Czech Republic is the address of permanent or temporary residence in the territory of the Czech Republic, and if he/she does not have such residence, the address of the place where he/she usually resides in the territory of the Czech Republic. The place of residence of a foreigner who is neither a citizen of the European Union nor a member of his/her family nor a family member of a citizen of the Czech Republic is the address of the place of permanent residence in the territory of the Czech Republic; if he/she is a holder of a blue card, the address indicated as the place of residence in the information system for foreigners.

#### 6. The jobseeker is obliged to fulfil the obligations of the JS at the RB contact point where he/she has requested job placement.

During registration in the JS register, the JS may request a change of the contact point in the territorial district of the regional branch of the LO. He or she may also request that job placement be arranged by the RB contact point in whose territorial area he or she is actually present for serious reasons. If the JS notifies a change of residence outside the territory of the regional branch of the LO within 8 calendar days in person or in writing, his/her registration will be transferred to the RB contact point according to his/her new residence.

#### 7. A natural person is included in the JS register on the day when he/she submits a written request for job placement. If he/she applies for job placement no later than 3 working days after the end of employment or other activities listed in point I/7 or activities that are considered as substitute periods of employment (point I/18), he/she is included in the JS register from the day following the end of employment or these activities.

#### 8. A jobseeker may be a natural person who is a resident of the Czech Republic and who is not

- in an employment or service relationship, except for so-called non-conflicting employment. Non-conflicting employment shall be deemed to be employment under an employment or service contract if the monthly earnings do not exceed half the minimum wage, or employment under a work agreement if the monthly remuneration or remuneration per month for the period for which it is due does not exceed half the minimum wage. The performance of non-conflicting employment must not prevent the JS from providing cooperation in job placement and from accepting an offer of suitable employment,
- a self-employed person pursuant to Section 9 of Act No. 155/1995 Coll., on Pension Insurance,
- a shareholder of a limited liability company, an executive of a limited liability company, a limited partner of a limited partnership, a director of a public benefit company, the head of an organizational unit of a foreign legal entity, a member of the board of directors or administration board or a statutory director of a joint-stock company, a member of the supervisory board of a commercial company or a member of a cooperative, who, outside the employment relationship performs work for the company (cooperative) for which he is remunerated and whose monthly or average monthly remuneration, together with any earnings (remuneration) from non-collective employment exceeds half of the minimum wage,
- an individual in charge of business management who performs this activity for remuneration outside the employment relationship and whose monthly or average monthly remuneration, together with any earnings (remuneration) from non-conflicting employment, exceeds half the minimum wage,
- a forced administrator or administrator under a special legal regulation, a proxy or a liquidator, at the time he/she carries out this activity,

- f) a member of the local government council or another person, if they are remunerated as an exempt member of the local government council,
- g) a foster parent who is paid a foster parent's remuneration pursuant to section 47j(1)(c) and (d) of the Act on the Social and Legal Protection of Children,
- h) a judge, Member of Parliament or Senator of Parliament, a Member of the European Parliament, a member of the Government, the President, the Vice-President or a member of the Supreme Audit Office, the Public Defender of Rights, the Children's Ombudsman or their representative, a member of the Broadcasting Council, member of the Council of the Institute for the Study of Totalitarian Regimes, member of the Council of the Energy Regulatory Office or member of the Council of the Czech Telecommunications Office, member of the National Budget Council, financial arbitrator or deputy financial arbitrator, chairman or vice-chairman of the Council of the National Accreditation Office for Higher Education,
- i) gainfully employed abroad,
- j) a full-time student at a secondary school, conservatory, higher vocational school, language school with the right of a state language examination and full-time student at a university (continuous preparation for a future profession), with the exception of a student who in the last 2 years before being included in the JS register has obtained a period of pension insurance of at least 12 months through employment or other gainful activity.

9. A natural person with a work performance agreement cannot become a jobseeker, regardless of whether he or she performs work under the agreement and is paid remuneration.

10. A natural person cannot become a jobseeker during the period for which he/she

- a) has been declared temporarily unable to work,
- b) is serving a prison sentence, is under a protective custody measure or is in detention,
- c) is receiving maternity allowance before or 6 weeks after giving birth,
- d) is fully disabled in the third degree, except for a natural person who is disabled in the third degree and is capable of gainful activity under quite exceptional conditions,
- e) is not eligible to be a party to legal relations under the law, i.e. does not have the capacity to be an employee.

An obstacle for inclusion and maintenance in the JS register is

- f) failure to provide identification data and failure to provide or the withdrawal of consent to the processing of personal data,
- g) if the natural person without serious reason terminates on his/her own or on the basis of an agreement with the employer a suitable employment mediated by the regional branch of the Labour Office, or the employer terminates this employment with him/her because of a violation of an obligation arising from legal regulations related to the work performed by him/her in a particularly gross manner. The JS can be included in the JS register after 6 months from the date agreed as the date of entry into job placement.

11. Facts decisive for inclusion or maintenance in the JS register (point I/7 and I/9) are documented by the JS to the RB contact point; changes to these facts must be notified in person or in writing within 8 calendar days.

12. The jobseeker is obliged to

- a) provide the necessary assistance to the RB contact point in job placement and to follow its instructions, in particular
  - discuss the recommended employment within the time limit set by the RB contact point,
  - appear at the RB contact point on the set date,
  - inform the RB contact point whether they are a person with a disability, as well as information about their health limitations to the extent necessary for finding suitable employment, retraining and determining the appropriate form of vocational rehabilitation,
  - undergo a medical or psychological examination at the request of the RB contact point in cases provided for by law,
  - provide assistance in the preparation of the IAP, its updating and evaluation, within the deadlines set by the RB contact point, and to fulfil the conditions set out therein,
  - comply with the regime of temporary inability of the JS to perform the obligations of the JS due to illness or injury (stay in the place of residence specified in the certificate of temporary incapacity of the JS, observe the scope and duration of the permitted outings),
- b) notify the RB contact point in person or in writing within 8 calendar days at the latest
  - of changes in the facts decisive for inclusion or maintenance in the JS register referred to in point I/7 and I/9,
  - of the reasons for his/her failure to appear at the RB contact point on the set date,
  - other facts that have an impact on inclusion and maintenance in the JS register,
- c) notify the RB contact point of the performance of non-conflicting employment (point I/7a), regardless of the amount of monthly earnings or remuneration, at the time of the application for job placement or at the latest on the date of commencement of the activity. Within the time limit set by the RB contact point, he/she is obliged to document the amount of monthly earnings or remuneration,
- d) notify the RB contact point of the reasons for which he/she is temporarily unable to fulfil the obligations of the JS, no later than within 3 calendar days of the issue of a certificate of temporary inability of the JS to fulfil the obligations of the JS due to illness or injury or a certificate of treatment or examination,
- e) document to the RB contact point no later than 8 calendar days from the date of issue of the certificate of temporary inability of the JS to fulfil the obligations of the JS due to illness or injury or a certificate of treatment/examination in a medical facility.

13. The regional branch of the LO will terminate the jobseeker's registration in the JS register

- on the date on which any of the facts preventing inclusion or maintenance in the JS register, which are listed in point I/7 and I/9 (with the exception of the recognition of temporary incapacity for work, receipt of maternity assistance in the period before childbirth and the period of 6 weeks after childbirth), if the JS personally or in writing notifies the RB contact point within a period of no later than 8 calendar days,
- the date of receipt of a written request from the JS to terminate the registration of the JS, unless one of the reasons for removal from the JS register is given,
- and further on the date of commencement of a prison sentence; on the date of commencement of the protective measure of security detention; on the day following the date of death of the JS or after the JS is declared dead; on the day following the expiry of 6 months from the date of taking the JS into custody; on the date of inclusion in the JS register, if it was subsequently established that the JS was not eligible to be a participant in legal relations under the law or on the date of the loss of this eligibility.

14. The regional branch of the LO will exclude a jobseeker from the JS register if

- a) one of the facts preventing inclusion or maintenance in the JS register has occurred and the jobseeker fails to fulfil the notification obligation within 8 calendar days at the latest,
- b) The JS, without serious reason
  - fails to notify the RB contact point of the performance of non-conflicting employment (points I/7a and I/11c) when applying for job placement or no later than on the date of commencement of such activity,
  - fails to notify the RB contact point in person or in writing within 8 calendar days at the latest of the reasons for his/her failure to appear at the RB contact point on the set date,
  - fails to notify the RB contact point in person or in writing within a period of no later than 8 calendar days of other facts that affect inclusion and maintenance in the JS register,
  - does not notify the reasons for which he/she is temporarily unable to fulfil the obligations of the JS, no later than within 3 calendar days of the issue of a certificate of temporary inability of the JS to fulfil the obligations of the JS due to illness or injury or a certificate of treatment or examination,
  - fails to submit the relevant certificate within 8 calendar days from the date of issue of the certificate on the temporary inability of the JS to fulfil the obligations of the JS due to illness or injury or the certificate on the treatment/examination of the JS in a medical facility,
- c) according to a medical opinion, he/she is unable to fulfil the obligation to cooperate with the RB contact point in job placement, d) he/she has withdrawn his/her consent to the processing of personal data, or
- e) performs illegal work.

15. **The regional branch of the LO will also exclude a jobseeker from the JS register if, without serious reason, he/she**
  - a) refuses to take up suitable employment,
  - b) refuses to take up the agreed retraining,
  - c) does not fulfil the obligations in the retraining course (does not participate in the retraining course within the specified scope of theoretical and practical training, does not fulfil the study and training obligations set by the educational establishment that carries out the retraining, or does not undergo the final verification of the acquired knowledge and skills),
  - d) refuses an offer of retraining if he/she is registered in the JS register for more than 5 months,
  - e) fails to cooperate in the preparation, updating and evaluation of the IAP or fails to comply with the conditions set out in the IAP,
  - f) refuses to submit to a medical or psychological examination, or
  - g) obstructs cooperation with the regional branch of the LO,
  - h) does not fulfil the study or training obligations set by the retraining facility which carries out the selected retraining.
16. **Obstruction of cooperation with the regional branch of the LO is considered if the JS, without serious reason**
  - a) fails to fulfil his/her obligations towards the RB contact point, although according to the medical opinion he/she is able to fulfil these obligations,
  - b) fails to discuss the recommended employment within the time limit set by the RB contact point,
  - c) **repeatedly fails to appear at the RB contact point on the due date during a period of 12 months, without serious reason,**
  - d) fails to disclose his/her medical limitations to the extent required and whether he/she is a disabled person,
  - e) does not comply with the regime of temporary inability of the JS to fulfil the obligations of the JS due to illness or injury (point I/11a),
  - f) obstructs job placement or entry into employment through other conduct.
17. **Serious reasons** are those consisting in
  - necessary personal care for a child under 4 years of age,
  - necessary personal care for a natural person who is considered dependent on the assistance of another natural person under a special legal regulation in degree II (moderate dependence), degree III (severe dependence) or degree IV (total dependence), if he/she lives permanently with the JS and they jointly cover the costs of his/her needs; these conditions are not required if the person is considered a close person for the purposes of pension insurance,
  - the child's attendance at pre-school and compulsory school attendance,
  - the place or nature of employment of a spouse or registered partner,
  - health reasons that, according to a medical opinion, prevent the person from performing employment or from fulfilling the obligation to cooperate with the RB contact point in job placement,
  - other serious personal reasons, such as ethical, moral or religious reasons, or reasons worthy of special consideration,
  - immediate termination of employment by the employee pursuant to Section 56 of the Labour Code.
18. **A jobseeker who has been removed from the JS register** for the reasons specified in point I/13 (a), (b), (d), (e) and point I/14 may be re-included in the register on the basis of a new written application **no earlier than 3 months after the date of removal** from the JS register.
19. **The period of time to be considered as compensatory employment shall be**
  - a) preparing a person with a disability for work,
  - b) receiving a full invalidity pension for third-degree invalidity,
  - c) personal care for children up to 4 years of age,
  - d) personal care for a natural person who is considered to be dependent on the assistance of another natural person under a special legal regulation in degree II (moderate dependence), degree III (severe dependence) or degree IV (total dependence), if he/she lives permanently with the JS and together they cover the costs of his/her needs; these conditions are not required if the person is considered to be a close person for the purposes of pension insurance,
  - e) the performance of long-term voluntary service on the basis of a volunteer contract with a sending organisation that has been accredited by the Ministry of the Interior, or the performance of public service on the basis of a public service contract if the scope of the service performed exceeds an average of at least 20 hours per calendar week,
  - f) personal care for a natural person under 10 years of age who is considered to be dependent on the assistance of another natural person in degree I (light dependence) under the Social Services Act,
  - g) the duration of temporary incapacity for work or quarantine ordered after the end of the gainful activity which gave rise to participation in sickness insurance under the Sickness Insurance Act, provided that the person did not cause the temporary incapacity for work intentionally and that the temporary incapacity for work or quarantine ordered arose during the period of that activity or during the protection period under the Sickness Insurance Act.
20. **The application for job placement is submitted**
  - a) online in the Jenda Client Zone on the website <https://jenda.mpsv.cz>,
  - b) in person in the form of an assisted submission at a contact point of the LO; assisted submission of an application means the entry of the application by an employee of the LO into the information system.

**If an individual submits a request for job placement in another way, it shall not be taken into account. The LO is informed of this fact.**
21. **An individual may make other submissions and perform other actions towards the regional branch of the LO**
  - a) via the Jenda Client Zone on the website <https://jenda.mpsv.cz>,
  - b) in person in the form of an assisted submission at a contact point of the LO,
  - c) via data box (data box for natural persons),
  - d) in paper form.
22. **The regional branch of the Labour Office decides in administrative proceedings in accordance with Act No. 500/2004 Coll., the Administrative Code, as amended.**

## II. Unemployment benefit

1. **A jobseeker is entitled to unemployment benefit (hereinafter referred to as "UB")** only if the conditions set out by law are met. The jobseeker applies for the provision of UB to the regional branch of the Labour Office, where he/she is registered as a jobseeker. **UB is requested on a separate form (point II/2).**
2. **An application for unemployment benefit is submitted**
  - a) online in the Jenda Client Zone on the website <https://jenda.mpsv.cz>,
  - b) in person in the form of an assisted submission at a contact point of the LO; assisted submission of an application means the entry of the application by an employee of the LO into the information system.

**If an individual submits a claim for unemployment benefit in another way, it is not taken into account. The LO is informed of this fact.**