

EUROPEAN SOCIAL CHARTER

FIFTH REPORT ON THE APPLICATION OF THE EUROPEAN SOCIAL CHARTER

**SUBMITTED BY THE GOVERNMENT OF THE CZECH
REPUBLIC**
(for the period to December 31, 2006)

Articles 1, 15 and 18 of the European Social Charter and Article 1
of the Additional Protocol of 1988

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REPORT ON APPLICATION OF THE PROTOCOL TO THE EUROPEAN SOCIAL CHARTER

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ARTICLE 1: THE RIGHT TO WORK

Article 1, paragraph 1

"With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake: to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;"

Question A

Please indicate the policy followed by your government in attempting to reach and maintain full employment. Please supplement with details of the measures and programmes implemented to achieve as high and stable a level of employment as possible.

Please indicate, if possible, the trend in total employment policy expenditure over the past five years, including the relative shares of "active" (job creation, training, etc.) and "passive" (financial compensation, etc.) measures.

Please indicate the active policy measures taken in order to favour access to employment of groups most exposed to or affected by unemployment (e.g. women, the young, older workers, the long-term unemployed, the disabled, immigrants and/or ethnic minorities). Please give indications on the number of beneficiaries from these measures and information, if possible, on their impact on employment.

The Government has based its employment policy targets on the priorities set forth in the EU Employment Policy Guidelines and on OECD recommendations. The primary documents for the starting point and the aims of its active employment policy are the **European Employment Strategy** and the **National Reform Programme for 2005 – 2008**.

The active employment policy instruments adopted in order to promote the highest possible level of employment are defined in **Act no. 435/2004 Coll., on Employment**. They are as follows: retraining, investment incentives, public beneficial work, socially beneficial jobs, bridging contributions, transport contribution for employees, contributions towards recruitment costs and contributions upon a switch to a new business programme.

The active employment policy measures also include counselling, which is provided or organized by the Labour Offices for the purpose of determining the personal qualities and level of qualification of natural persons to help them to choose a career, to broker a suitable employment, to select vocational training for disabled persons and to choose suitable active employment policy instruments. This area also includes measures to support the employment of disabled persons and targeted employment programmes that are regional or national in nature. The Labour Offices provide funding to employers for creating (or maintaining) jobs.

Given the fact that the labour market is constantly evolving and experience has demonstrated the need for new active employment policy instruments to promote individual employment, the Labour Offices now have the opportunity to test these new measures, before they are embodied in the legislation. The conditions governing the evaluation and costs of new employment policy instruments and measures are approved by the Ministry of Labour and Social Affairs. Should a new instrument or measure prove successful, it may be

implemented and incorporated into the legislation. This was the method used to test the transport contribution for employees, which was successfully incorporated as one of the active employment instruments.

Retraining

Retraining means the acquisition of a new qualification or the expansion of an existing qualification of a job seeker or person interested in work. The Employment Act also caters for training for those interested in work. The legislation does not stipulate any minimum level of acquirement of skills and experience that is deemed to be retraining and therefore any change in a previous qualification that enables a job seeker or a person interested in work to obtain work or to prepare themselves for work in a different profession is deemed to constitute retraining.

Retraining takes place on the basis of an agreement between the Labour Office and the job seeker or person interested in work, should it be required to improve their job prospects. There is no legal right to retraining and it will only be approved if it is essential to improve a person's job prospects. When organizing retraining courses in their administrative districts, the Labour Offices will take into account the need for wanted professions in the labour market and the professional structure of new job vacancies. The content and scope of retraining programmes are based on a determination of the current qualifications, state of health, skills and experience of the natural person who is to be retrained.

The retraining agreement must contain an undertaking from the job seeker or person interested in work to repay the retraining costs if they fail to complete the retraining course without a serious reason, or refuse to take up a suitable job corresponding to the newly acquired qualification. This provision aims to motivate the retraining course participants themselves to adopt an active approach. The Labour Office may provide the retraining participant with a contribution to cover justified costs connected with the retraining. The Labour Office pays the costs of the retraining on behalf of the retraining participant. The types of retraining, the types of retraining costs and associated expenses disbursed by the Labour Office, are stipulated in Decree no. 519/2004 Coll., on retraining of job seekers and persons interested in employment and on retraining of employees.

A job seeker has the right to retraining support equal to 60% of the average monthly net wage received in his/her previous employment during the entire period of retraining. Retraining support is higher than unemployment benefit and is drawn during the entire retraining period, even where this period is longer than the support period would have been. In the event the job seeker abandons the retraining, he/she is in breach of the Employment Act and the Labour Office will withdraw the support on the basis of this breach.

Investment incentives

The aim of investment incentives is to support economic growth and to create new jobs. Employers who have been promised an investment incentive receive material support for the creation of new jobs and retraining or training of new employees. Material support for the creation of new jobs can be provided to an employer who will create new jobs in a territorial area in which the average unemployment rate over the two half-years prior to the

date on which the employer submitted its application to receive an investment incentive is at least equal to the average unemployment rate in the Czech Republic. Material support for retraining or training of employees may be provided to an employer as partial reimbursement of funds that are actually invested into retraining or training of new employees. The condition of the minimum level of unemployment in the territorial area, stipulated for material support for the creation of jobs also applies to support for retraining or training of employees.

The level of material support is set forth in Government Decree no. 515/2004 Coll., on material support for the creation of new jobs and material support for the retraining or training of employees within the framework of investment incentives. Material support for the creation of new jobs and material support for retraining or training of new employees are special purpose funds and may not be used for a purpose other than that set forth in the agreement on its provision.

Public beneficial work

Public beneficial work means time limited work opportunities, principally involving the maintenance of public areas, the cleaning and maintenance of public buildings and roads or similar activities for a municipality or for Government or civic institutions as a means of employing job seekers. Together with socially beneficial jobs, public beneficial work is a typical active employment policy instrument, whose purpose is to find jobs, primarily for hard-to-place job seekers, in order to prevent them from losing good working habits.

The work opportunities are created on the basis of an agreement between the Labour Office and the employer, who may receive a contribution from the Labour Office for creating them. A contribution may be provided to the amount of the wage base actually paid for an employee placed in this job, including social security and Government employment policy contributions and general health insurance premiums, which the employer has had deducted from the assessment base of this employee.

Socially beneficial jobs

Socially beneficial jobs are jobs that an employer establishes or allocates on the basis of an agreement with the Labour Office and fills with job seekers who cannot find work by other means. A socially beneficial job is also a job that a job seeker has established upon agreement with the Labour Office for the purpose of performing a self-employed activity. This definition enables not only new jobs, but also jobs allocated to a specific category of job seeker.

The Labour Office may provide the employer with a contribution for each socially beneficial job, the amount of which will depend on the unemployment rate in that given district and the number of socially beneficial jobs that have been created or reserved. A contribution for the allocation of one job may be provided to the amount of the wage base actually paid to an employee placed in an allocated job, including social security and Government employment policy contributions and general health insurance premium, which the employer has had deducted from the assessment base of this employee.

Bridging contribution

A Labour Office may provide a bridging contribution to a person who is self-employed and who has ceased to be a job seeker and who has received a contribution to create a socially beneficial job. The purpose of this contribution is to assist persons who have decided to deal with their unemployment by embarking on a self-employed activity, to start up in business, which requires higher initial costs.

Transport contribution for employees

A contribution can be provided to an employer on the basis of an agreement concluded with the Labour Office if the employer provides daily transport for its employees to and from their place of work where public transport can be proven not to operate at all or not to an extent that corresponds to the employer's needs. The purpose of this contribution is to help to promote the employment of persons whose main barrier to work is the lack of availability of public transportation. This contribution is intended to enhance employment opportunities and at the same time to create more favourable conditions for business. The contribution may amount up to a maximum of 50% of the costs associated with the transport of employees.

The contribution may also be paid if the employer provides transport for severely disabled employees who, given their state of health, are unable to use public transport means. The contribution for special transport for severely disabled employees covers 100% of the costs.

Contribution towards recruitment costs

The purpose of this contribution is to provide for increased attention from employers during the initial stage of the employment of job seekers who have received additional care from the Labour Office (job seekers who so require by reason of their state of health, age involvement in childcare or for other serious reason). The Labour Office may pay an employer a contribution towards recruitment costs on the basis of an agreement concluded with it, provided the employer takes on a job seeker who has received additional care from the Labour Office.

Contribution upon a switch to a new business programme

The Labour Office can provide an employer with a contribution upon a switch to a new business programme if the employer is unable to provide work for its employees within the scope of the fixed weekly working period, which amounts to 40 hours a week, because of this switch. The contribution is provided on the basis of an agreement between the Labour Office and the employer.

The Act defines groups of job seekers at risk to whom a special attention is devoted (within the principle of equal treatment) on the ground of threat of exclusion from the labour market or for reasons associated with unemployment. In this regard, particular attention is paid to active and preventive measures for unemployed and inactive persons and special attention is paid to those persons who have the most difficult access to the labour market. This particularly concerns disabled persons, young persons below the age of 25 years, graduates (for a period of 2 years after completing their studies), persons caring for young children, persons over the age of 50 years, etc. The Labour Offices are instructed to pay greater attention and to use all available active employment policy instruments when dealing with the groups specified above.

The problem of persons under threat of exclusion or unemployment also currently receives financial support from the European Social Fund within the scope of programmes that have been implemented on the territory of the Czech Republic. These are the **Operational Programme for Human Resource Development**, the **Single Programming Document NUTS 2 Objective 3 Prague** and the **EQUAL Community Initiative**.

Question B

Please indicate the trends in employment covering all sectors of the economy. In connection with this, indicate as far as possible, the activity rate, the employment rate and the breakdown of employment by region, by gender, by age, by employment status (employed, self-employed), by type of employment (full time and part time, permanent and fixed term, temporary), and by sector of activity.

Employment

From the beginning of the nineteen nineties and as a result of the restructuring of the economy and its progressive links to the world markets, fundamental changes occurred in the structure of the Czech economy and, subsequently also in the structure of employment .

The national employment rate continued to fall after the mid-nineties. Moderate year-on-year rises were recorded between 1994 and 1996 and again in 2002. The economic resurgence resulted in a reversal of the trend in employment in 2004, when the speed of employment growth increased over the course of the year. Overall, however, it still failed to reach the previous year's level. A year-on-year growth was only obvious in the following year 2005, when employment figures rose by 1.2%, and continued in 2006, with a further 1.3% growth. **In all, 4,828.1 thousand persons were employed in 2006**, a figure that met employment levels for the best years at the end of the nineteen nineties. **Female employment rose to 2,086.1 thousand in 2006, representing 43.2% of total employment in the Czech Republic. The proportion of women employees out of the total number of women over the age of 15 reached 46.1%.**

The proportion taken up by the tertiary sector (services) continued to rise, at the expense of the primary (agriculture and forestry) and secondary sectors (industry, construction). In 2006, primary sector employment represented 3.8% of total employment, and had fallen by half in comparison with the beginning of the nineteen nineties, the fall in the

proportion taken by the secondary sector (39.9% in 2006, of which industry represented 30.9% and construction 9.0%) was not as pronounced (a fall of 3 percentage points). The percentage taken by the tertiary sector, which represented 56.3% in 2006, had increased by 7 percentage points in comparison with the employment rate from the beginning of the transformation process.

In 2006 the level of economic activity, calculated according to EU methods, (economically active persons in the age category from 15 – 64 years old as a percentage of the entire population aged between 15 and 64 years) was 70.3%, 78.3% for men and 62.3% for women. Although from a long-term point of view the level of economic activity has tended to fall, the number of economically active persons has risen slightly over the past 2 years. This has been helped by the process of raising the age level for retirement, which counterbalanced the falling numbers of economically active young people (both as a result of demographic changes and the higher numbers of economically inactive young people, resulting from the number of young people studying or undergoing occupational training). From the point of view of the level of education achieved, in 2006 the highest number of economically active was among the university graduates, the lowest one was recorded among those with basic education. A positive feature was the growth of economic activity with a rise in employment and a fall in unemployment.

The unemployment rate for citizens aged 15 – 64 years was 65.3% in 2006 and this reflects the overall rise in employment over the long term. **The employment rate for women is 56.8% and the employment rate for men is 73.7%. The employment rate for older persons (55–64 years of age) reached 45.2% in 2006.** This age group has registered the highest increase in employment levels, which has resulted from raising the age limit for retirement, as well as the favourable demographic situation, where the high post-war population surge from the end of the nineteen forties and the beginning of the nineteen fifties fall into this age category.

The employment rate shows major **regional differences**, which are mainly due to the number and structure of job opportunities in the individual regions. In 2006, one half of the 14 regions had an employment rate (the number of those in work between the ages of 15 and 64 as a proportion of the population between the ages of 15 and 64 years) that was higher than the average employment rate for the Czech Republic as a whole, the highest being Prague (71.6%), while the lowest was the Moravian-Silesian region. The spread between regional employment rates (variation coefficient) of the NUTS 2 regions is gradually becoming less and in 2006 it was 5.4, while at the level of the regions (NUTS 3) it fell to 4.6.

In 2006 the largest group of workers continued to consist of **wage-based employees**, who represented 83.5% of the working population. Overall numbers of **entrepreneurs** (particularly those with employees) was a positive factor in overall growth, and this group made up 15.5% of the working population (of which the proportion of self-employed entrepreneurs was 11.4%).

Depending on the type of job, the vast majority of employees in the national economy traditionally work **full time**, in 2006 this represented 95.1% of workers. **Part-time workers** only made up 4.9% of the total number. 92.7% of employees had contracts **for an indefinite period** (or were entrepreneurs), while 7.3% had **fixed term employment**.

The Czech Republic's accession to the European Union on May 1st, 2004 brought changes to the conditions governing **the employment of foreign nationals** on the territory of the Czech Republic. Job vacancies that cannot be filled by citizens of the Czech Republic, EU/EEA and Switzerland, are open to citizens from other countries. Under the terms of the Employment Act, citizens of the EU Member States and their families are not deemed to be foreign nationals and, in accordance with this Act, have the same legal standing as citizens of the Czech Republic. Citizens of Norway, Lichtenstein and Iceland, which are members of the EEA, their families, as well as citizens of Switzerland and their families (hereinafter referred to as EU nationals) also have the same legal standing as citizens of the Czech Republic. Other foreign nationals may work on the territory of the Czech Republic provided they have been granted a work permit and a residence permit, unless otherwise stipulated in the Employment Act.

To 31.12.2006 a total of **185.1 thousand foreign nationals** were **working** (as employees) in the Czech Republic. Of this number, **61.5 thousand foreign nationals** were working **with a valid work permit** while 6.8 thousand foreign nationals were not required to have work permits and **116.8 thousand were EU nationals**. The majority of foreign nationals working as employees were men, with a total of 58.5 thousand women employed (i.e. 31.6%).

In terms of nationality, the highest numbers of foreign workers in the Czech Republic to 31.12.2006 were citizens of Slovakia (91.4 thousand), Ukraine (46.2 thousand) and Poland (17.1 thousand), and these groups also showed the highest year-on-year growth (citizens of Slovakia by 16.1 thousand, Ukraine by 6.1 thousand and Poland by 4.5 thousand). EU nationals made up 63.1% of foreign nationals registered by the Labour Offices.

Foreign nationals also work in the Czech Republic as **entrepreneurs**, having been issued a Trades License. To 31.12.2006 these numbered **65.7 thousand**, which represented a fall of 1.5 thousand people as compared to the same period in 2005. Trades licenses are issued by the Ministry of Industry and Trade.

The employment of foreign nationals is therefore becoming an important feature of the Czech labour market. In a year-on-year comparison, their overall numbers have risen by 31.8 thousand, and as a proportion of the labour force this represented 4.6% (a growth of 0.6 of a percentage point).

Foreign nationals registered by at the Labour Offices (LO) by type of registration and foreign nationals with Trades Licenses to 31.12. (in thousands)

Year	Foreign nationals with valid work permits	Information – foreign nationals from third countries working as employees	Information – EU/EEA/EFTA nationals working as employees	Total nos. of foreign nationals registered at LO (columns 1–3)	Foreign nationals with Trades Licenses	Total nos. of foreign workers (columns 4–5)
2004	34.4	0.7	72.8	108.0	65.2	173.2
2005	55.2	2.7	93.9	151.7	67.2	219.0
2006	61.5	6.8	116.8	185.1	65.7	250.8

Source: MLSO-LO

Unemployment

At the beginning of the nineteen nineties, the unemployment rate in the Czech Republic was extremely low. Although unemployment did rise during the period of economic transformation (the most significant rise being recorded in the second half of the nineties), it still remained one of the lowest in the transforming economies. Overall unemployment is low in the Czech Republic as compared with the average rate in the EU 25. Since 2004, reflecting the positive development of the employment rate, the level of unemployment has followed a downward path.

The general unemployment rate as derived from a survey of the labour force using the International Labour Organization methods (the level of unemployment in the 15+ age category) **reached 7.1% in 2006**.

The **proportion of registered unemployed** (i.e. job seekers registered by the Labour Offices in accordance with the terms of the Employment Act) was **8.1% in 2006**, with female unemployment higher (9.8%) than male (6.8%).

Young people **under the age of 25 years** represent **17.5%** of the total number of unemployed. As a proportion of unemployed people, this group has tended to fall over past years, as a result of demographic developments and higher student numbers, but also due to improved opportunities on the labour market and greater interest of employers in employing them, and the greater adaptability of young people to the changing conditions of the labour market. The high unemployment rate for this group (15.9% at December 31st, 2006) is twice that of the overall unemployment rate, but this is due to the high proportion of economically inactive young people who are studying or undergoing vocational training).

Unemployment rates continue to fall with an increase in age, again rising for the age group **over 50 years**, although this does not greatly exceed the general unemployment rate (here we can see the opposite effect to that acting on the group of young people, as the relatively high numbers of economically active people in this age category act to reduce the rate of unemployment). The worsening situation for older people is shown by the rise in their proportion of the total unemployed, which had reached **27.1%** by the end of 2006.

The largest group of job seekers **in terms of level of education** are apprentices (40.1%) and then people who have failed to complete their education or with basic education (31.4% of all job seekers). Specific unemployment rates based on the level of education achieved confirm that those most at risk of unemployment are people without schooling, or with minimum schooling. In 2006 the specific unemployment rate recorded for these groups was well over the average (31.0%), representing four times the national average.

The unemployment rate for **disabled persons** fell slightly to **40.2%** at December 31st, 2006, and the number of disabled persons registered by the Labour Offices also fell to 71.3 thousand. Despite this, the unemployment rate for disabled persons still remains high and is falling more slowly than overall unemployment, which means that the numbers of disabled persons as a proportion of the overall unemployment rate (15.5%) continues to rise.

The number and proportion of **long-term unemployed** who have been registered at the Labour Offices for over 12 months, rose in 2002 and 2003. In 2004 and 2005 the **number** of this category of job seekers stabilized and even **began to fall slightly**, however the

proportion of this category of unemployed has remained almost stable. **As a proportion this group amounted to 41.2% to 31.12.2006.**

The main growth is in the number and proportion of people who have been registered as unemployed for over 24 months (making up over ¼ of all job seekers). This has resulted in an extension of the average length of registration, which had risen to 21.6 months by the end of 2006. Given that the average length of time before job seekers are removed from the register is 9.6 months, it is clear that the possibility of finding employment is lower the longer people remain in the job seekers register.

The proportion of female job seekers who have failed to be placed in work has been rising recently (53%), which is the result of the slower fall in the number of unemployed women as compared to men. In comparison with men, women have a far higher level of unemployment (at the end of 2006 men represented 6.8% and women 9.8%) particularly in the lower age groups. At the age when men are typically at their most economically active, women are frequently out of work because they are caring for children. Long-term unemployment is relatively higher for women than for men, women share in the long-term unemployment figures.

Regional unemployment – the districts most impacted by unemployment continue to be in the Moravia-Silesia region (with an unemployment rate of 12.6% by the end of 2006) and north-west Bohemia, particularly in the Ustí nad Labem region (13.8%), i.e. those regions worst affected by the cutbacks in coal mining, the steel industry, heavy engineering and the chemical industry. By the end of 2006, the highest unemployment rates in these areas were recorded in the districts of Most (19.5%) and Karviná (16.9%).

The number of job seekers at the end of 2006 included 3,309 nationals of **EU Member States**, including the EEA and Switzerland (to 31.12.2004 there were 2,889 people and to 31.12.2005 there were 3,236 people). There were slightly more women (51.3%), and in terms of the level of education, most had not completed schooling or only had basic schooling (56.0%) or were apprentices (24.5%). In five-year age cohorts, the largest group was made up of persons between 30 and 34 years (16.4%) and 50 – 55 years (16.0% of all those registered), and women were by far the majority in this older age group (making up as much as 68.2%). Broken down **by country of origin** the highest numbers came from the **Slovak Republic**, (to 31.12.2006 there were 2,348 Slovaks), Poland (727 people), while other countries were represented by far smaller numbers (Germany – 76, Greece – 29, Italy – 27, Austria and Great Britain – 17, Hungary – 16, France and Lithuania 12, etc.).

Only persons who comply with the conditions for job seekers set forth in the Employment Act, i.e. those with permanent residence in the territory of the Czech Republic, can be classified as job seekers from third countries (i.e. apart from the EU/EEA and Switzerland). Separate statistics on this group are not kept, but they are estimated to total around 2,800 people.

NATIONAL UNEMPLOYMENT BROKEN DOWN BY DISTRICT AND REGION (in thousands of people)

REGION	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Czech Republic - Total	4,873.5	4,926.8	4,962.6	4,972.0	4,936.5	4,865.7	4,764.1	4,731.6	4,727.7	4,764.9	4,733.2	4,706.6	4,764.0	4,828.1
Prague City of Prague	602.8	608.8	617.6	622.2	622.7	624.4	621.0	613.4	607.5	608.3	608.0	601.3	615.2	627.2
Central Bohemia, Central Bohemian Region	522.9	528.8	532.5	539.7	539.2	535.8	523.0	520.7	529.8	548.1	547.0	547.2	550.6	565.7
South-west	572.5	581.4	585.8	587.9	582.2	566.4	561.0	566.0	565.4	566.5	560.3	560.0	570.5	571.5
S. Bohemia Region	303.3	307.2	310.1	308.4	307.3	300.5	296.9	299.7	299.5	298.7	296.9	296.6	300.7	302.8
Pilsen Region	269.2	274.2	275.7	279.5	274.9	266.0	264.1	266.4	266.0	267.8	263.3	263.3	269.8	268.7
North-west	550.7	541.6	541.5	534.6	535.6	519.7	500.7	499.2	509.2	503.6	500.0	500.9	502.2	506.1
Karlovy Vary Region	151.1	152.4	154.2	156.3	154.5	149.9	148.0	150.8	147.8	145.8	146.9	142.8	144.3	143.0
Ústí nad Labem Region	399.6	389.3	387.3	378.3	381.1	369.7	352.7	348.5	361.4	357.8	353.1	358.1	357.9	363.1
North-east	705.4	724.6	736.2	728.3	722.5	706.0	696.6	694.3	695.4	703.0	692.2	685.2	693.9	698.8
Liberec Region	209.8	209.5	211.7	209.8	205.4	199.0	201.2	201.9	202.3	205.5	201.5	204.3	201.7	198.8
Hradec Králové Region	259.4	267.6	273.8	271.9	270.4	262.7	258.0	263.5	260.6	263.8	257.4	251.0	257.0	262.4
Pardubice Region	236.1	247.5	250.8	246.7	246.6	244.3	237.4	228.9	232.5	233.6	233.3	230.0	235.3	237.6
South-east	767.3	780.8	778.6	779.0	774.1	773.9	757.7	760.5	747.2	748.8	746.9	747.0	750.6	755.7
Highland Region	235.3	241.8	242.9	243.1	239.4	238.5	232.0	239.3	239.3	239.8	237.8	237.9	236.7	240.0
S. Moravia Region	532.0	539.0	535.7	535.9	534.8	535.4	525.8	521.3	507.9	509.1	509.1	509.1	513.9	515.7
Central Moravia	577.2	581.1	582.8	581.9	578.2	570.9	561.6	546.9	545.0	550.2	554.5	542.3	545.4	566.2
Olomouc Region	298.8	298.1	302.0	299.4	295.8	293.5	290.0	278.6	279.5	286.8	285.9	275.0	282.8	292.2
Zlín Region	278.4	283.0	280.8	282.6	282.4	277.4	271.6	268.3	265.5	263.4	268.7	267.3	262.6	273.9
Moravia-Silesia, Moravia-Silesia Region	574.7	579.6	587.6	598.3	581.9	568.6	542.6	530.5	528.1	536.5	524.3	522.7	535.6	536.9

Source: Czech Statistical Office – Labour Survey

AGE OF EMPLOYEES IN THE NATIONAL ECONOMY (in thousands of people)

AGE GROUP	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	4,873.5	4,926.8	4,962.6	4,972.0	4,936.5	4,865.7	4,764.1	4,731.6	4,727.7	4,764.9	4,733.2	4,706.6	4,764.0	4,828.1
Age group :														
15 to 19 years	284.9	271.6	221.1	184.2	151.1	127.4	99.9	68.6	49.3	42.8	38.6	33.3	32.6	33.7
20 to 24 years	493.5	533.0	576.9	599.4	601.1	593.0	550.2	529.2	494.3	449.1	407.9	362.4	338.4	339.0
25 to 29 years	532.5	521.0	525.3	524.4	530.7	551.3	580.2	616.0	632.0	660.7	664.2	648.4	639.2	625.9
30 to 34 years	547.2	558.7	576.7	584.2	584.8	584.8	546.4	544.2	553.2	567.3	589.9	629.2	670.5	693.1
35 to 39 years	689.6	660.8	629.9	597.4	567.3	545.2	556.6	582.5	590.5	603.4	595.3	586.2	587.3	601.0
40 to 44 years	750.4	748.5	739.4	726.8	708.0	675.8	644.5	607.6	588.4	568.8	552.3	572.7	593.7	619.8
45 to 49 years	705.7	725.6	739.9	748.6	742.1	715.8	695.7	689.3	685.7	673.4	651.8	619.5	600.3	581.4
50 to 54 years	479.2	510.5	536.8	566.4	603.2	635.2	633.9	642.2	659.3	655.2	644.1	641.8	641.3	642.3
55 to 59 years	224.0	231.1	248.8	269.5	286.1	287.0	310.1	317.5	339.1	389.2	422.1	444.1	475.0	489.7
60 to 64 years	91.0	89.8	94.8	99.0	93.7	87.0	85.1	78.1	82.6	100.8	113.0	117.1	131.7	143.3
65 years plus	75.4	76.2	72.9	72.1	68.4	63.3	61.6	56.5	53.5	54.2	54.0	52.0	54.1	58.7

Source: Czech Statistical Office – Labour Survey

AGE OF EMPLOYEES IN THE NATIONAL ECONOMY (in thousands of people) – MEN

AGE GROUP	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Men	2,735.4	2,758.9	2,784.9	2,803.0	2,788.2	2,756.9	2,694.4	2,675.7	2,674.0	2,700.4	2,686.2	2,663.1	2,705.5	2,741.9
Age group :														
15 to 19 years	158.1	150.0	128.5	108.6	90.2	76.7	58.9	39.4	30.2	27.2	23.5	19.4	18.7	20.5
20 to 24 years	312.8	327.9	348.6	362.7	361.4	349.6	318.7	301.9	281.4	256.4	231.5	204.4	198.1	196.3
25 to 29 years	332.6	328.0	327.1	331.7	336.8	346.6	364.8	383.5	395.2	408.9	409.6	399.2	391.7	377.4
30 to 34 years	309.3	315.9	329.5	337.7	338.4	340.1	322.6	321.5	326.6	337.1	353.5	379.0	400.8	418.2
35 to 39 years	364.6	349.4	333.9	319.7	306.0	297.9	303.8	318.9	323.6	330.3	328.3	320.5	324.6	335.6
40 to 44 years	389.9	386.3	381.3	376.0	366.5	353.0	334.9	319.0	306.9	297.9	292.1	302.4	314.4	329.4
45 to 49 years	354.2	368.8	377.1	380.6	380.0	370.9	357.7	355.0	349.1	344.0	334.1	318.2	308.9	301.8
50 to 54 years	250.0	265.0	278.3	290.7	309.7	327.7	329.1	332.9	342.1	337.3	332.0	328.7	327.8	326.6
55 to 59 years	160.6	162.9	175.0	184.6	193.6	194.7	212.0	216.7	231.6	258.2	271.6	279.3	292.9	297.0
60 to 64 years	58.8	55.9	60.4	65.9	60.9	57.3	54.3	50.3	51.6	68.4	75.1	79.4	93.3	101.5
65 years plus	44.6	48.8	45.0	44.9	44.6	42.3	37.7	36.6	35.7	34.8	35.0	32.6	34.4	37.6

Source: Czech Statistical Office – Labour Survey

AGE OF EMPLOYEES IN THE NATIONAL ECONOMY (in thousands of people) – WOMEN

AGE GROUP	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Women	2,138.1	2,167.9	2,177.7	2,169.0	2,148.3	2,108.8	2,069.7	2,055.9	2,053.7	2,064.5	2,047.0	2,043.5	2,058.5	2,086.1
Age group :														
15 to 19 years	126.8	121.6	92.6	75.6	60.9	50.7	41.0	29.2	19.1	15.7	15.1	13.9	14.0	13.2
20 to 24 years	180.8	205.0	228.3	236.7	239.7	243.4	231.5	227.3	212.9	192.7	176.4	158.0	140.3	142.7
25 to 29 years	199.9	193.0	198.2	192.7	193.9	204.7	215.4	232.4	236.7	251.8	254.6	249.2	247.5	248.6
30 to 34 years	237.9	242.8	247.2	246.5	246.5	244.6	223.7	222.7	226.6	230.2	236.4	250.2	269.7	274.9
35 to 39 years	324.9	311.4	296.0	277.7	261.3	247.4	252.9	263.5	266.9	273.0	267.0	265.7	262.7	265.3
40 to 44 years	360.5	362.2	358.1	350.8	341.5	322.8	309.5	288.6	281.5	271.0	260.2	270.2	279.2	290.4
45 to 49 years	351.5	356.8	362.8	368.0	362.0	344.9	338.0	334.3	336.6	329.4	317.6	301.3	291.4	279.6
50 to 54 years	229.3	245.5	258.5	275.7	293.5	307.4	304.8	309.3	317.2	317.9	312.1	313.1	313.5	315.8
55 to 59 years	63.5	68.2	73.8	84.9	92.5	92.3	98.1	100.8	107.4	131.1	150.6	164.8	182.1	192.7
60 to 64 years	32.2	33.9	34.4	33.1	32.8	29.8	30.8	27.8	31.0	32.4	37.9	37.7	38.4	41.9
65 years plus	30.8	27.4	27.9	27.2	23.9	21.0	23.9	19.9	17.8	19.3	19.0	19.4	19.7	21.1

Source: Czech Statistical Office – Labour Survey

EMPLOYEES IN THE NATIONAL ECONOMY BROKEN DOWN BY AREA OF ACTIVITY (in thousands of people)

AREA		1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total		4,873.5	4,926.8	4,962.6	4,972.0	4,936.5	4,865.7	4,764.1	4,731.6	4,727.7	4,764.9	4,733.2	4,706.6	4,764.0	4,828.1
	category														
Agriculture, hunting and related activities	A 01	321.6	284.6	264.1	250.4	229.8	217.8	200.7	190.2	177.8	184.2	172.1	162.9	150.7	144.3
Forestry, fishing, fisheries and related activities	A 02, B	53.4	53.3	61.6	54.9	54.6	49.2	46.6	50.5	47.4	43.7	41.1	39.4	38.7	37.4
Mining and quarrying of minerals	C	125.7	99.3	97.3	90.1	88.9	85.8	77.2	70.4	67.1	61.1	53.3	58.6	49.3	54.9
Manufacturing industry	D	1,444.4	1,429.1	1,421.6	1,407.4	1,369.5	1,340.8	1,307.8	1,281.5	1,310.4	1,318.2	1,294.3	1,274.2	1,296.1	1,361.5
Electricity, gas and water production and supply	E	98.9	98.2	102.0	100.2	92.0	93.3	83.7	77.5	87.3	83.8	77.1	76.2	76.6	76.7
Construction	F	423.9	451.7	455.4	467.5	480.9	472.0	443.2	439.0	427.7	425.2	438.7	435.6	458.5	436.3
Wholesale and retail trade: repair of motor vehicles and personal and household goods	G	510.3	589.1	618.6	639.6	658.7	645.5	640.6	612.9	604.9	619.8	627.8	630.9	614.8	613.6
Hotels and restaurants	H	148.9	149.4	153.9	155.6	166.2	169.2	157.4	156.3	158.7	170.5	170.7	174.8	181.7	187.0
Transport, storage and communications	I	388.1	370.3	381.8	388.2	381.6	378.1	371.0	373.2	362.6	367.6	358.8	364.0	359.7	361.0
Financial intermediation	J	68.1	81.3	91.5	94.8	96.6	99.7	98.8	99.6	101.4	95.2	96.3	93.6	96.5	92.2
Real estate, renting and business activities	K	219.6	241.6	245.4	256.1	251.9	248.4	256.5	266.0	256.0	269.1	284.9	281.5	288.3	321.3
Public administration and defence; compulsory social security	L	308.4	322.4	302.3	310.6	320.6	322.8	336.5	342.9	339.3	325.7	331.9	322.5	333.2	325.6
Education	M	315.0	310.6	309.2	311.8	306.4	289.0	286.7	298.9	300.0	309.1	287.8	279.0	296.6	287.6
Health and social work, veterinary activities	N	282.1	279.0	283.0	273.0	272.4	267.7	276.6	290.7	304.3	304.2	306.9	323.6	328.1	329.9
Other community, social and personal services activities	O	162.9	162.8	170.4	166.2	161.3	182.5	176.1	175.8	178.2	179.4	185.1	184.4	189.8	193.0
Activities of private households	P	1.1	0.5	1.3	2.0	1.2	1.3	1.8	1.7	1.3	3.3	4.3	3.2	3.2	3.5
Exterritorial organizations and bodies	Q	1.1	1.4	0.8	1.6	1.8	1.5	1.5	2.0	0.8	1.1	0.9	1.0	0.7	1.5
Not ascertained		.	2.1	2.4	2.1	2.3	1.0	1.3	2.4	2.6	3.8	1.2	1.2	1.5	0.9
Source: Czech Statistical Office – Labour Survey															

Employment broken down by sector of the national economy (in thousands of people)

SECTOR	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	4,873.5	4,926.8	4,962.6	4,972.0	4,936.5	4,865.7	4,764.1	4,731.6	4,727.7	4,764.9	4,733.2	4,706.6	4,764.0	4,828.1
I. Agriculture	375.0	337.9	325.8	305.4	284.4	266.9	247.3	240.7	225.1	227.9	213.1	202.3	189.4	181.7
II. Industry	2,093.0	2,078.3	2,076.3	2,065.1	2,031.1	1,992.0	1,911.9	1,868.4	1,892.6	1,888.3	1,863.4	1,844.6	1,880.5	1,929.4
III. Services	2,405.5	2,510.6	2,560.5	2,601.5	2,621.0	2,606.8	2,604.9	2,622.4	2,610.0	2,648.8	2,656.7	2,659.7	2,694.1	2,717.0
Men	2,735.4	2,758.9	2,784.9	2,803.0	2,788.2	2,756.9	2,694.4	2,675.7	2,674.0	2,700.4	2,686.2	2,663.1	2,705.5	2,741.9
I. Agriculture	241.0	214.2	206.9	200.1	190.8	179.2	168.0	164.3	157.6	157.0	147.4	140.3	131.4	123.5
II. Industry	1,395.9	1,396.3	1,406.0	1,407.1	1,406.2	1,383.2	1,332.3	1,303.3	1,311.8	1,320.4	1,311.3	1,301.4	1,335.6	1,366.2
III. Services	1,098.2	1,148.2	1,171.2	1,195.3	1,191.1	1,194.5	1,194.1	1,208.1	1,204.0	1,222.8	1,227.2	1,221.0	1,238.4	1,252.1
Women	2,138.1	2,167.9	2,177.7	2,169.0	2,148.3	2,108.8	2,069.7	2,055.9	2,053.7	2,064.5	2,047.0	2,043.5	2,058.5	2,086.1
I Agriculture	133.9	123.7	118.9	105.2	93.6	87.7	79.3	76.4	67.5	70.9	65.7	61.9	58.1	58.2
II Industry	697.1	682.0	670.3	658.0	624.9	608.8	579.6	565.2	580.8	567.9	552.1	543.3	544.9	563.2
III Services	1,307.0	1,361.8	1,388.1	1,405.7	1,429.8	1,412.1	1,410.3	1,414.3	1,405.1	1,425.3	1,429.2	1,437.8	1,455.5	1,464.7

Source: Czech Statistical Office – Labour Survey

Employment broken down by sector of the national economy (as percentages)														
SECTOR OF THE NATIONAL ECONOMY	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
I. Agriculture	7.7	6.9	6.6	6.1	5.8	5.5	5.2	5.1	4.8	4.8	4.5	4.3	4.0	3.8
II. Industry	42.9	42.2	41.8	41.5	41.1	40.9	40.1	39.5	40.0	39.6	39.4	39.2	39.5	40.0
III. Services	49.4	51.0	51.6	52.3	53.1	53.6	54.7	55.4	55.2	55.6	56.1	56.5	56.6	56.3
Men	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
I. Agriculture	8.8	7.8	7.4	7.1	6.8	6.5	6.2	6.1	5.9	5.8	5.5	5.3	4.9	4.5
II. Industry	51.0	50.6	50.5	50.2	50.4	50.2	49.4	48.7	49.1	48.9	48.8	48.9	49.4	49.8
III. Services	40.1	41.6	42.1	42.6	42.7	43.3	44.3	45.1	45.0	45.3	45.7	45.8	45.8	45.7
Women	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
I. Agriculture	6.3	5.7	5.5	4.9	4.4	4.2	3.8	3.7	3.3	3.4	3.2	3.0	2.8	2.8
II. Industry	32.6	31.5	30.8	30.3	29.1	28.9	28.0	27.5	28.3	27.5	27.0	26.6	26.5	27.0
III. Services	61.1	62.8	63.7	64.8	66.6	67.0	68.1	68.8	68.4	69.0	69.8	70.4	70.7	70.2

Source: Czech Statistical Office – Labour Survey

Level of economic activity and employment rate

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total employment (in thousands of people)	4,873.5	4,926.8	4,962.6	4,972.0	4,936.5	4,865.7	4,764.1	4,731.6	4,727.7	4,764.9	4,733.2	4,706.6	4,733.2	4,706.6
Women	2,138.1	2,167.9	2,177.7	2,169.0	2,148.3	2,108.8	2,069.7	2,055.9	2,053.7	2,064.5	2,047.0	2,043.5	2,047.0	2,086.1
- proportion as a %	43.9	44.0	43.9	43.6	43.5	43.3	43.4	43.5	43.4	43.3	43.2	43.4	43.2	44.3
Men	2,735.4	2,758.9	2,784.9	2,803.0	2,788.2	2,756.9	2,694.4	2,675.7	2,674.0	2,700.4	2,686.2	2,663.1	2,686.2	2,741.9
- proportion as a %	56.1	56.0	56.1	56.4	56.5	56.7	56.6	56.5	56.6	56.7	56.8	56.6	56.8	58.3
Level of economic activity 1)	61.4	61.6	61.5	61.2	61.1	61.0	61.0	60.4	60.0	59.8	59.4	59.2	59.4	59.2
- women	52.3	52.6	52.3	51.8	51.8	52.0	52.1	51.6	51.3	50.9	50.8	50.5	50.8	50.5
- men	71.3	71.4	71.5	71.4	71.1	70.8	70.6	69.8	69.4	69.3	68.7	68.4	68.7	68.4
Level of economic activity 2)	72.1	72.4	72.3	72.1	72.1	72.2	72.2	71.6	71.0	70.8	70.4	70.1	70.4	70.1
- women	63.9	64.4	64.1	63.6	63.7	64.0	64.1	63.7	63.2	62.7	62.5	62.2	62.5	62.2
- men	80.3	80.4	80.6	80.7	80.5	80.3	80.2	79.4	78.9	78.8	78.2	78.0	78.2	78.0
Employment rate 1)	58.8	59.0	59.0	58.9	58.2	57.1	55.7	55.1	55.1	55.4	54.8	54.3	54.8	54.3
- women	49.5	49.9	49.8	49.4	48.7	47.7	46.6	46.2	46.2	46.3	45.8	45.5	45.8	45.5
- men	68.9	68.9	69.0	69.1	68.3	67.3	64.3	64.7	64.7	65.2	64.5	63.6	64.5	63.6
Employment rate 2)	69.0	69.2	69.4	69.3	68.7	67.5	65.9	65.2	65.2	65.6	64.9	64.2	64.9	64.2
- women	60.4	61.0	61.0	60.6	59.9	58.7	57.4	56.9	56.9	57.0	56.3	56.0	56.3	56.0
- men	77.6	77.5	77.9	78.1	77.4	76.3	74.3	73.6	73.5	74.1	73.4	72.4	73.4	72.4

1) labour force/population over 15 (as a %)

2) labour force 15-64/ population 15-64 (as a %)

Source: Czech Statistical Office – Labour Survey

CLASSIFICATION OF EMPLOYMENT AND PERSONS WORKING IN THE NATIONAL ECONOMY
(in thousands of people)

TYPE OF EMPLOYMENT		1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total		4,873.5	4,926.8	4,962.6	4,972.0	4,936.5	4,865.7	4,764.1	4,731.6	4,727.7	4,764.9	4,733.2	4,706.6	4,764.0	4,828.1
	group														
Employees	1	4,238.6	4,278.0	4,274.4	4,278.1	4,249.0	4,138.4	4,024.1	3,971.7	3,969.8	3,966.4	3,893.7	3,890.2	3,979.5	4,032.0
Employers	2	130.5	156.6	188.0	202.3	198.7	202.5	195.7	196.2	186.2	192.6	196.8	187.5	177.1	195.9
Self-employed	3	308.2	338.7	374.6	377.8	388.4	437.5	464.0	486.1	499.7	540.5	581.3	573.2	551.1	550.8
Members of a cooperative	4	181.6	132.8	99.4	91.3	80.4	64.5	55.1	50.8	43.8	35.8	28.0	24.3	21.3	16.3
Helping family members	5	14.4	20.2	25.8	22.3	19.9	22.6	25.1	26.6	27.7	28.9	33.0	31.1	35.0	32.5
Men		2,735.4	2,758.9	2,784.9	2,803.0	2,788.2	2,756.9	2,694.4	2,675.7	2,674.0	2,700.4	2,686.2	2,663.1	2,705.5	2,741.9
Employees	1	2,309.4	2,311.5	2,313.6	2,319.4	2,305.8	2,246.8	2,173.0	2,143.3	2,140.3	2,133.8	2,092.2	2,078.6	2,141.5	2,177.1
Employers	2	101.6	122.5	142.6	157.0	153.5	155.5	151.2	150.8	143.6	148.8	152.9	145.7	136.1	149.7
Self-employed	3	213.5	240.0	263.1	268.5	276.3	309.8	329.1	343.2	354.3	388.6	415.7	415.0	403.6	396.8
Members of a cooperative	4	105.5	78.0	57.7	52.7	47.2	40.0	35.6	32.4	29.5	24.5	17.4	15.4	15.0	11.5
Helping family members	5	5.3	6.7	7.6	5.5	5.4	4.6	5.4	5.6	5.9	4.1	7.9	8.1	9.2	6.0
Women		2,138.1	2,167.9	2,177.7	2,169.0	2,148.3	2,108.8	2,069.7	2,055.9	2,053.7	2,064.5	2,047.0	2,043.5	2,058.5	2,086.1
Employees	1	1,929.3	1,966.5	1,960.8	1,958.8	1,943.2	1,891.6	1,851.1	1,828.3	1,829.5	1,832.6	1,801.5	1,811.5	1,838.0	1,854.9
Employers	2	28.9	34.1	45.4	45.4	45.2	47.0	44.5	45.4	42.6	43.7	43.9	41.8	41.0	46.1
Self-employed	3	94.7	98.7	111.5	109.3	112.2	127.7	134.9	142.9	145.5	151.9	165.6	158.2	147.5	154.0
Members of a cooperative	4	76.1	54.8	41.8	38.6	33.2	24.5	19.6	18.3	14.3	11.3	10.6	8.9	6.3	4.8
Helping family members	5	9.0	13.5	18.2	16.8	14.5	18.0	19.6	20.9	21.7	24.8	25.2	22.9	25.7	26.4

Source: Czech Statistical Office – Labour Survey

Employment - type, scope, part-time employment, sick or disability leave – (in thousands of people)

EMPLOYMENT	2002			2003			2004			2005			2006		
	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women
Total	4,764.9	2,700.4	2,064.5	4,733.2	2,686.2	2,047.0	4,706.6	2,663.1	2,043.5	4,764.0	2,705.5	2,058.5	4828.1	2741.9	2086.1
Type of employment															
For an indefinite period or as an entrepreneur	4,406.5	2,515.7	1,890.9	4,340.8	2,488.2	1,852.6	4,328.9	2,482.8	1,846.0	4,414.9	2,538.9	1,876.0	4472.3	2574.9	1897.4
Fixed-term (including part-time work)	337.0	171.9	165.1	371.9	185.5	186.5	349.7	163.9	185.9	324.2	152.4	171.8	325.0	150.4	174.6
On a contractual basis until the end of training	3.7	3.0	0.7	2.0	1.4	0.6	2.9	1.8	1.1	2.2	1.3	0.9	3.7	2.4	1.3
Only until the end of the trial period	13.2	6.8	6.3	13.0	7.2	5.8	18.2	10.3	7.9	19.1	10.4	8.7	23.7	12.4	11.3
Refused	0.5	0.4	0.1	0.7	0.5	0.1	0.8	0.6	0.2	0.9	0.4	0.5	1.1	0.3	0.9
Reasons for taking fixed-term work															
You were unable to find steady employment, or	212.4	100.1	112.3	248.9	118.1	130.8	259.2	120.9	138.3	242.8	118.6	124.2	247.9	116.6	131.4
This type of work suits you, or	114.3	56.8	57.5	116.9	55.1	61.8	102.0	45.5	56.5	102.2	45.1	57.1	104.3	48.6	55.7
Do you have any other reasons?	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Refused	0.1	0.1	-	0.2	-	0.2	0.0	-	0.0	-	-	-	-	-	-
Scope of employment															
Full-time work	4,532.0	2,640.1	1,891.9	4,498.6	2,625.2	1,873.4	4,475.7	2,601.8	1,873.9	4,530.1	2,647.7	1,882.4	4585.4	2680.1	1905.3
Part-time work	230.2	58.7	171.5	233.3	60.0	173.2	230.1	60.8	169.4	233.1	57.2	175.9	242.0	61.5	180.4
You have not worked for more than 4 weeks (illness, maternity leave)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Refused	0.9	0.8	0.1	0.6	0.4	0.2	0.4	0.2	0.2	0.3	0.2	0.1	0.7	0.2	0.4
Reasons for taking part-time work															
I cannot find a suitable full-time job	25.2	2.6	22.6	31.4	3.5	27.9	32.4	3.6	28.8	37.5	4.4	33.1	38.7	4.7	34.1
Offered by the employer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
For health reasons	43.6	18.0	25.6	50.0	21.5	28.5	45.6	20.7	24.9	45.6	16.9	28.7	47.6	20.0	27.7
For childcare reasons	34.0	0.3	33.7	37.8	0.3	37.5	38.6	0.3	38.3	41.3	0.4	40.9	43.9	0.5	43.4
Attending school or a training course	12.2	7.3	4.9	10.1	4.9	5.2	12.8	6.3	6.5	12.0	5.7	6.2	17.4	8.0	9.4
I have other work (a second job)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Part-time work suits me	57.6	16.1	41.5	-	-	-	-	-	-	-	-	-	-	-	-
Other reasons	56.4	13.9	42.5	103.8	29.7	74.0	100.7	30.0	70.7	96.7	29.8	66.9	94.0	28.4	65.6
Refused	1.3	0.4	0.8	0.3	-	0.2	-	-	-	-	-	-	-	-	-
Sick or disability leave	94.6	52.5	42.2	97.2	55.6	41.6	93.9	52.3	41.6	87.6	46.9	40.7	94.4	49.5	45.0

1 – Fixed-term work includes agreements and other contractual arrangements, 2 – other reasons are not monitored, 3 – the scope of employment is monitored for everyone, including those who have not worked for more than 4 weeks, 4 – offers by the employer and second jobs are not monitored

Source: Czech Statistical Office – Labour Survey

Breakdown of job seekers registered at the Labour Offices at the end of the year

Job Seekers	31.12.00	31.12.01	31.12.02	31.12.03	31.12.04	31.12.05	31.12.06
Total	457,369	461,923	514,435	542,420	541,675	510,416	448,545
Breakdown by age	457,369	461,923	514,435	542,420	541,675	510,416	448,545
up to 19 years old	16,167	36,180	37,850	37,179	32,158	27,092	22,464
20–24 years old	103,808	83,324	92,426	92,240	83,632	69,438	56,016
25–29 years old	61,788	63,512	70,217	73,365	70,200	62,327	51,924
30–34 years old	51,991	51,374	56,034	61,128	64,164	62,515	55,833
35–39 years old	47,435	48,302	52,436	55,091	55,915	52,697	46,538
40–44 years old	47,285	45,442	47,084	50,056	53,618	52,451	46,731
45–49 years old	54,783	54,701	58,486	60,686	60,644	55,490	47,430
50–54 years old	54,286	56,066	63,867	68,026	71,683	70,847	63,605
55–59 years old	18,510	21,377	33,401	40,209	43,922	50,735	50,145
over 60 years old	1,316	1,645	2,634	4,440	5,739	6,824	7,859
Breakdown by qualification	457,369	461,923	514,435	542,420	541,675	510,416	448,545
without schooling	3,195	3,200	3,289	3,457	3,512	3,251	3,028
basic schooling	141,397	145,243	158,836	166,813	162,349	153,249	137,891
apprenticeship	187,464	185,560	208,088	220,604	221,805	209,194	179,666
secondary school attendance	11,781	14,064	16,158	17,677	18,362	17,110	14,793
apprenticeship with graduation	21,125	17,669	20,573	21,951	21,695	19,936	18,067
full secondary school education with graduation certificate	14,310	14,358	15,067	15,692	15,792	14,725	12,819
full secondary professional education with graduation certificate	62,503	64,621	73,039	76,147	77,363	72,989	64,193
higher professional education	2,226	2,760	3,245	2,975	3,044	2,860	2,506
university education	13,368	14,448	16,140	17,104	17,753	17,102	15,582
Length of employment	457,369	461,923	514,435	542,420	541,675	510,416	448,545
up to 3 months	116,960	120,721	123,245	122,945	140,632	130,938	119,809
3 – 6 months	83,339	87,755	101,138	101,040	93,124	86,618	73,972
6 – 9 months	47,138	47,202	57,292	55,996	49,405	46,380	39,139
9 – 12 months	34,369	35,042	41,433	44,103	38,784	33,676	30,716
over 12 months	175,563	171,203	191,327	218,336	219,730	212,804	184,909
Breakdown by type of work	457,369	461,923	514,435	542,420	541,675	510,416	448,545
KZAM class 1	2,783	3,025	3,593	3,786	3,701	3,896	3,678
KZAM class 2	15,508	18,275	21,204	22,338	21,857	20,500	18,038
KZAM class 3	39,446	41,445	47,340	49,467	48,257	45,337	39,179
KZAM class 4	29,259	31,989	36,375	38,446	41,315	39,970	36,148
KZAM class 5	57,997	62,646	73,247	80,255	82,661	80,243	70,437
KZAM class 6	7,523	7,991	9,005	9,780	10,123	9,446	7,996
KZAM class 7	70,797	73,686	85,764	91,245	90,807	84,565	67,471
KZAM class 8	29,627	31,123	36,463	39,540	39,212	37,913	32,013
KZAM class 9	115,967	127,774	143,445	153,515	149,567	142,736	130,211
KZAM class 0	545	449	401	378	500	411	263
KZAM class not provided	87,917	63,520	57,598	53,670	53,675	45,399	43,111

Source: MLSA - LO

**Breakdown of job seekers registered at the Labour Offices at the end of the year
WOMEN**

Category	30.12.00	31.12.01	31.12.02	31.12.03	31.12.04	31.12.05	31.12.06
Total numbers of women	229,804	231,870	257,438	272,498	276,254	265,631	238,713
Breakdown by age	229,804	231,870	257,438	272,498	276,254	265,631	238,713
up to 19 years old	6,756	15,588	16,253	16,465	14,729	12,751	10,801
20–24 years old	41,960	33,542	37,216	37,466	34,724	30,756	25,791
25–29 years old	34,103	33,990	36,324	37,239	35,293	31,381	26,151
30–34 years old	31,422	31,142	33,594	36,564	38,651	38,045	34,298
35–39 years old	27,196	27,693	30,154	31,768	32,948	31,572	28,681
40–44 years old	25,548	24,537	25,677	27,483	30,224	30,348	27,601
45–49 years old	29,627	29,398	31,325	32,756	33,405	30,968	26,995
50–54 years old	29,795	31,264	36,319	38,576	40,486	40,479	36,968
55–59 years old	2,994	4,280	10,072	13,606	15,133	18,606	20,640
over 60 years old	403	436	504	575	661	725	787
Breakdown by qualification	229,804	231,870	257,438	272,498	276,254	265,631	238,713
without schooling	1,440	1,433	1,483	1,525	1,549	1,490	1,377
basic schooling	73,820	75,297	81,897	86,254	85,399	82,161	75,041
apprenticeship	81,497	81,498	91,390	97,919	100,476	96,703	85,639
secondary school education with graduation certificate	6,679	7,494	8,355	9,181	9,601	9,230	8,295
apprenticeship with graduation	9,354	7,708	9,245	9,701	9,849	9,663	9,269
full secondary school education with graduation certificate	9,825	9,675	10,095	10,538	10,523	9,844	8,518
full secondary professional education with graduation certificate	40,335	41,377	46,333	48,384	49,206	46,977	41,792
higher professional education	1,368	1,607	1,938	1,795	1,939	1,881	1,660
university education	5,486	5,781	6,702	7,201	7,712	7,682	7,122
Length of employment	229,804	231,870	257,438	272,498	276,254	265,631	238,713
up to 3 months	50,426	52,071	53,704	52,850	59,707	56,473	53,224
3 – 6 months	42,525	45,243	52,182	52,545	49,479	46,419	40,555
6 – 9 months	25,315	25,484	30,286	30,421	27,069	25,199	22,122
9 – 12 months	18,149	18,977	21,929	23,422	21,340	18,608	17,165
over 12 months	93,389	90,095	99,337	113,260	118,659	118,932	105,647
Breakdown by type of work	229,804	231,870	257,438	272,498	276,254	265,631	238,713
KZAM class 1	981	1,006	1,219	1,318	1,208	1,309	1,207
KZAM class 2	9,068	10,636	12,273	13,093	12,768	12,134	10,688
KZAM class 3	23,141	23,525	26,515	27,466	26,714	25,564	22,081
KZAM class 4	23,986	25,780	29,234	30,581	33,013	31,903	28,718
KZAM class 5	44,664	47,875	55,123	60,701	63,270	62,274	55,355
KZAM class 6	4,364	4,565	5,072	5,416	5,620	5,368	4,568
KZAM class 7	13,786	14,512	17,501	18,990	19,236	18,093	14,891
KZAM class 8	6,514	7,415	8,814	9,624	10,046	10,075	8,753
KZAM class 9	60,417	66,000	73,979	79,193	78,154	76,137	70,118
KZAM class 0	250	166	121	95	123	126	70
KZAM class not provided	42,633	30,390	27,587	26,021	26,102	22,648	22,264

Source: MLSA - LO

Unemployment rate (as percentages)

REGION													<i>new methodology</i>		
	31.12.93	31.12.94	31.12.95	31.12.96	31.12.97	31.12.98	31.12.99	31.12.00	31.12.01	31.12.02	31.12.03	31.12.04	31.12.04	31.12.05	31.12.06
Prague	0.3	0.3	0.3	0.4	0.9	2.3	3.5	3.4	3.4	3.7	4.0	4.2	3.6	3.2	2.7
Central Bohemia	3.4	2.9	2.6	3.0	4.6	6.1	7.5	6.8	6.8	7.2	7.4	7.5	6.8	6.3	5.3
South Bohemia	2.8	2.2	2.0	2.6	3.9	5.7	6.7	5.8	6.0	6.7	7.0	7.2	6.6	6.7	5.7
Pilsen	3.3	2.6	2.2	2.7	4.2	6.1	7.4	6.5	6.5	7.1	7.6	7.4	6.7	6.4	5.6
Karlovy Vary	1.5	1.7	2.1	2.8	4.6	6.9	9.0	8.0	8.7	10.1	10.6	11.6	10.7	10.3	9.2
Ústí nad Labem	4.8	5.2	5.8	7.6	10.0	13.2	15.9	16.1	15.8	17.1	17.9	16.9	15.8	15.4	13.8
Liberec	2.5	2.4	2.5	3.1	5.2	7.0	7.8	6.4	7.4	8.7	9.5	9.1	8.2	7.7	7.0
Hradec Králové	2.5	2.2	2.0	2.7	4.0	6.1	7.5	5.9	6.3	7.3	7.9	8.3	7.7	7.3	6.3
Pardubice	3.4	2.8	2.7	3.5	4.7	6.6	9.0	7.9	7.9	8.7	9.4	9.6	8.9	8.3	6.9
Highland	4.8	3.9	3.4	4.2	5.7	7.5	9.2	7.5	7.0	8.3	9.2	9.4	8.8	8.2	7.1
South Moravia	3.8	3.2	2.9	3.5	5.4	7.9	9.9	9.3	9.7	11.2	11.5	11.6	10.7	10.2	8.8
Olomouc	5.3	4.7	4.3	5.6	7.6	10.2	12.4	1.9	11.8	12.2	12.5	12.5	11.7	10.6	9.0
Zlín	3.6	3.0	2.4	3.3	4.7	7.0	8.7	8.1	8.5	10.2	10.6	10.6	9.5	9.3	7.8
Moravia-Silesia	6.4	6.0	5.1	6.0	7.8	11.4	14.9	15.1	15.1	15.9	16.8	16.8	15.7	14.2	12.6
Total CR	3.5	3.2	2.9	3.5	5.2	7.5	9.4	8.8	8.9	9.8	10.3	10.3	9.5	8.9	7.7

Source: MLSA - LO

Up until the end of the 2nd quarter of 2004, the MLSA published unemployment figures that were based on the “old” methodology, which used available data from the Labour Offices and national statistics, which consisted of:

Numerator: precise numbers of registered and unplaced job seekers managed by the Labour Offices according to the address of the job seeker.

Denominator: the number of those employed in the national economy at a sole or main gainful activity according to the results of the Labour Survey (a sliding average for the previous four quarters) + the number of registered and unplaced job seekers held by the Labour Offices (a sliding average for the previous 12 months).

From the 3rd quarter of 2004, the MLSA changed the methodology used by separating certain groups of people into both the numerator and the denominator.

Numerator: the numerator only shows the number of “available” unplaced job seekers. These are all job seekers, as defined in the Act on Employment no. 435/2004 Section 24, who are immediately available for work.

Denominator: the number of employed persons, according to the Labour Survey + the number of working foreign nationals, according to the MLSA and MIT records + the number of available unplaced job seekers (all given as a sliding average for the year).

Unemployment rate in the regions by gender (as percentages)

new methodology

WOMEN region	31.12.00	31.12.01	31.12.02	31.12.03	31.12.04	<i>31.12.04</i>	<i>31.12.05</i>	<i>31.12.06</i>
Prague	3.8	3.7	4.2	4.5	4.8	<i>4,1</i>	<i>3.8</i>	<i>3.2</i>
Central Bohemia	8.5	8.4	9.0	9.1	9.4	<i>8,7</i>	<i>6.0</i>	<i>5.2</i>
South Bohemia	7.1	7.3	8.2	8.6	9.0	<i>8,1</i>	<i>5.7</i>	<i>5.1</i>
Pilsen	7.5	7.7	8.2	8.9	8.8	<i>8,0</i>	<i>10.0</i>	<i>9.1</i>
Karlovy Vary	8.0	8.8	10.4	10.9	12.2	<i>11,3</i>	<i>10.3</i>	<i>8.1</i>
Ústí nad Labem	18.8	18.3	19.6	20.7	19.1	<i>17,8</i>	<i>12.8</i>	<i>11.5</i>
Liberec	7.4	8.3	10.0	11.2	10.6	<i>9,6</i>	<i>11.5</i>	<i>9.8</i>
Hradec Králové	6.8	7.3	8.5	9.3	9.6	<i>8,8</i>	<i>5.5</i>	<i>4.5</i>
Pardubice	9.3	9.5	10.2	11.3	11.3	<i>10,5</i>	<i>11.2</i>	<i>10.2</i>
Highland	8.9	8.2	10.2	11.2	11.6	<i>10,9</i>	<i>3.2</i>	<i>2.6</i>
South Moravia	10.7	11.0	12.6	12.9	13.2	<i>12,3</i>	<i>3.3</i>	<i>2.8</i>
Olomouc	13.4	13.3	13.4	14.1	14.3	<i>12,9</i>	<i>8.7</i>	<i>7.5</i>
Zlín	9.4	10.0	11.8	12.1	12.3	<i>11,0</i>	<i>8.9</i>	<i>7.8</i>
Moravia-Silesia	16.5	16.6	17.4	18.5	18.9	<i>17,7</i>	<i>8.0</i>	<i>6.8</i>
Total CR	10.0	10.1	11.2	11.8	11.9	<i>10,9</i>	<i>5.5</i>	<i>5.0</i>

MEN region	31.12.00	31.12.01	31.12.02	31.12.03	31.12.04	<i>31.12.04</i>	<i>31.12.05</i>	<i>31.12.06</i>
Prague	3.0	3.1	3.3	3.6	3.7	<i>3,1</i>	<i>2.8</i>	<i>2.3</i>
Central Bohemia	5.5	5.5	5.9	6.2	6.0	<i>5,5</i>	<i>3.6</i>	<i>2.9</i>
South Bohemia	4.8	5.1	5.5	5.7	5.9	<i>5,4</i>	<i>4.3</i>	<i>3.5</i>
Pilsen	5.6	5.6	6.2	6.6	6.3	<i>5,7</i>	<i>7.2</i>	<i>6.2</i>
Karlovy Vary	8.0	8.6	9.8	10.4	11.1	<i>10,3</i>	<i>6.2</i>	<i>4.6</i>
Ústí nad Labem	14.1	13.9	15.2	15.9	15.2	<i>14,3</i>	<i>7.0</i>	<i>6.1</i>
Liberec	5.6	6.6	7.6	8.1	7.8	<i>7,1</i>	<i>5.8</i>	<i>4.7</i>
Hradec Králové	5.2	5.5	6.4	6.8	7.3	<i>6,8</i>	<i>2.6</i>	<i>2.1</i>
Pardubice	6.8	6.8	7.5	8.0	8.4	<i>7,8</i>	<i>6.9</i>	<i>6.2</i>
Highland	6.4	6.1	6.9	7.7	7.7	<i>7,3</i>	<i>2.1</i>	<i>1.7</i>
South Moravia	8.3	8.7	10.1	10.3	10.2	<i>9,5</i>	<i>2.1</i>	<i>1.6</i>
Olomouc	10.7	10.7	11.2	11.3	11.1	<i>10,8</i>	<i>7.2</i>	<i>6.7</i>
Zlín	7.2	7.3	9.0	9.4	9.2	<i>8,4</i>	<i>5.1</i>	<i>4.7</i>
Moravia-Silesia	14.1	13.9	14.7	15.5	15.2	<i>14,1</i>	<i>5.0</i>	<i>4.2</i>
Total CR	7.8	7.9	8.7	9.2	9.1	<i>8,3</i>	<i>3.8</i>	<i>3.3</i>

Source: MLSA - LO

Question C

Please indicate the trend in the number and the nature of vacant jobs in your country.

The number of job vacancies reported by employers to the Labour Offices has tended to rise since 2004. In 2006 there were on average 82.5 thousand job vacancies, and by the end of that year the Labour Offices had registered 93.4 thousand. There are at average 4.8 job seekers for each job vacancy.

The principal **source of new jobs is the industrial sector** (the fastest growing area being the production of vehicles, particularly private automobiles), with production in newly opened factories growing, most of which is destined for export. Their competitiveness on the international markets is also improving, which leads to the creation of new, long-term job opportunities.

Another of the factors raising the number of job vacancies at the Labour Offices is the fact that employers are better prepared to comply with the notification requirements set forth in the Employment Act. There are also an increasing number of employers who themselves post and maintain job vacancies on the **Ministry of Labour and Social Affairs website**.

The aggregate statistics of job vacancies listed at the Labour Offices show that the highest demand is for professions requiring a lower level of education (basic, secondary schooling without a graduation certificate or apprenticeships). These positions fall under the “skilled workers, craft and related workers” category (group 7 of the KZAM employment classification), which represent a third of all job vacancies (bricklayers, stone masons, plasterers, tool makers, metal-pattern makers, sheet metal workers, welders, flame cutters and solderers, machine tool setters and setter-operators, dressmakers, electro mechanics, electronics servicers, plumbers, pipe fitters, construction locksmiths, etc.). Almost one fifth of job vacancies are for professions in the group of “plant and machine operators and assemblers” (KZAM group 8) – mostly for heavy truck and lorry drivers, for mechanical and electronic equipment assemblers, machine tool operators, sewing and embroidering machine operators, automatic and semi-automatic machine operators, and for bus, trolleybus and tram drivers. From the “elementary occupations” category (KZAM group 9), which makes up 15% of job vacancies, the most frequent need is for assistant and unqualified construction labourers, assembly workers, office helpers and cleaners and unqualified agricultural labourers. Among the “service workers and shop and market salespeople” (KZAM major group 5) – job vacancies for these professions comprise 8.7% of the total number of job vacancies listed at the Labour Offices – most jobs are offered to salespeople, cooks, waiters, waitresses and bartenders and protection service workers. The demand for employees in professions that require a school graduation certificate or a university degree is lower, although approximately 17% of all reported job vacancies are for scientific, technical, health care and teaching professionals (KZAM major groups 2 and 3), most of these being for sales representatives, trade, marketing and shipping agents, bookkeepers, mechanical and civil engineering technicians, computer programmers, operators and assistants and other IT professionals, draughtspersons and planners of mechanical equipment, constructions and premises, electro technical equipment, civil engineers, industrial robot operators, NC-machinery operators, doctors, nursing assistants and qualified nurses.

JOB VACANCIES LISTED BY THE LABOUR OFFICES AT THE END OF THE YEAR

REGION	31.12.93	31.12.94	31.12.95	31.12.96	31.12.97	31.12.98	31.12.99	31.12.00	31.12.01	31.12.02	31.12.03	31.12.04	31.12.05	31.12.06
Prague	14,017	14,587	14,432	12,017	7,546	5,370	3,883	4,906	7,658	7,685	8,482	14,598	11,119	16,192
Central Bohemia	6,669	9,052	9,892	11,393	7,927	5,756	5,385	8,241	9,360	5,231	5,970	6,475	7,064	12,478
South Bohemia	2,868	5,074	7,151	6,410	5,684	2,720	2,224	3,168	2,960	2,688	2,203	3,39	2,636	5,222
Pilsen	3,112	4,685	6,277	5,015	3,699	2,484	2,308	3,431	3,534	2,651	2,550	4,416	3,940	7,214
Karlovy Vary	2,392	2,328	2,338	2,426	1,652	1,270	1,259	1,542	1,401	1,226	1,147	1,196	1,206	2,354
Ústí nad Labem	3,692	4,581	5,931	5,443	3,897	2,119	2,523	2,798	3,295	2,581	2,745	2,48	2,710	5,003
Liberec	2,582	4,134	4,005	4,415	3,186	2,447	2,621	3,649	2,677	1,908	1,785	2,547	2,425	3,648
Hradec Králové	4,359	5,812	5,864	5,533	4,162	2,709	2,726	5,031	3,950	2,764	2,298	2,075	2,731	4,413
Pardubice	2,347	4,250	4,494	4,354	4,047	2,544	1,817	3,661	2,729	1,980	2,448	2,039	2,364	7,296
Highland	1,426	3,255	3,907	5,060	3,147	1,774	1,877	2,638	2,797	2,267	1,317	1,273	1,913	4,071
South Moravia	3,763	5,623	6,580	6,765	4,599	2,372	2,538	4,396	3,720	2,905	3,128	3,448	5,834	7,990
Olomouc	2,190	3,698	4,910	3,771	3,695	2,138	1,937	3,684	3,264	2,906	2,493	2,513	2,849	4,537
Zlín	1,458	3,150	3,665	4,131	3,644	1,806	2,319	1,942	2,173	1,558	1,219	1,762	2,067	5,111
Moravia-Silesia	3,063	6,352	8,601	7,243	5,399	2,132	1,700	2,973	2,566	2,301	2,403	2,674	3,306	7,896
Total CR	53,938	76,581	88,047	83,976	62,284	37,641	35,117	52,060	52,084	40,651	40,188	51,203	52,164	93,425

Source: MLSA - LO

BREAKDOWN OF JOB VACANCIES AT THE END OF THE YEAR

Breakdown	31.12.93	31.12.94	31.12.95	31.12.96	31.12.97	31.12.98	31.12.99	31.12.00	31.12.01	31.12.02	31.12.03	31.12.04	31.12.05	31.12.06
Total job vacancies	53,938	76,581	88,047	83,976	62,284	37,641	35,117	52,060	52,084	40,651	40,188	51,203	52,164	93,425
By KZAM* total														
Group 1	413	571	576	606	350	326	427	561	823	790	747	854	869	1,456
Group 2	2,204	4,669	4,450	3,747	2,121	1,787	2,154	3,075	3,234	3,093	2,757	2,899	3,253	4,872
Group 3	3,934	8,508	8,705	6,877	5,075	3,915	3,687	5,455	5,423	5,174	5,091	5,625	6,011	10,714
Group 4	1,001	1,512	1,603	1,218	617	455	680	1,369	1,371	1,104	1,236	1,961	2,116	3,726
Group 5	3,710	7,898	8,390	8,631	5,923	3,769	3,968	6,215	5,439	4,296	3,663	4,175	4,531	8,126
Group 6	908	1,680	2,268	2,070	1,283	817	793	1,038	1,433	781	1,212	1,368	929	906
Group 7	15,506	35,207	41,001	38,780	30,789	17,258	14,440	21,081	21,347	14,741	14,760	16,925	16,615	31,325
Group 8	3,353	9,051	10,893	10,850	8,488	5,535	6,156	8,891	7,527	5,815	5,607	7,212	8,084	17,991
Group 9	2,939	7,377	10,114	11,098	7,566	3,735	2,799	4,350	5,480	4,727	5,103	10,072	9,533	14,297
Group 0	25	108	47	99	72	44	13	25	7	130	12	112	223	12
Breakdown of qualifications														
No schooling	535	613	984	1,322	522	305	405	595	603	471	736	922	915	1,539
Basic schooling	8,267	13,666	18,422	19,459	14,097	9,556	8,750	12,555	14,136	11,710	12,240	18,962	17,077	28,980
Apprenticeship	33,127	46,192	53,183	50,482	39,442	20,429	18,142	27,981	26,547	18,724	18,149	21,327	22,892	43,258
Secondary school	854	945	1,072	893	462	308	920	908	686	605	431	511	669	1,852
Apprenticeship with graduation certificate	1,598	1,884	2,082	1,672	1,367	694	953	1,155	945	856	869	1,212	1,166	2,018
Full secondary school with graduation	787	903	775	511	428	229	291	454	676	535	353	556	720	1,086
Full secondary professional school with graduation certificate	5,857	8,656	8,409	7,677	5,120	4,125	3,529	5,366	5,086	4,792	4,499	4,590	5,663	10,085
Higher professional	81	62	102	34	30	36	145	136	132	112	162	182	146	339
University	3,845	4,822	4,445	3,536	2,355	1,959	1,958	2,873	3,233	2,813	2,702	2,909	2,882	4,227
Scientific training	16	108	7	8	2	0	10	21	24	22	35	21	22	30

*) the KZAM classification corresponds to ISCO 98 – the international employment classification

Source: MLSA - LO

In its conclusions on the previous report on Article 1, paragraph 1, the Social Rights Committee requested a response to the following questions:

The committee requested that the report contain information on the employment and unemployment of foreign nationals.

This information is included in the response to question B.

The committee requested that the report contain information concerning unemployment in the Roma community.

In its decree no 1573/05 on the **Implementation Plan for the Roma Integration Policy Concept** and decree no. 355/07 on the **Decade of Roma Inclusion**, the Government of the Czech Republic included the Roma population among the principal vulnerable groups on the labour market and assumed responsibility for resolving this problem within the framework of the **National Action Plan on Social Inclusion for the years 2004 – 2008** and other programmes co-financed by the EU.

Over the past few years, the Czech Republic has gathered detailed data on a number of areas where the Roma are concerned, however no statistical data on the number of unemployed Roma exist, because the Act on Personal Data Protection prohibits the Labour Offices from requesting information from job seekers concerning their racial or ethnic origins.

The Ministry of Labour and Social Affairs has asked for an **Analysis of socially excluded Roma locations** to be drawn up, which would provide a detailed description of this problem, although the numbers of unemployed members of the Roma community living in these areas are not available. We only have estimates from various institutions who deal with this problem.

Out of the relatively large group of hard-to-place job seekers, a stable group of exceptionally hard-to-place job seekers, who are long-term unemployed, often for more than eight years, and dependent on various state support benefits, has gradually emerged. This group lives on an extremely low social level, which is due to the fact that it has no qualifications and only achieves a very low level of education. In many cases its members have graduated from the former special schools and many of them are not able to cope with re-training programmes. The survey shows that the proportion of unemployed Roma is high and in certain areas is as much as 90% of the population fit for work. However, these are only estimates based on certain areas and do not necessarily reflect the situation in other regions.

Within the framework of the Ministry of Labour and Social Affairs, the question of Roma employment falls under the competence of the Employment Services Administration. A **Ministry of Labour and Social Affairs Committee to resolve the problem of employment in the Roma Community** has been set up to deal with the problem. The Committee works together with Roma organizations that focus on promoting the employment of members of the Roma community. The Labour Offices, which also have targeted programmes for members of the Roma community listed in the job seekers register, perform a similar role. However they may only be included in these programmes if they volunteer, and only a few individuals actually do so.

The Committee has made an estimate of the unemployment rate among the Roma for its own internal use. As a starting point, it used the unofficial number of Roma residents in the Czech Republic. This is estimated to be 200,000 citizens. Roma families have always been more numerous than those of the majority society, but the birth rate in general has been falling over the past few years and this is also true of Roma women. Despite this the average number of school age children (i.e. up to 15 years of age) in a contemporary Roma family is 3 – 4 children, which represents 50,000 people, or 25% of the Roma population. Another helpful factor in calculating the number of unemployed Roma is an estimate of the number of elderly citizens of retirement age. This is estimated to be 10% of the Roma population, or 20,000 people.

These estimates allow us to assume that 130 thousand people of Romany origin are of working age, which amounts to 65% of the Roma population, including women. From this figure we have to deduct a relatively large group of women – mothers who are caring for children up to the age of 4 years, and who are receiving maternity benefit or another type of social benefit (caring for a disabled person, etc.).

According to a survey conducted by Masaryk University, which took place in ten towns in the Czech Republic, the number of active Roma in the Czech Republic represents around 15% of the total Roma population, which means that approximately 30,000 people are working or self-employed.

The outcome of these estimates is that in the Roma population there are around 70,000 people, who are fit for work, but who have no way of accessing the labour market and who are dependent on various benefits from the state social system. This group of unemployed represents around 35% of the overall Roma community.

Roma unemployment was also the subject treated in the **Roma Integration Policy Concept 2005**, which came to the conclusion that Roma unemployment in the Czech Republic is an extensive and dominant social problem. The specific unemployment rate for members of the Roma community is estimated to be between 45 and 50%. A characteristic feature of Roma unemployment is its long-term nature. 75% of unemployed Roma probably fall under the category of long-term unemployed. A relatively large number of these have been unemployed for several years. At the end of this, they lose any work qualifications they may have had, their material and social deprivation deepens and they become fixed in a culture of poverty. A specific problem and currently a factor supporting the increasing social exclusion of long-term unemployed Roma is the appearance of areas with a high concentration of this group of the population.

In this respect, we must emphasize some extremely important general factors, which act as barriers to the labour market for this numerous group of unemployed. The most important is their low level of qualifications, because many have failed to complete their schooling, which leaves them only able to perform unqualified work, which is temporary and provides low financial reward. This is demotivating for this group of people, because the constant, secure and reasonably high financial income from state support does not encourage these unemployed people to look for legal work. Another frequent feature is the poor state of health of job seekers in this group of unemployed or medical problems and the fact that they are only able to perform certain types of work.

One problem, which together with other factors prevents the population of unemployed Roma from becoming active members and increasing employment, is illegal work. This is generally irregular, unqualified and physically demanding work, where this group is used as a cheap labour force. No social or health care insurance contributions are made on behalf of these people and these illegal workers also continue to draw unemployment benefits or other benefits from the state social system.

If we take into account the number of unemployed citizens in the Czech Republic, where the average unemployment rate is around 6.5%, we can see that, out of the total number of registered job seekers, the proportion of registered Roma job seekers may reach around 10 -15%.

The Ministry of Labour and Social Affairs is aware of the high rate of unemployment among the Roma and is also attempting to resolve this extremely serious problem, by adopting the **Decade of Roma Inclusion for 2005 –2013**, the **National Action Plan for Social Inclusion for 2004 – 2008** and programmes to support employment and education for members of the Roma community, which are funded by the Ministry of Labour and Social Affairs and the European Social Fund.

Projects that are directly aimed at the Roma community and funded by the Ministry of Labour and Social Affairs:

Chance for work

Total: 3,507,964 CZK

The project is aimed at people who are excluded or at risk of social exclusion, and particularly at members of the Roma community. The reasons for this exclusion are closely connected to membership of a different socio-cultural environment, which is in itself often brought about by a low level of education and qualification or the absence of schooling. People who are socially excluded or at risk of social exclusion often find that their low level of qualification is reflected in their long-term unemployment.

My life = my choice. A programme to promote new perspectives for the younger generation of Roma.

Total: 3,915,372 CZK

The project aims to activate and develop the currently rather passive potential of the strategically important generation of young Roma. The project focuses on offering support and assistance to members of the Roma community to open educational opportunities and to access the labour market. My life = my choice project positively contributed to developing the potential and social opportunities of young Roma, helping them to earn respect and a dignified role in society.

Projects that are partially aimed at the Roma community and funded by the Ministry of Labour and Social Affairs:

Open door

Total: 1,929,220 CZK

The Open Door project attempts to help resolve the negative aspects of social behaviour, which lead to a situation where many citizens in distressing social circumstances are at risk of exclusion to the margins of society. This results in a polarization of society and a highly explosive situation. There is no Advisory Centre in the district of Jablonec nad Nisou to

provide people at risk of social exclusion with advisory services for socio-professional problems. Spolkový dům in Jablonec nad Nisou, which has become a help centre for socially disadvantaged groups of citizens thanks to the Open Door project, is attempting to resolve this situation.

The aim of the project is to anticipate negative social influences, mainly using professional advisory services and a preparatory educational programme. This will consist of four training courses, which the participants will be able to select on the basis of their own interests and preferences. In addition, specialized seminars will be prepared for target groups. One of the target groups targeted by the project is the long-term unemployed people over the age of 50 years, young Roma over the age of 15 at risk of long-term unemployed, people with low or no schooling, who are at threat of long-term unemployment.

Opportunity

Total: 1,507,356 CZK

The project aims to increase and reinforce the qualifications of unemployed young people at risk of social exclusion to help them find jobs in the labour market and to provide them with support when they begin work. The project makes use of the experience and contacts made during previous pilot projects. It is innovative in that it adopts an integrated approach to finding and motivating its target group. The target group is addressed from 3 sources, which are the Labour Office, the Probation and Mediation Service and the target group's own social work service. The project objectives will be attained by training members of specific target groups and providing support activities to eliminate barriers to accessing education and work.

The Ministry of Labour and Social Affairs also provides funding for a range of activities that aim to facilitate access to the labour market for this specific group of unemployed citizens.

The Ministry of Interior organizes preparation courses for members of ethnic minorities for purpose of training them to serve in the Czech Police Force. The reason for these preparation courses is to provide eligibility and raise level of education among members of ethnic minorities.

The Czech Chamber of Commerce has also contributed to programmes to resolve the problem of unemployment among Roma, and within the framework of the **Labour Market Institute** project is attempting, together with the Labour Offices, to share in reducing unemployment in the Czech Republic. The project is being implemented as a pilot project which will run for 16 months in five regions and, after evaluation, will be extended to all the regions.

Non-governmental not-for-profit organizations and territorial self-governing bodies, who know how many Roma are living in a particular area and can create programmes and projects to improve the situation of the Roma community, have also implemented activities aimed at solving this problem.

The committee has requested that the report contain unemployment data on disabled persons, including the numbers of participants.

Active employment policy measures are available to support the integration of disabled persons in the labour market. Active employment policy measures include the provision of vocational rehabilitation, the creation of sheltered jobs and workshops, including partial payment of the operating costs for the sheltered jobs or workshops, and targeted programmes to solve unemployment. The Employment Act also enables employers to receive a contribution to support the employment of disabled persons and stipulates that employers with more than 25 employees must employ a mandatory proportion of disabled persons, based on the total number of employees employed.

The statistics we have available, and which are based on data provided by the Labour Offices, do not distinguish the type of disability for natural persons. For this reason, we are only providing the number of disabled persons who are placed in jobs by the Labour Offices during the period from 1.1.2005 to 31.12.2006 using active employment policy instruments.

During this period 3,198 people were supported by the creation of sheltered jobs by employers, the creation of sheltered workshops and sheltered workplaces created for disabled persons for the purpose of carrying out gainful activities as self-employed persons.

Between 2005 and 2006 a total of 156 employers employing disabled persons as over 50% of their workforce were provided with funding through a targeted programme to support the purchase of new or more technically advanced tangible assets to facilitate the work process for disabled persons. This helped to create and maintain jobs for 5,814 disabled persons.

The committee has requested that the report contain data concerning the number of persons involved in active employment policy measures.

Job seekers placed through the active employment policy

Year	Job seekers placed by LO (excluding those undergoing retraining)	numbers placed each year through the AEP										
		PBW	SBJ	Professional graduate training	Sheltered workshops and jobs	Bridging contribution	Contribution towards recruitment costs	Transport contribution	Targeted programmes	ESF Programmes	Retraining (inc. vocational rehabilitation)	Total
1995	109,708	10,821	6,603	5,292	724	-	-	-	-	-	13,454	36 894
1996	102,007	10,259	4,025	4,971	562	-	-	-	-	-	12,107	31 924
1997	111,166	11,888	2,931	3,515	493	-	-	-	-	-	11,448	30 275
1998	105,134	11,905	8,187	9,232	853	-	-	-	-	-	16,577	46 754
1999	120,104	16,069	15,804	10,945	951	-	-	-	-	-	22,938	66 707
2000	148,217	20,034	26,721	11,316	1,368	-	-	-	-	-	33,331	92 770
2001	137,044	19,977	21,767	9,645	1,028	-	-	-	-	-	43,560	95 977
2002	116,900	16,573	14,123	7,945	1,063	-	-	-	-	-	44,888	84 592
2003	109,732	15,378	17,618	8,654	1,221	-	-	-	-	-	53,953	96 824
2004	115,414	18,246	25,010	7,170	1,636	-	-	-	-	-	54,458	106 520
2005	103,372	16,846	25,129	28	1,592	1,051	310	3,609	.	.	46,772	95 337
2006	106,759	18,011	25,417	2	1,606	1,234	193	2,085	2,323	27,227	59,035	137 133

Source: MLSA - LO

LO – Labour Offices

PBW – Public beneficial work

SBJ – Socially beneficial jobs

The committee has requested that the next report provide an explanation of why expenditure on labour market policies is so low.

The Act on the State Budget for a particular year is approved by the Government of the Czech Republic, the breakdown of indicators for the chapters of the budget pertaining to the Ministry of Labour and Social Affairs is approved by the Minister. Despite the fact that the indicator for expenditure on the active employment policy as a proportion of GDP places the Czech Republic among the three lowest EU Member States, a drop in the unemployment rate has been recorded over the past few years, following on from the rise in the economy and increased numbers of jobs. Please see the statistical data provided to the answer to Question B.

Article 1, paragraph 2

"With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake: to protect effectively the right of the worker to earn his living in an occupation freely entered upon;"

Question A

Please give information concerning legislative or other measures taken to ensure the elimination of all discrimination in employment which might be based on gender, social or national origin, political opinion, religion, race, colour or age and to promote effectively equal opportunities in seeking employment and in taking up an occupation.

Please give information in this respect on existing sanctions and remedies in cases of discrimination in employment.

The Charter of Fundamental Rights and Freedoms, Act no. 2/1993 Coll. guarantees equal access to rights at a constitutional level through the general proclamation contained in Article 3 of the Charter, according to which fundamental rights and freedoms are guaranteed for all, regardless of their sex, race, skin colour, language, religion and confession, political or other conviction, ethnic or social origin, membership of a national or ethnic minority, property, family background or other status.

The new **Labour Code, Act no. 262/2006 Coll.**, which came into force on 1.1.2007, stipulates in Section 16 that employers shall safeguard equal treatment for all employees as regards employees' working conditions, remuneration for work and other emoluments in cash and in kind (of monetary value), vocational training and opportunities for career advancement (promotion). These principles apply to all labour relations, from their inception to their termination.

However the Act also allows necessary exemptions from the principle of equal treatment. Different treatment is not deemed to constitute discrimination where, owing to the nature of the occupational activities or owing to the context in which they are carried out, such a reason constitutes a substantial and decisive occupational requirement for an employee's work performance and the requirement is necessary for its performance; the aim followed under this exemption must be justified and the requirement must be adequate. Discrimination shall further not be deemed to occur when an employer takes a temporary measure aimed at levelling out the proportion of men and women being employed by this employer and this is taken into account in the recruitment of employees, their vocational training and promotion opportunities if there is a reason for this measure due to an uneven share of men and women employed by this employer. However, the employer's procedure may not be detrimental to an employee of the other sex where this employee's qualities exceed those of another individual (employee), in respect of whom the employer applies a temporary measure according to the second sentence.

The Act makes detailed reference to a special legal regulation – the draft **Anti-discrimination Act**, which was debated by the Government and approved by it on 11th June 2007. The bill was then submitted for debate by the Chamber of Deputies of the Czech Parliament.

New draft legislation providing protection against discrimination is based on the general Anti-discrimination Act, which will have wide practical application. According to the draft Anti-discrimination Act, the rules of equal treatment and prevention of discrimination apply:

- a) to the right to work and access to work,
- b) to access to an occupation, business and other types of self-employment,
- c) to work relations, service relations and other related activities, including remuneration,
- d) to membership in and activities for trades unions, employee committees or employer organizations, including the advantages these organizations provide for their members,
- e) to membership in and activities for professional chambers, including the advantages these public corporations provide for their members,
- f) to social security,
- g) to the admission and provision of social benefits,
- h) to access to medical care and the provision thereof,
- i) to access to education and the provision thereof,
- j) to access to goods and services, including accommodation, when these are offered to the public.

The draft Act prohibits direct or indirect discrimination and specifies the reasons for discrimination, which are race, ethnic origin, nationality, sex, sexual orientation, age, disability, faith, confession or world opinion. These reasons for discrimination correspond to Article 3 of the Charter of Fundamental Rights and Freedoms, Convention no. 111 of the International Labour Organization concerning Discrimination in Respect of Employment and Occupation, as well as the European Community directives listed below:

- Council Directive 75/117/EEC of 10th February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women,
- Council Directive 76/207/EEC of 9th February 1976, on the implementation of the principle of gender equality as regards access to employment, vocational training and promotion, and working conditions,
- Directive 2002/73/EC of the European Parliament and of the Council of 23rd September 2002, amending Council Directive 76/207/EEC of 9th February 1976, on the implementation of the principle of gender equality as regards access to employment, vocational training and promotion, and working conditions,
- Council Directive 2000/78/EC of 27th November 2000, establishing a general framework for equal treatment in employment and occupation,
- Directive 2006/54/EC of 5th July 2006 on the implementation of the principle of equal opportunities and gender equality in matters of employment and occupation.

In compliance with the directives listed above, definitions of indirect discrimination, harassment, sexual harassment, persecution, coercion to discrimination and incitement to discriminate have also been proposed.

The requirement for equal treatment of all natural persons exercising their right to employment is embodied in **Act no. 435/2004 Coll., on Employment**; different treatment, as defined in this Act or in a special legal regulation, is not deemed to be unequal treatment. In exercising the right to work, direct and indirect discrimination are prohibited for reasons of sex, sexual orientation, racial or ethnic origin, nationality, citizenship, social background, family background, language, health condition, age, faith or confession, property, marital or family status or family duties, political or other conviction, membership of and activity for

political parties or political movements, trades unions or employers' organizations; discrimination for pregnancy or motherhood is deemed to be discrimination on the ground of sex. Conduct involving inciting, abetting, or coercion to discriminate is also considered discrimination. The Employment Act also contains definitions of direct and indirect discrimination, harassment and sexual harassment.

The principle of gender equality does not affect the provisions concerning the protection of women for reason of pregnancy or maternity.

Act no. 251/2005 Coll., on Labour Inspection, enables the Labour Inspectors to penalise employers who, in breach of rules on equal treatment of workers in the area of working conditions or remuneration, have discriminated against an employee (Section 16 of the Labour Code), have mistreated or penalized an employee because he/she has claimed his/her rights in a legal manner, or has failed to take up a complaint with an employee or, on his/her request with a personnel representative, concerning the performance of the rights and obligations arising from labour law relations, with a fine of up to 400,000 CZK. In accordance with Section 139 of **Act no. 435/2004 Coll., on employment**, the Labour Office may fine an employer up to 1,000,000 CZK for discrimination against a job seeker.

Other measures adopted for the purpose of excluding any discrimination on the ground of sex

As has already been mentioned in previous reports, in 1998 the Government of the Czech Republic adopted a national action plan entitled **Priorities and procedures for the enforcement of the equality of men and women**. This programme document follows on from the undertakings made by the Czech Republic on the basis of the Beijing Platform for Action. Each year the Government evaluates the performance of tasks arising from this programme document and issues rulings to update measures contained in it. The last time this programme document was updated was by Government Decree no. 509 on May 10th, 2006.

As a result of the Priorities and procedures for the enforcement of the equality of men and women national action plan and continuous training of management personnel, awareness of these problems has increased in the individual ministries. The defence and interior ministries, which have traditionally employed more men than women, are dealing with the problem of equality between women and men in a positive and responsible manner.

All ministries regularly report that when recruiting for management positions the level of qualification and professional knowledge and ability are taken into account, not sex. As far as positive measures are concerned, we can take the example of the Ministry of Defence which, on the order of the Minister, has enabled the adoption of a temporary measure to equalise the noticeable difference in the numbers of men and women participating in important social activities (so-called positive action). However, no concrete measure of this nature has yet needed to be taken, as the numbers of women in management positions are naturally tending to rise.

During 2006, a normal part of any meetings between individual ministry representatives in all bodies of the Council for Economic and Social Accord involved a discussion of the question of equal opportunities for women and men. When preparing the conceptual documentation or making observations on conceptual documentation prepared by other resorts, all the ministries represented in the Council for Economic and Social Accord

consistently declare that they are careful to respect the principle of equal opportunities for women and men.

Most ministries work with the key non-governmental not-for-profit organizations that deal with equal opportunities for women and men. Two-way information channels between the individual ministries and non-governmental not-for-profit organizations are set up for areas of common interest, or problems that fall under the specific remit of a particular ministry. The ministries also willingly cooperate with these organizations in providing training for their employees in the area of equal opportunities for women and men.

As far as the problem of equal treatment and equal opportunities for women and men at work, we can make the general statement that, over time, a certain levelling out is taking place. Unfortunately, despite the fact that both women and men are guaranteed the same access to education and achieve the same level of education, they are still not in an equal position in the workplace. The levelling out is not uniform because it depends on the approach of individual employers, and it is not taking place as fast as we would like.

The activities of the Council for Economic and Social Accord and the Government Council for equal opportunities for women and men have also continued uninterrupted.

Between May 15th 2006 and January 15th 2007 a PHARE twinning light project was run by the Czech Republic and Germany entitled **Gender Equality Promotion - Focused on Social Partners – Adopting Equal Treatment in the Workplace**. The aim of the project was to support the Czech Republic in its compliance with its obligations under international and Community Law and to encourage social partners to promote equal opportunities and gender equality in the workplace, particularly in enhancing their awareness of their responsibility for implementing gender equality. The task of the German experts was to propose appropriate arrangements, which should in a planned and systematic way encourage employers to promote gender equality in the workplace.

In 2006, the Ministry of Labour and Social Affairs participated, as one of the international partners, in a project which was part of the European Union community programme for gender equality, **the Role of Men in the Promotion of Gender Equality**. The project was a response to an appeal from the European Commission for the submission of projects from a community programme relating to the Framework Strategy on Gender Equality. The project was managed by the Slovak National Centre for Human Rights and the Ministry of Labour and Social Affairs of the Czech Republic and the Luxemburg Ministry for Equal Opportunities acted as international partners for the project. The role of the project was to look for answers to questions concerning whether men were allowed to realise themselves fully in their working, family and personal lives, what guarantees were provided to men by the legislation of the Slovak Republic, the Czech Republic and Luxemburg, to what extent men make use of these opportunities, or why they fail to do so. The Czech Republic contributed to the project by presenting the results of a survey on men on parental leave and a legal and sociological analysis of the situation in the Czech Republic. The project wound up with a professional conference– **The Role of Fathers in the Promotion of Gender Equality**.

The Czech Republic is actively involved in the **European initiative EQUAL, the Operational Programme for Human Resource Development** and the **Single Programming Document for Objective 3**, which form part of the European Union's employment policy; are financed from the European Social Fund and aim to promote and to

improve employment. Their main objective is to support equal access to work, to develop and test approaches to stamp out discrimination and inequality on the labour market. In the Czech Republic, the initiative is financed by the Ministry of Labour and Social Affairs, which is responsible for its implementation, and from EU funds.

An information campaign for the general public and training for public servants have been organized to support the policies of equal treatment and equal opportunities for women and men described above. School textbooks have also been revised in order to educate young people and to remove stereotypes.

Question B

Please indicate any methods adopted:

- a) *to seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of the above policy of non-discrimination;*
- b) *to ensure the acceptance and observance of the above policy through educational efforts.*

Item A

Social partners play an important role in equal opportunity policies given the fact that most cases of discrimination take place on the labour market (unequal access to jobs, barriers to promotion at work, unequal remuneration, reconciling the needs of family and work).

The Czech-Moravian Confederation of Trades Unions, whose activities in the field of promotion of gender equality have made an important contribution to creating equal opportunities at work for women and men, is well aware of this fact. The Czech-Moravian Confederation of Trades Unions has been tackling the problem of gender equality in a systematic and long-term manner, promotes the *gender mainstreaming* method, particularly in the framework of the legislative process, in which it participates as a social partner. The Czech-Moravian Confederation of Trades Unions has established a **Committee for Gender Equality**, which actively participates in working discussions in connection with the Czech Republic's membership of the EU. As an active member of the European Trade Union Confederation, the Czech-Moravian Confederation of Trades Unions is involved in the European social dialogue. The activities of the Czech-Moravian Confederation of Trades Unions are primarily focused on the general roles of men and women, on involving women in the decision-making process, in supporting the reconciliation of the needs of professional and family life and in resolving different pay rates for men and women. It is also active in presenting equal opportunities for women and men on the labour market through conferences, manuals, methodological aids and publications.

Employers' organizations also declare their support for gender equality.

Non-governmental not-for-profit organizations have an important position in the promotion of gender equality in society, covering areas that fall outside the competence of the public sector and they are generally the first to be able to identify emerging social problems. Their activities in education and further education for both the general public through media activities, as well as for specific target groups and the professional public are undeniable.

Members of non-governmental not-for-profit organizations publish articles on gender problems and appear in the media, making an important contribution to the social discussion of gender equality. In this way their activities are important in increasing public awareness of gender equality.

A total of 7 seminars and 1 national conference have been organized for social partners (trades unions and employers' organizations), not-for-profit organizations and media representatives within the framework of the **Gender Equality Promotion - Focused on Social Partners – Adopting Equal Treatment in the Workplace** project. These focused primarily on collective bargaining and equal pay. The project also included an information campaign, which consisted of the distribution of two types of flyers to social partners and not-for-profit organizations. 4 manuals were developed for practical use, and these will also be published on the Ministry of Labour and Social Affairs website.

Item B

The prohibition of discrimination for reasons of sex, social or national origin, political opinions, religion, race, skin colour or age is enforced in education at a number of levels:

1. Legislative:

This area is regulated by **Act no. 561/2004 Coll.**, on pre-school, basic, secondary, tertiary professional and other education (the **Education Act**), which stipulates that education shall be based on the principles of equal access to education without discrimination based on any ground such as race, skin colour, sex, language, faith or confession, nationality, ethnic or social origin, property, family background, health condition or any other condition.

2. Conceptual

Framework Educational Programmes (hereinafter referred to as FEP)

The problems of human rights and multi-cultural education are dealt with in a comprehensive manner as part of the on-going curricular reforms in the newly introduced framework educational programmes. The Framework Educational Programme for pre-school education and the Framework Educational Programme for basic school education have already been published and schooling began in accordance with them on September 1st, 2007.

The FEP is the new fundamental pedagogical document, defining the form and mandatory requirements governing the provision and output of education for the individual levels and areas of education, determines teaching plans and the rules for evaluating the results of education. In terms of its status amongst pedagogical documents, it replaces the former teaching plans and educational standards.

The FEP also includes the problem of human rights and multi-cultural education in basic education. It focuses on creating positive civic behaviour, on consolidating a desirable system of values and integrating knowledge and skills in a number of different fields, primarily humanitarian. It develops awareness of belonging to the European civilization and its cultural sphere and supports the adoption of values on which contemporary democratic

Europe is built. An important part of training in specific areas of the educational system involves the prevention of racist, xenophobic and extremist attitudes, the promotion of tolerance and respect for human rights and encouragement to respect the natural and cultural environment.

The following cross-sectional topics are now included in basic education: Personal and Social Education, Learning to be a Democratic Citizen, Learning to think in a European and Global Context, Multi-cultural Education, Environmental Education and Media Education. Cross-sectional topics are based on the use of project teaching methods.

Learning tolerance, human rights and the fight against racism are particularly emphasized in the cross-sectional topics of Personal and Social Education and Multi-cultural Education.

Question C

Please indicate the guarantees, including applicable sanctions and remedies, which prevent any discrimination in regard to members of workers' organisations at the time of engagement, promotion or dismissal.

The principle of equal treatment and the prohibition of discrimination in enforcing the right to work are regulated by the **Employment Act**. This stipulates that, when enforcing the right to work, no direct or indirect discrimination for the reasons enumerated in the Act are permitted, including for reason of membership of or activities for trades unions.

The Labour Offices may impose a fine of up to 1,000,000 CZK for breach of the prohibition on discrimination or the principle of equal treatment, pursuant to the Employment Act or other labour law legislation.

If there is a breach of the rights and duties ensuring from the concept of equal treatment, or discrimination takes place when exercising the right to employment, the natural person has the right, firstly to demand that such a breach be discontinued, and then that the consequences of the breach be removed, and that they be provided with reasonable satisfaction.

If the dignity or self-respect of the natural person was considerably reduced and sufficient compensation was not provided, pursuant to the previous paragraph, they have the right to compensation for the detriment in money. The amount of compensation shall be decided by court at the request of the natural person, taking account of the seriousness of the detriment and of the circumstances under which the breach of rights and duties occurred.

In the event the victim of discrimination decides to defend him/herself by legal means, he/she shall not bear the burden of proof for reasons he/she received unfavourable treatment. The burden of proof lies on the side of the defendant pursuant to the **Civil Procedure Code**, Act no. 99/1963 Coll., which stipulates in Section 133a that *the court must accept that the facts claimed to show that the party was directly or indirectly discriminated against on the basis of their sex, racial or ethnic origin, religion, faith, confession, disability, age or sexual*

orientation have been proved, unless any other facts were made available during the proceedings to prove otherwise.

Labour Inspectorates monitor compliance with the Labour Code and may impose fines of up to 400,000 CZK for violations and offences against the principle of equal treatment.

The employer may only give notice of termination to his employer or immediately terminate an employment relationship for the reasons set forth in Section 52 and Section 55 of the Labour Code. The employer must consult notice of termination and immediate termination with the trade union organization in advance. Where notice of termination or immediate termination of an employment relationship concerns a member of the trade union organization operating within the employer's undertaking, the employer shall ask the trade union organization for its prior consent to such notice of termination or immediate termination. Where the trade union organization refuses to give its consent, the notice of termination or immediate termination of the employment relationship is thereby made void (with the exception of a case where the court rules that the employer cannot be justly expected to employ such employee any further).

Question D

Please indicate whether any form of forced or compulsory labour is authorised or tolerated.

The prohibition of forced or compulsory labour is enshrined in national legislation – particularly in the **Charter of Fundamental Rights and Freedoms, set forth in Act no. 2/1993 Coll.**, (Article 9) and the **Penal Code, Act no. 140/1961 Coll.**, as amended, (Section 231 and following on the restriction of personal freedom), as well as the international legislation binding on the Czech Republic – such as the **European Convention for the Protection of Human Rights and Fundamental Freedoms**, the **International Labour Organization Convention no. 29 on forced labour** and the **International Labour Organization Convention no. 105 on the abolition of forced labour**.

In the field of labour law, no legislation passed by the Czech Republic allows or tolerates any form of forced labour. In accordance with Section 13 of **Act no. 262/2006 Coll., the Labour Code**, labour relations may only be formed with the consent of a natural person and his/her employer.

Question E

If so, please describe the nature and scope of any such labour and indicate the extent to which recourse has been had thereto during the reference period.

See question D

Question F

Please indicate what measures are being taken to secure the complete abolition of forced or compulsory labour and the date by which these measures will be fully implemented.

Although the Czech Republic neither allows nor tolerates forced labour, illegal practices related to the trafficking of human beings, mainly concerning the migrant population, may take place on its territory. Because of this, the Czech Republic has adopted the following measures for the purpose of eliminating forced labour and as part of the fight against organized crime: a special police unit has been established as part of the Detection of Organized Crime Unit, which specializes in forced labour and trafficking with human beings, and, on the basis of the National Strategy to Fight against the Trafficking of Human Beings for the period from 2006 – 2007, has adopted a measure to train certain public servants (apart from members of the police force these are mainly administrative representatives, social workers or labour inspectors), preventative measures have also been adopted and, finally, offers have been made to protect and assist victims of trafficking in human beings on the territory of the Czech Republic.

Question G

Please give information concerning the conditions under which work is carried out in prison establishments.

No change.

In its Conclusions on the previous report on Article 1 paragraph 2, the Committee of Social Rights requested answers to the following questions:

The committee requested that the report contain data on the following measures, which were adopted to support equality for women at work.

As a result of the **Priorities and procedures for the enforcement of the equality of men and women** action plan and the on-going training of management personnel, awareness of this problem has increased in the different ministries. The Ministry of Defence and the Ministry of the Interior, which have traditionally employed more men than women, have adopted a positive and responsible approach to the problem of gender equality.

All ministries regularly report that when recruiting for management positions the level of qualification and professional knowledge and ability are taken into account, not gender. As far as positive measures are concerned, we can take the example of the Ministry of Defence which, on the order of the Minister, has enabled the adoption of a temporary measure to equalise the noticeable difference in the numbers of men and women participating in important social events (so-called positive action). However, no concrete measure of this nature has yet needed to be taken, as the numbers of women in management positions are naturally tending to rise.

During 2006, a normal part of any meetings between individual ministry representatives in all bodies of the Council for Economic and Social Accord involved a discussion of the question of equal opportunities for women and men. When preparing the conceptual documentation or making observations on conceptual documentation prepared by other resorts, all the ministries represented in the Council for Economic and Social Accord consistently declare that they are careful to respect the principle of equal opportunities for women and men.

Most ministries work with the key non-governmental not-for-profit organizations that deal with equal opportunities for women and men. Two-way information channels between the individual ministries and non-governmental not-for-profit organizations are set up for areas of common interest, or problems that fall under the specific remit of a particular ministry. The ministries also willingly cooperate with these organizations in providing training for their employees in the area of equal opportunities for women and men.

The Czech Republic is actively involved in the **European initiative EQUAL, the Operational Programme for Human Resource Development** and the **Single Programming Document for Objective 3**, which form part of the European Union's employment policy; are financed from the European Social Fund and aim to promote and to improve employment. Their main objective is to support equal access to work, to develop and test approaches to stamp out discrimination and inequality on the labour market. In the Czech Republic, the initiative is financed by the Ministry of Labour and Social Affairs, which is responsible for its implementation, and from EU funds.

The committee has requested information on how the concept of indirect discrimination has been construed by the courts, and data on the number of discrimination suits filed at court and the number of times cases of discrimination have been found.

To date any discrimination suits filed at Czech courts have primarily dealt with direct discrimination.

Concerning discrimination on the ground of sex, please see our answer to Question B on Article 1 of the Protocol to the European Social Charter.

Concerning discrimination on the ground of racial or ethnic origin, the testing carried out by non-governmental organizations has proved successful. Its objective is to test and monitor whether persons of a different racial or ethnic origin than the majority population encounter less favourable treatment when enforcing their right to work (for example, they are not recruited). Apart from the fact that the victim of discrimination must show that he/she was treated in a particular manner, he/she should also claim and prove that this treatment was different from that provided to other people, i.e. they should at least name people in a comparable situation who received more favourable treatment. For example, when testing the enforcement of the right to work, a valid job seeker from one of the racial or ethnic minorities will first apply for the job, and then a member of the majority population, generally an employee of a non-governmental organization, who would play the part of the person in a comparable situation in any subsequent court case, will enforce the same right.

Czech courts have not had any problems with the testing method, although defendants have often used the defence that they were subjected to provocation. During the first disputes (2001 – 2003) courts had already found that everyone has the right to test whether they are able to exercise their rights undisturbed, and should they discover that these rights have been encroached on, their claim is the same as if they had encountered discrimination unexpectedly.

To date no marginal and undoubtedly controversial situations where the testing person was only pretending to exercise their rights, such as a situation where someone who was already employed applied for a job, have appeared before the Czech courts. In all the testing cases, the plaintiffs have always claimed that they were actually enforcing their rights and that had they not been rejected, they would have taken the job.

There have been exceptional cases where the discriminated individual has sufficient evidence of different treatment when the case is being prepared. One well-known case was heard by the Hradec Králové District Court (16 C 53/2003), in which a Roma job seeker was rejected because of her Romany origin. This reason was also written down by the defendant in the report to the Labour Office. The case was settled out of court and following withdrawal of the action, the plaintiff received compensation for the detriment in money.

The committee has requested information on age discrimination.

In the Czech Republic discrimination on the ground of age is not only perceived as a question of human rights for the elderly, but also as a social problem with negative consequences for society as a whole. Protection against discrimination on the basis of age and support for equal opportunities is a cross-sectional priority for the Czech Republic in the

context of its ageing population, and has been formulated by the Government in the **National Programme of Preparation for Ageing for the period from 2003 to 2007** – a strategic document, which contains measures in the areas of the labour market and employment, the reform of the pension system, accommodation, education, transport and others. This programme places great emphasis on human rights and the integration of elderly persons into social and economic progress and life.

The programme is not only derived from the **International Plan of Action on Ageing** which was adopted in Madrid in April 2002, but also on other documents passed by the UN and other international organizations, and lays emphasis on protection and enforcement of the economic, social, cultural, civic and political rights of elderly persons. One of the programme's main priorities is the protection of the rights of elderly persons to social services and health care, the labour market, the family and society.

The Czech Republic is aware of the problems associated with an ageing population and for this reason a **Government Council for Elderly Persons and Population Ageing** was established in 2006. The Council's mission is to promote conditions for healthy and active ageing, dignity in old age in the Czech Republic and the active participation of elderly persons in economic and social development in the context of demographic ageing. The Government Council for Older Persons and Population Ageing has established four working groups. These are the Working Group for Health and Social Policies, Health and Social Services, the Working Group for the Labour Market, Lifelong Learning and Material Protection, the Working Group to Support Awareness, Social Participation and to Prevent Discrimination against Older Persons and the Working Group for Accommodation and Residential Social Services.

The Working Group to Support Awareness, Social Participation and to Prevent Discrimination against the Elderly focuses on improving the awareness of human rights in society, particularly among elderly persons and professionals working in both public and private services. The objective is to reduce *ageism* and to prevent abuse against elderly persons in a variety of high risk situations. Fundamental to the prevention of discrimination is the inclusion of these problems in the educational system (primary, secondary and university) and the question of the preparation and further training (or life-long training) of professionals who have an important influence on the nature of the public services and environment, or who come into direct contact with elderly persons (i.e. health care staff, social service workers, architects, designers, personnel professionals, the police, etc.).

Research plays an important part in the formulation of suitable policies in the context of population ageing. **The Labour and Social Affairs Research Institute** has published a research report entitled **Age discrimination – ageism: introduction to the theory and emergence of discriminating approaches in selected areas, with emphasis on the labour market**, which adopts both a theoretical and an empirical approach to this problem.

A number of organizations for elderly citizens also deal with the situation of the elderly population. Since 2005 the **Council of Senior Citizens of the Czech Republic** has stood at the head of organizations for elderly persons (organizations where both members and staff are only comprised of elderly citizens). This council has a coordinating, conceptual, counselling and advisory function.

In the Czech Republic, discrimination on the basis of age is perceived not only as a question of the human rights of elderly persons, but also as a social problem with negative consequences for society as a whole. The risk of age discrimination increases with people with lower qualifications and in areas with high unemployment. Elderly people therefore become one of the groups most at risk of unemployment. Prejudices concerning work performance and the features and characteristics that are important for remaining on the labour market are deeply ingrained.

On October 1st, 2004 the **Employment Act** (Act no. 435/2004 Coll., on employment) came into force, prohibiting direct and indirect discrimination in employment and imposing an obligation on participants in legal relations pursuant to the Act (Labour Offices, employers, etc.) to ensure equal treatment of all natural persons exercising their right to employment. According to the Act, natural persons over the age of 50 years are to receive an increased level of care. The Act defines direct and indirect discrimination. Under the terms of the Act, direct discrimination is understood to be behaviour which does, has or would, on the basis of the discriminatory grounds defined in the Act, which also include age, treat a natural person less favourably than another natural person is, was or would be treated in a comparable situation. Indirect discrimination is understood to be behaviour when a seemingly neutral provision, criterion or practice causes a disadvantage or advantage to one natural person over another on the basis of the discriminatory grounds defined in the Act.

The prevention of age discrimination and support for elderly people in the labour market is perceived as a fundamental topic and priority for economic growth and employment, pension reform and an active and health life for the elderly population. Interest in the status of elderly persons (50+) on the labour market is growing. Of a total of 59 projects selected by the Ministry of Labour and Social Affairs within the framework of the **Community Programme Initiative EQUAL**, two projects concern the position of elderly people on the labour market.

The Ministry of Labour and Social Affairs produces a quarterly **Report on compliance with the inspection activities of the Labour Offices**. This also contains an evaluation of the relevant provisions of the Employment Act concerning age discrimination. These reports are published on the Ministry website.

The committee has requested that the report contain detailed information concerning the remedial means available to victims of discrimination (other than on the basis of gender), and on penalties that can be imposed on employers.

The legislation does not distinguish between remedial measures that are only available to victims of particular prohibited different treatment (sex, age, sexual orientation etc.). All victims have access to the same remedial measures. The Labour Offices and Labour Inspectorates may impose fines of up to 1,000,000 CZK on employers.

Other details are contained in the answer to question C.

The committee asks whether it is possible for a natural person who is the victim of discrimination to be represented by a legal entity and, if so, whether this provision is also used in cases involving work disputes.

Legal means to protect against discrimination will in general be subject to new regulation in the Anti-discrimination Act. According to the draft Anti-Discrimination Act, a legal entity whose scope of activity or purpose of establishment is to protect against discrimination may provide information on the legal aid options and provide help in composing or completing petitions and submitting them to persons claiming protection against discrimination. This legal entity is also authorized to suggest that the administrative bodies monitoring compliance with the legislation, including the right to equal treatment perform an inspection or to initiate administrative proceedings.

Article 1, paragraph 3

"With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake: to establish or maintain free employment services for all workers;"

Question A

Please describe the operation of free employment services available in your country, indicating the age, gender and nature of occupation of persons placed by them in employment and persons seeking employment.

Please indicate as far as possible the number of vacancies, the placement rate and the duration of unemployment of persons placed.

The organization and activities of public employment services are regulated by Act no. 435/2004 Coll., on employment. Public administration of the Government employment policy in the Czech Republic is carried out by the Ministry of Labour and Social Affairs (specifically its Employment Services Administration Division, headed by a Director) and the Labour Offices.

The Ministry regulates and controls the performance of public administration activities and ensures their compliance with the legislation when implementing the Government employment policy. At the same time it draws up a national concept and programmes for the Government employment policy, resolves fundamental questions concerning the labour market, systematically monitors and evaluates the situation on the labour market, draws up employment forecasts, takes action to influence labour supply and demand and to create harmony between the sources of labour and the need for it in the Czech Republic, manages the Labour Offices, administers and funds the Government employment policies, issues and withdraws permits enabling legal entities or natural persons to broker employment, maintains records of employment agencies and monitors their activities.

The Labour Offices are administrative bodies. The Labour Office is headed by a Director who is appointed and removed by the Minister of Labour and Social Affairs. The districts administered by the Labour Offices correspond to the territorial districts. The Labour Office draws up a concept for the development of employment in its administrative district, systematically monitors and evaluates the situation on the labour market and takes action to influence labour demand and supply; to this end it cooperates with administrative bodies, territorial self-governing units, social security authorities, state health administration bodies, employers and other entities in accordance with special legal regulations to create and implement measures connected with the development of the labour market and employment, assumes responsibility for and supports projects and measures connected with the development of human resources for the labour market that are implemented in its administrative district, including participation in international programmes and projects, brokers employment for job seekers and persons interested in employment, provides counselling, information and other services in the field of employment to natural persons and employers, ensures that active employment policy instruments are applied, pays unemployment benefits and retraining allowances, performs inspection activities to the extent laid down in the legislation, including imposing fines.

Data on the number of job vacancies, the number of job seekers placed in work and the length of unemployment of unplaced persons, including the gender of these persons, are provided in the tables accompanying the answers to questions B and C on Article 1, paragraph 1.

Question B

Please describe the organisation of public employment services in your country indicating the accompanying measures for the unemployed, and where appropriate, the steps taken to revise the geographical distribution of local and regional employment centres and to redeploy resources when the changing patterns of economic activity and of population so warrant.

Please refer to the answer to question A and the answer to the questions on Article 1, paragraph 1.

Question C

If both public and private free employment services exist in your country, please describe the steps taken to co-ordinate such services, and to determine the conditions governing the operation of private employment agencies.

Conditions for brokering of employment by employment agencies (legal entities or natural persons) are set forth in the **Employment Act**.

The Labour Offices broker employment under the conditions set forth in the legislation as do legal entities or natural persons, provided they have a permit to broker employment (hereinafter referred to as “employment agencies”). Brokering employment is understood to cover (1) seeking employment for a natural person who is applying for work and seeking employees for an employer who is looking for new workers; (2) the provision of advisory and information services in the field of employment opportunities; (3) the employment of natural persons for the purposes of performing for a user, which is understood to be another legal entity or natural person, which assigns the work and supervises its performance. The Labour Offices may only perform the brokering activities set forth in the first two points, employment agencies may also provide the service covered by the final point.

Employment agencies may hire out workers free of charge or for a fee, including a fee for profit, however, when hiring out workers for a fee, no fee may be demanded of the natural person who has been hired out. Either may no deductions be made from the salary or other reward paid to the worker for the work performed by made by the employment agency or the user when hiring out workers for a fee.

Permission to broker employment is given by the Ministry of Labour and Social Affairs on the basis of an application by a legal entity or natural person. A permit to broker employment may be issued to a natural person on condition he/she is at least 23 years of age, competent to perform legal acts, harmless, professionally competent and resides on the territory of the Czech Republic. A permit may be issued to a legal entity on condition the

conditions set forth above are met by a natural person who acts as its liable representative for the purpose of brokering employment.

If the agency hires out foreign nationals from third countries to work in the Czech Republic, it must coordinate their activities with the relevant Labour Office in the interest of those parts of the labour market in which these foreign nationals are to work. Cooperation between the employment agencies and the Labour Offices is voluntary and relies on the provision of information on job vacancies.

Question D

Please indicate whether and how the participation of representatives of employers and workers in the organisation and operation of the employment services and in the development of employment services policy is provided for.

For the purpose of ensuring cooperation on the labour market, the Labour Offices establish advisory boards, composed principally of representatives of the unions, employers' organizations, cooperative bodies, organizations for the disabled and self-governing territorial units. The purpose of these advisory boards is to coordinate the implementation of Government employment policies and human resource development in the relevant administrative district. In particular, the advisory boards provide recommendations on the assignment of contributions to employers within the scope of active employment policies, retraining programmes, the organization of advisory activities, measures to support equal treatment for all persons exercising their right to employment and mass layoffs.

The Labour Offices create working groups, mainly composed of representatives of organizations for the disabled and representatives of employers whose workforce includes more than 50% of disabled employees for the purpose of examining suitable forms of work training for the disabled.

Question E

Please indicate what legislation or administrative guarantees are provided to ensure that these services are available to all.

The Employment Act expressly states that the right to work is the right of the natural person who wishes to and is able to work and is applying for work to work in a labour law relation, to the brokering of employment and to the provision of other services under the conditions set forth in the Act.

The Employment Act also prohibits offers of employment that are discriminatory in nature, do not comply with labour law or service regulations or conflict with good morals.

The Labour Offices and employment agencies are also obliged to ensure equal treatment for all natural persons exercising their right to employment. If there is a breach of the rights and duties ensuing from the concept of equal treatment or discrimination takes place when exercising the right to employment, the natural person shall have the right to demand that such a breach be discontinued, the consequences of the breach be removed and they be provided with reasonable satisfaction. If the dignity or self-respect of the natural person was considerably reduced and sufficient compensation was not provided pursuant to the second sentence, they have the right to compensation for the detriment in money.

In 2005 employment was brokered for a total of 103,372 persons by the employment services, in 2006 this number rose to 106,759 persons. At the end of 2005 a total of 52,164 job vacancies had been listed and by the end of 2006 the number of reported job vacancies was 93,425.

In its Conclusions to the previous report on Article 1 paragraph 3, the Committee for Social Rights requested answers to the following questions:

The committee has requested an explanation of why the proportion of people who find work through the public employment services is falling.

Job seekers may look for work by themselves or in cooperation with the Labour Offices. The younger population prefers to use IT technology connected to the Internet, where servers can be accessed which provide lists of job vacancies, in their search for suitable employment. However, many of these servers download job vacancies from the Ministry of Labour and Social Affairs central database.

Since 2005 there has been an increasing tendency for job seekers to use the Ministry of Labour and Social Affairs website, which provides an updated list of job vacancies for the whole Czech Republic. They also have the option of placing their own curriculum vitae on the website and then following the response from employers. A member of the Labour Office staff may also send a job seeker's curriculum vitae, with his/her consent, directly to the website with the data the job seeker has provided concerning him/herself. Employers are also gradually starting to use the possibilities offered by the website for posting their job vacancies.

According to information we have received from the regions, certain employers lack confidence in job seekers who are listed in the Labour Offices. Because of this, some Labour Offices do not issue recommendations, but only a list of job vacancies.

The committee has requested that the report contain the total number of job vacancies listed by the public employment services for each year of the reference period.

The data requested are provided in the answer to question C on Article 1 paragraph 1

ARTICLE 15: THE RIGHT OF PHYSICALLY OR MENTALLY DISABLED PERSONS TO VOCATIONAL TRAINING, REHABILITATION AND SOCIAL RESETTLEMENT

Article 15, paragraph 2

"With a view to ensuring the effective exercise of the right of the physically or mentally disabled to vocational training, rehabilitation and resettlement, the Contracting Parties undertake: to take adequate measures for the placing of disabled persons in employment, such as specialised placing services, facilities for sheltered employment and measures to encourage employers to admit disabled persons to employment."

Question A

Please describe the measures taken to ensure the placement and, if appropriate, the employment of physically or mentally disabled persons (for instance quotas, financial subsidies, etc.).

The Employment Act imposes a duty on natural persons to inform the Labour Office of any health restrictions preventing them from finding suitable work or attending retraining and establishing suitable forms of vocational rehabilitation, and also to inform it of whether they are disabled persons.

Disabled persons are given increased protection on the labour market. Disabled persons are natural persons who are recognized by the social security authorities as full invalids (seriously disabled persons) or partial invalids, or recognized by decision of the Labour Office as having diminished capacities.

The Labour Office maintains records of disabled persons (physically and mentally disabled persons) to whom it provides a service pursuant to this Act. Data from the register of disabled persons are only intended to be used for the purpose of integrating and maintaining these persons on the labour market and for statistical use.

To promote the integration of disabled persons on the labour market, the Employment Act regulates active employment policy measures. These include the provision of vocational rehabilitation, the creation of sheltered jobs and sheltered workshops, including partial remuneration of the operating costs of sheltered jobs or sheltered workshops, and targeted programmes to support employment.

Vocational rehabilitation is a continuous activity provided by the Labour Offices at the request of disabled persons that focuses on helping them to secure and to retain suitable jobs and which also covers any associated costs. Vocational rehabilitation encompasses careers advisory services, the selection of a job or other gainful activity, theoretical and practical training for a job or other gainful activity, brokering, maintaining and changing jobs, changing careers and creating suitable conditions to perform the job or other gainful activities. In cooperation with the disabled person, the Labour Office shall establish an individual plan of vocational rehabilitation, taking account of the person's capabilities, ability to perform a

systematic job or other gainful activity and, in view of the situation on the labour market; this is also based on a report from a specialized working group.

Theoretical and practical preparation for employment or a gainful activity for a disabled person covers preparation for a future career, pursuant to special legal regulations, vocational training and specialized retraining courses.

Vocational training is a targeted activity that aims to train disabled persons for a suitable job and to acquire the knowledge, skills and habits essential to the performance of the chosen job or other gainful activity. Vocational training for a disabled person takes place at the place of work of the employer, which is individually adapted to the state of health of this person; vocational training may take place with the aid of an assistant, in sheltered workshops and through sheltered jobs provided by the legal entity or natural person, or in educational facilities run by the Government, self-governing territorial units, churches and religious societies, community groups and other legal entities and natural persons.

The Labour Office may cover the costs of vocational training for employers who provide vocational training to disabled persons in their workplace.

A sheltered job is a job created by an employer for a disabled person on the basis of a written agreement with the Labour Office. A sheltered job must be operated for a period of at least 2 years from the date agreed in the agreement. The Labour Office may subsidise the employer to create a sheltered job.

A sheltered workshop is an employer's workplace, defined on the basis of an agreement with the Labour Office and adapted to employ disabled persons, where 60% of the annually adjusted number of employees must be disabled. A sheltered workshop must be in operation for a period of at least 2 years from the date agreed in the agreement. The Labour Office shall grant the employer a contribution for the creation of a sheltered workshop.

Employers whose workforce includes more than 50% of disabled employees shall receive a **contribution to support the employment of these persons**.

A targeted programme is a set of measures to promote the ability of natural persons or a group of natural persons to find work. Part of the programme involves establishing conditions for its administration and a timetable for drawdown of funds. A national targeted programme is approved by the Government of the Czech Republic and municipal, district and regional programmes are approved by the Ministry of Labour and Social Affairs.

Employers with a workforce of over 25 employees are obliged to employ disabled persons, in a **mandatory proportion** of these persons to the total number of the employer's employees. The mandatory proportion is 4%.

On January 1st, 2007 **Act no. 108/2006 Coll., on social services** came into force, which embodies the free provision of social rehabilitation. This service is a set of specific activities focusing on achieving self-reliance, independence and self-sufficiency of persons through the development of their specific capabilities and skills, strengthening habits and training performance of common activities necessary for life on their own by an alternative manner using their preserved capabilities, potentials and competences. Within the framework

of these services, the disabled person may practice taking the journey to work, for example, which is important in the case of blind persons or those with mental disabilities.

The Ministry of Labour and Social Affairs is currently preparing a practical plan for an Act on the rehabilitation of disabled persons, which aims to ensure the coordinated and early provision of individual types of rehabilitation – medical, social, employment and educational. One of the positive effects of this draft Act should be an overall improvement of the systematic earning abilities of disabled persons, and therefore their ability to apply themselves on the labour market.

Act no. 586/1992 Coll., on income tax, provides financial encouragement to employ disabled persons and provides employers who employ disabled persons with tax relief. The Act on income tax provides that these employers can reduce their tax bill by 18,000 CZK for each disabled employee and by 60,000 CZK for each severely disabled employee for the tax period. Income tax for the tax period is reduced by half for tax payers who employ at least 25 employees of which over 50% of the average annually adjusted workforce are disabled employees.

Question B

Please indicate the number (actual or approximate) of physically or mentally disabled persons who during the reference period found paid employment (whether in specialised institutions or not).

Data on the number of disabled persons placed in paid employment are contained in the answer to the supplementary question from the Committee on Article 1 paragraph 1 of the Charter (p. 35).

In its Conclusions on the previous report on Article 15 paragraph 2, the Committee for Social Rights requested answers to the following questions:

The committee has requested that the report contain the total number of disabled persons and the total number of disabled persons of productive age.

No precise statistics on the number of disabled persons in the Czech Republic yet exist. According to qualified estimates and a comparison with statistics from other EU Member States, around 10% of the population of the Czech Republic is probably disabled.

In its Decree no 1575 of December 7th, 2005 the Government of the Czech Republic assigned the Czech Statistical Office, in cooperation with the Ministry of Health, the Ministry of Education, Youth and Sport and the Ministry of Labour and Social Affairs, the task of providing statistics on disabled persons in the Czech Republic.

The committee requested that the report explain the concept of “health condition” as it is provided in Section 4 of the Employment Act.

Section 4 of the Employment Act prohibits direct or indirect discrimination of persons exercising their right to employment on the ground of health condition, among others. There is no clearer definition of “health condition” in the Employment Act, but this concept is generally understood to mean any disadvantage in the sense of a physical, sensory, mental, psychological intellectual or other handicap that may prevent these individuals from exercising their rights to equal treatment.

In brokering employment, the Labour Offices will provide those individuals who require it for reason of their health condition, with increased care. This care mainly consists of an individual action plan. Among the individuals requiring increased care are full invalids, partial invalids and persons with diminished capacities. However, the fact that a disabled person is not recognized as a full or partial invalid or as a person with diminished capacities does not mean that he/she may not exercise the right to equal treatment on the basis of his/her health condition if that health condition is prolonged and if it penalizes, prevents or may prevent him/her from exercising his/her right to equal treatment.

The draft anti-discrimination act, which is currently being debated by the Parliament of the Czech Republic, contains, among things, a definition of the expression “disabled”, in the sense of the present interpretation of the expression “health condition”. The draft Act provides that *a disability is understood to be a physical, sensory, mental, psychological or other handicap that prevents or may prevent individuals from exercising their right to equal treatment in the areas defined in this Act* (which includes the field of labour law and the brokering of employment); *however it must be a long-term disability, which lasts for, or according to medical science, should last for at least one year.* The Employment Act will also be amended in relation to this draft Act.

The committee has requested that the report provide information as to the number of employees who complied with the mandatory proportion of disabled persons and the manner in which they complied with their obligations.

Summary of compliance with the mandatory number of employees between 2003 and 2006				
	2003	2004	2005	2006 ¹⁾
Total number of employers (approx.)	22,000	23,000	24,000	25,000
Total rate of compliance with mandatory ratio ²⁾	6.40 %	6.98 %	5.80 %	6.24 %
Of which:				
Directly employed	3.38 %	3.36 %	3.54 %	3.63 %
Purchases of goods	2.36 %	3.08 %	1.51 %	2.04 %
Payments to the Government budget	0.66 %	0.54 %	0.75 %	0.57 %

Source: MLSA - LO

1) The data relate to 31. 3. 2006.

2) Expresses the real compliance with the mandatory ratio as the sum of direct employees, purchases of goods and payments to the State budget. The mandatory ratio set forth in the Employment Act is 4%.

The committee has requested that the report list the number of employers who employ disabled persons as over 50% of their labour force and who receive contributions for employing disabled persons.

The numbers of employers who received contributions to support the employment of disabled persons pursuant to Section 78 of the Employment Act during the years from 2003 to 2006 were:

2003 – 376 employers

2004 – 485 employers

2005 – 770 employers

2006 – 1,044 employers

The committee has requested that the report contain the total number of persons employed in sheltered workshops and jobs.

In the creation of jobs for disabled persons, this includes sheltered jobs, jobs for disabled person who have decided to be self-employed and sheltered workshops, the numbers to the end of:

2003 amounted to a total of 1,221 disabled persons,

2004 amounted to a total of 1,636 disabled persons,

2005 amounted to a total of 1,965 disabled persons and in

2006 amounted to a total of 2,131 disabled persons.

The committee has requested that the report point out whether the active employment policy instruments for disabled persons also relate to persons with psychological disorders.

From the point of view of the Employment Act, disabled persons are not categorized according to their type of disability. Mentally and psychologically persons are also deemed to be disabled because the active employment policy instruments that are involved in placing disabled persons in gainful employment also relate to persons with psychological disorders.

The committee requests that the report contain details of developments in the relationship with sheltered workshops and jobs.

It is the decision of full or partial invalids, or persons with diminished capacities to decide whether they want to work in a sheltered workshop or for an employer who employs disabled persons as over 50% of his/her workforce, or on the free labour market. Disabled persons who have not managed to exercise their employment rights on the open labour market tend to decide to enter into labour law relations in sheltered workshops.

At the same time, the Employment Act regulates **vocational rehabilitation**, which facilitates access to the free labour market for disabled persons. Vocational rehabilitation also entails vocational training, which is the target activity for preparing disabled persons for suitable jobs and for the receipt of the knowledge, skills and habits needed to perform a selected job or other gainful activity. It also covers the adaptation of the workplace to compensate for the needs of the disabled person. Vocational rehabilitation also takes place at the workplace of employers that have been individually adapted to the needs of the disabled person. The preparation work may also be performed with the support of an assistant.

The committee has requested that the report provide whether the disabled person has used his/her rights for its usual reward, mainly for reasonable remuneration.

Disabled persons have the same rights as other employees for normal reward. In the same way, labour law relations, primarily **the labour code** also applies to labour law relations for disabled persons.

The Labour Code stipulates that employers must ensure equal treatment for all employees, provided this involves conditions of work and the provision of other remuneration and the provision of other financial reward and provision of other financial value, concerning vocational training and the possibility of obtaining a functional or other promotion. All employees of an employer who perform the same work or work of the same value are due the same wage, payment or remuneration.

**ARTICLE 18: THE RIGHT TO ENGAGE INTO A GAINFUL
OCCUPATION IN THE TERRITORY OF OTHER CONTRACTING
PARTIES**

Article 18, paragraph 4

"With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Contracting Party, the Contracting Parties undertake: the right of their nationals to leave the country to engage in a gainful occupation in the territories of the other Contracting Parties."

Please indicate whether there are any restrictions or special conditions affecting the right of such persons to leave the country for this reason and, if so, what the regulations are.

Freedom of movement is one of the rights set forth in the **Charter of Fundamental Rights and Freedoms**. The provisions of Article 14 paragraph 2 of the Charter states that anyone who has the right to reside on the territory of the Czech Republic has the right freely to leave it. This freedom can only be restricted by law and only for the reasons set forth in detail in Article 14 paragraph 3 (i.e. if it is inevitable for reasons of national security, the maintenance of public order, the protection of health or the protection of rights and freedoms of others and, in specific territorial areas, also for reasons of nature protection).

The legislation that applies to the whole area of employment in no way restricts the options of citizens of the Czech Republic to work abroad. In the same way, the international (or bilateral) agreements in the field of employment, which have been entered into by the Czech Republic with certain other states, are based on the above-mentioned principle.

REPORT ON APPLICATION OF THE PROTOCOL TO THE EUROPEAN SOCIAL CHARTER

ARTICLE 1 - RIGHT TO EQUAL OPPORTUNITIES AND EQUAL TREATMENT IN MATTERS OF EMPLOYMENT AND OCCUPATION WITHOUT DISCRIMINATION ON THE GROUNDS OF GENDER

1. With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of gender, the Parties undertake to recognize that right and to take appropriate measures to ensure or promote its application in the following fields:

- a) access to employment, protection against dismissal and occupational resettlement;*
- b) vocational guidance, training, retraining and rehabilitation;*
- c) terms of employment and working conditions including remuneration;*
- d) career development including promotion.*

2. Provisions concerning the protection of women, particularly as regards pregnancy, confinement and the post-natal period, shall not be deemed to be discrimination as referred to in paragraph 1 of this article.

3. Paragraph 1 of this article shall not prevent the adoption of specific measures aimed at removing de facto inequalities.

4. Occupational activities which, by reason of their nature or the context in which they are carried out, can be entrusted only to persons of a particular gender may be excluded from the scope of this article or some of its provisions.

Question A

Please state the specific provisions in statutes, examples of significant collective agreements, etc. which, in your country, forbid direct and indirect discrimination on grounds of gender in the areas covered by paragraph 1 of Article 1.

The legislation prohibits discrimination and the definition of direct discrimination, indirect discrimination, harassment and sexual harassment as contained in special regulations, which are:

- Act no. 262/2006 Coll., the Labour Code,
- Act no. 435/2004 Coll., on Employment,
- Act no. 218/2002 Coll., on service of public servants in administrative authorities and on remuneration of such servants and other employees in administrative authorities (the Service Act), with effect from 1.1.2009
- Act no. 221/1999 Coll., on professional soldiers,
- Act no. 361/2003 Coll., on the service relationship of the security force members,

- Act no. 312/2002 Coll., on officials of self-governing territorial units.

In the future, equal treatment and the legal means to protect against discrimination should be embodied in the legislation (the Anti-discrimination Act), a draft of which was approved by the Government on June 11th, 2007 and submitted for debate to the Chamber of Deputies on July 12th, 2007. It is assumed that this Act will come into force on January 1st, 2008.

Section 16 of the Labour Code provides that employers shall safeguard equal treatment for all employees as regards employees' working conditions, remuneration for work and other emoluments in cash and in kind (of monetary value), vocational training and opportunities for career advancement (promotion). The Act also allows for essential exemptions from the principle of equal treatment. Discrimination is not deemed to mean a different treatment, where, owing to the nature of occupational activities or owing to the context in which they are carried out, such a reason constitutes a substantial and decisive occupational requirement for an employee's work performance and the requirement is necessary for carrying out work of the given type; the aim followed by such an exemption must be justified and the requirements must be adequate. Discrimination shall further not be deemed to occur when an employer takes a temporary measure aimed at levelling out the proportion of men and women being employed by this employer and this is taken into account in recruitment of employees, their vocational training and promotion opportunities if there is a reason for this measure due to an uneven share of men and women employed by this employer. However, the employer's procedure may not be detrimental to an employee of the other sex where this employee's qualities exceed those of another individual (employee), in respect of whom the employer applies a temporary measure.

The Employment Act embodies the duty to ensure equal treatment of all natural persons exercising their right to employment. This Act establishes a duty to ensure equal treatment of all natural persons exercising their right to employment; unequal treatment is not deemed to be different treatment as defined in the Act or in a special legal regulation. In exercising the right to employment, any direct or indirect discrimination on the ground of sex, sexual orientation, racial or ethnic origin, national origin, citizenship, social background, family background, language, health condition, age, faith or confession, property, marital status or family duties, political or other conviction, membership of and activity for political parties or movements, trade unions or employers' organizations is prohibited; discrimination for reason of pregnancy or maternity shall be deemed to constitute discrimination on the ground of sex. Conduct involving inciting, abetting or coercion to discriminate shall also be considered discrimination. The Employment Act also contains definitions of direct and indirect discrimination, harassment and sexual harassment.

Direct discrimination is understood to be behaviour which does, has or would, on the basis of the discriminatory grounds defined above, treat a natural person less favourably than another natural person is, was or would be treated in a comparable situation.

Indirect discrimination is understood to be behaviour when a seemingly neutral provision, criterion or practice causes a disadvantage or advantage to one natural person over another on the basis of the discriminatory grounds defined above; indirect discrimination for reason of health condition includes refusing or neglecting to adopt measures which are essential in a specific case for a disabled person to have access to employment. A seemingly neutral provision, criterion or practice which is objectively justified by a legitimate aim and

where the means by which this aim is achieved is reasonable and essential, or a situation where the disabled person is accompanied by a legal entity or natural person who is required to take the necessary measures to eliminate the disadvantages arising from such a provision, criterion or practice, is not understood to constitute indirect discrimination.

Harassment is understood to be behaviour which a second person is entitled to perceive as unwelcome, inappropriate or insulting and the aim or consequence of which leads to that person's dignity being compromised or to the creation of an unfriendly, degrading or uncomfortable environment.

Sexual harassment is understood to be any form of undesirable verbal or other behaviour of a sexual character, the aim or consequence of which is a disturbance of a person's dignity, especially if an intimidating, hostile, degrading, humiliating or insulting environment is created.

Legal relationships of employees performing state administration in administrative authorities as a service provided by the Czech Republic to the public, preparation of natural persons for service, service relations of public servants in administrative authorities, the remuneration of such persons (unless otherwise provided in a special legal regulation) and remuneration of other employees working in administrative authorities are regulated by the **Service Act**. This Act provides that a service authority is obliged to ensure equal treatment of all public servants as regards the conditions of their performance of service, remuneration and other monetary fulfilment, education and opportunities to achieve promotion in service, unless laid down otherwise in law.

Any discrimination of public servants whatsoever in service relations pursuant to this Act on the grounds of race, colour of skin, sex, sexual orientation, language, faith and confession, political or other conviction, members of or activity for political parties or political movements, trade unions and other associations, nationality, ethnic or social origin, property, family background, health condition, age, family status or family duties are prohibited. Conduct that is of a discriminatory nature, although not directly, but rather in its consequences, is also prohibited. Nobody may abuse the execution of rights and obligations following from the service relationship to the detriment of another public servant or to degrade the human dignity thereof, or to the detriment of other persons. Degrading the human dignity of a public servant shall also include sexual conduct that is unwelcome, inappropriate or offensive, or that could rightly be perceived by another public servant as a condition affecting the execution of the rights or obligations following from the service relationship.

The Act on Professional Soldiers provides that service bodies are obliged to ensure equal access and equal treatment with all applicants to work in a service relationship (hereinafter referred to as "applicants") and all soldiers as far as creating the conditions for service are concerned, particularly as concerns professional training and promotion opportunities, remuneration and other emoluments in cash or in kind (monetary value). Any discrimination against applicants and soldiers on the ground of race, skin colour, sex, sexual orientation, faith and confession, nationality, ethnic or social origin, property, family background, marital and family status and family duties, pregnancy or maternity or because the soldier is breastfeeding is prohibited. Conduct by service bodies that is of a discriminatory nature, although not directly, but rather in its consequences, is also prohibited. Incitement to discriminate is also deemed to constitute discriminatory behaviour. Different treatment on the

ground of a specific reason concerning the nature of the service performed by the soldier and which is essential for the performance of this service is not deemed to be discrimination.

Neither a service body nor a soldier may misuse the performance of the rights and obligations arising from the service relationship to the detriment of another soldier or to degrade his/her dignity. Degrading the dignity of a soldier shall also include unwelcome behaviour of a sexual nature and all forms of harassment intended to abuse his/her dignity, creating an intimidating, hostile, degrading, humiliating or insulting environment, and which are unwelcome, inappropriate or may be rightfully perceived by the other soldier as a condition for a decision that affects the performance of the rights and obligations following from a service relationship.

The legal relations of natural persons serving in the security forces (hereinafter referred to as "security force members"), their remuneration, the administration of service matters and the organization of service matters (hereinafter referred to as "service relationships") are regulated by the **Act on the service relationship of the security force members**. In Section 16, this Act provides that a citizen may not be refused admittance to a service relationship on the ground of age, race, skin colour, sex, sexual orientation, faith and confession, political or other conviction, nationality, ethnic or social origin, property, family background, marital or family status or family duties, or on the ground of membership of trade unions or other associations, with the exception of cases set forth in this Act or in a special legal regulation. These exceptions are not deemed to constitute discrimination. Conduct by security force members that discriminates against citizens, although not directly, but rather in its consequences, is also prohibited. Incitement to discriminate is also deemed to constitute discriminatory behaviour.

Direct and indirect discrimination on grounds of gender, sexual orientation, language, faith or confession, political or other opinions, membership of trade unions and other associations, property, birth, race, colour of skin, nationality, ethnic or social origin, age, pregnancy and motherhood, marital and family status or obligations towards the family is prohibited in service relationships. Harassment and sexual harassment are deemed to be a form of discrimination; incitement, aiding and abetting and coercion to discriminate is also considered to be discrimination.

Section 110 of the Labour Code regulates **equality of remuneration**, and provides that all employees employed by one employer are entitled to receive an equal wage, salary or remuneration (pursuant to an agreement) for the same work or for work to which equal value has been attributed. The same work or work to which equal value has been attributed shall mean work of the same or comparable complexity, responsibility and strenuousness, which is performed in the same or comparable working conditions, and which is of equal or comparable work efficiency and brings equal or comparable work results.

Complexity, responsibility and strenuousness of work shall be evaluated with regard to vocational training and practical experience, skills required for the performance of such work and with a view to the complexity of both the object of the work and the working activity, demands on organizational and managerial skills, the degree of responsibility for damage, occupational health and safety, and further with a view to the physical, sensory and mental strain and negative effects of such work. Working conditions shall be assessed with regard to the onerous nature of the breakdown of the work time, arising from the organization of working hours, such as shift work, working on weekends, night work and/or overtime, and

with regard to the harmfulness or arduousness caused by other negative effects of the working environment and with regard to the risk aspects of the working environment. Work efficiency shall be assessed with regard to the intensity and quality of the work done, working abilities and skills and the results of work shall be assessed with regard to their quantity and quality.

The provisions of Section 110 of the Labour Code implement Directive 75/117/ EHS on the approximation of the laws of the Member States relating to the application of the principle of the principle of equal pay for men and women in the Czech legislation.

The Labour Code guarantees the right to equal pay for all employees, meaning natural persons who perform dependent work for an employer, regardless of whether the labour law relationship is based on a work contract, an agreement on work performance or an agreement on working activity, by selection or designation.

For the purposes of providing **protection against termination on the ground of sex** the Labour Code provides in Section 53 that the employer may not give notice to an employee during a period when a female employee is pregnant or is on maternity leave or when a female or male employee is on parental leave (i.e. during a protection period). If an employee has been given notice before the start of a protection period so that the notice period should expire during the protection period, this protection period shall not be included in the notice period; the employment relationship shall terminate only upon the expiry of the remaining part of the notice period after the end of the protection period. In accordance with Section 55 paragraph 2, an employer may not instantly terminate the employment relationship with a pregnant employee or an employee who is on maternity leave.

Question B

Please describe all significant case law and other decisions in the field covered by paragraph 1 of Article 1.

The legal system of the Czech Republic is not based on precedent decisions, therefore the final ruling in work discrimination proceedings is only legally binding on the parties to the dispute. Court decisions, with the exception of decisions by the three higher Courts and certain selected decisions by other courts are not published in the Czech Republic. Each year the Ministry of Justice produces a **Statistical Assessment of the Court Agendas** which contains a summary of the final rulings of courts in civil proceedings, set out by type of dispute. To the end of 2005 only 2 disputes concerning employment relations were heard and ruled on by a court, on the ground of discrimination on the basis of sex and the repression of women's rights and on the ground of wage discrimination for reason of sex, because the parties traditionally prefer to adopt out of court methods to resolve this type of dispute.

Question C

Please state the guarantees provided for the recognition of the right to equal treatment to which male and female workers are entitled, in particular the protection provided against possible retaliatory measures taken by an employer following a complaint or legal proceedings for discrimination.

The Labour Code provides in Section 14 that the employer may not discriminate against his/her employee or put him/her at some disadvantage only because the employee claims rights ensuing from the labour relations in a lawful manner. An employee's complaint concerning the exercise of rights and duties ensuing from the labour relations must be consulted by the employer with this employee or, at the employee's request, with the trade union organization or the works council or the representative concerned with occupational safety and health protection. This shall not affect the employee's entitlement to claim his/her rights before the court.

In a similar way, other legislation such as the **Service Act, the Act on Professional Soldiers or the Act on the Service Relationship of the Security Force Members** provide that the service body (service authority or security force) may not hold a public servant (soldier or security force member) liable or put him/her at some disadvantage only because he/she claims rights ensuing from a service relation in a lawful manner. Neither may the natural person who represents the member in legal proceedings.

Question D

Please state the measures taken and the machinery established in your country to guarantee or promote in practice equality of opportunity and equal treatment. This information should be specified according to the various areas listed in paragraph 1 of Article 1.

In April 1998 the Government of the Czech Republic passed Decree no. 236 adopting a national action plan entitled **Priorities and procedures for the enforcement of the equality of men and women**. This programme document is updated each year and at the same time the Government is presented with a compiled report on performance of the tasks set for the previous year. The basis for compiling these reports is information provided by the individual ministries or authorities, the social partners, non-governmental not-for-profit organizations, information and experience acquired from foreign documentation, conferences and the experience of the Ministry of Labour and Social Affairs, which has been coordinating these policies for ten years now.

As a result of the Priorities and procedures for the enforcement of the equality of men and women national action plan and continuous training of management personnel, awareness of these problems has increased in the individual ministries. The defence and interior ministries, which have traditionally employed more men than women, are dealing with the problem of equality between women and men in a positive and responsible manner. Most ministries regularly report that when recruiting for management positions the level of qualification and professional knowledge and ability are taken into account, not gender. As far as positive measures are concerned, we can take the example of the Ministry of Defence which, on the order of the Minister, has enabled the adoption of a temporary measure to equalise the noticeable difference in the numbers of men and women participating in

important social events (so-called positive action). However, no concrete measure of this nature has yet needed to be taken, as the numbers of women in management positions are naturally tending to rise.

During 2006, a normal part of any meetings between individual ministry representatives in all bodies of the Council for Economic and Social Accord involved a discussion of the question of equal opportunities for women and men. When preparing the conceptual documentation or making observations on conceptual documentation prepared by other resorts, all the ministries represented in the Council for Economic and Social Accord consistently declare that they are careful to respect the principle of equal opportunities for women and men.

As far as the problem of equal treatment and equal opportunities for women and men at work, we can make the general statement that, over time, a certain levelling out is taking place. Unfortunately, despite the fact that both women and men are guaranteed the same access to education and achieve the same level of education, they are still not in an equal position in the workplace. The levelling out is not uniform because it depends on the approach of individual employers, and it is not taking place as fast as we would like.

Question E

Please supply information on de facto situation which, in your country, constitute inequalities in matters covered by paragraph 1 of Article 1 and state the specific measures taken to remedy those situations.

Act no. 155/1995 Coll., on pension insurance provides that natural persons caring for a child under the age of four are participants in the pension insurance scheme provided they comply with the conditions set forth in the Act. According to Section 5 paragraph 3 of the Pension Insurance Act, men were regarded as persons caring for a child under the age of four for these purposes only if they submitted an application to participate in the insurance scheme within two years of terminating the care. Women were not bound by any such term.

On 6th June 2006 the Constitutional Court of the Czech Republic in its finding (Pl. ÚS 42/04) declared that the provisions of Section 5 paragraph 3 of the Act on Pension Insurance was in its consequences discriminatory with regard to Article 1 and Article 3 paragraph 1 of the Charter of Fundamental Rights and Freedoms, particularly as concerned the right to adequate material security in old age pursuant to Article 30 paragraph 1 of the Charter of Fundamental Rights and Freedoms. *The contested provision is in clear breach of the Article referred to above, because selected individuals are discriminated against in comparison with other individuals who are in an identical legal position without sufficient reason. The Constitutional Court therefore concludes that the contested provision – in consequence – leads to unreasonable inequality between individuals participating in the pension insurance scheme, based on the acceptance of a mandatory submission of an application to participate in the insurance scheme for men within two years of terminating care for a child. In this regard the Constitutional Court has not found any reason that could reasonably explain the unequal approach to individuals who are in the same situation, as has been explained in detail above.*

The provision of Section 5 paragraph 3 of Act no. 155/1995 Coll., on pension insurance which would only consider a man to be a natural person caring for a child under the age of four years if he submitted an application to participate in the insurance scheme within two years of terminating the care was repealed on the basis of the finding of the Constitutional Court detailed above on July 1st, 2007.

Question F

Please indicate if, in your country, social security matters and the other provision listed in the Appendix are excluded from the scope of the Protocol.

Social security matters are not excluded.

Question G

Please state the specific measures taken in accordance with Article 1, paragraph 2, to protect women in employment or occupations, particularly with respect to pregnancy, confinement and the post-natal period.

The new **Labour Code**, which came into force on 1.1.2007, follows on from the previous Labour Code and regulates certain institutes adopted for the protection of women at work with regard to pregnancy, confinement and the post-natal period. These generally concern transfer to alternative work, return to the original workplace and a prohibition to give notice.

Pursuant to Section 41 of the **Labour Code**, the employer is required to transfer his/her pregnant employee, or an employee who is breastfeeding or an employee-mother until the end of the ninth month after the childbirth **to alternative work** if they perform work which any such woman is not permitted to do or which, according to a medical certificate, places her pregnancy or motherhood at risk. The employer is also obliged to transfer a pregnant employee, or an employee who is breastfeeding or an employee-mother until the end of the ninth month after the childbirth to alternative work if they perform night work and have requested that the employer transfer them. On transferring an employee to alternative work he/she is required to ensure that such work is suitable for the employee and, where possible, her skills.

When the reasons for which an employee has been transferred to alternative work no longer exist, the employer shall retransfer her to work in accordance with the employment contract, unless the employer and the employee agree on an alteration of the employment contract.

On her return from maternity leave, a woman has the right to the same or equivalent work under conditions that are no worse and under better working conditions than she was due during her absence.

Pursuant to Section 216 of the Labour code, the period during which maternity leave is taken and the period for which an employee takes parental leave within the period for which

the employee is entitled to take maternity leave, shall be considered to be periods of work for the purposes of leave.

Government Regulation no. 564/2006 Coll., on payment rates for employees in public services and public administration stipulates that maternity and parental leave is included in the period of practice in a field required for their work.

It follows from the provision set forth above that an employee has the right to equivalent work after her maternity leave, under conditions that are no worse. She also has the right to benefit from improved working conditions, to which she would have had the right during her absence.

The Labour Code provides that the employer may not give notice to an employee during a period when a female employee is pregnant or is on maternity leave or when a female or male employee is on parental leave (i.e. during a protection period). If an employee has been given notice before the start of a protection period so that the notice period should expire during the protection period, this protection period shall not be included in the notice period; the employment relationship shall terminate only upon the expiry of the remaining part of the notice period after the end of the protection period. In the same way, an employer may not instantly terminate the employment relationship with a pregnant employee or an employee who is on maternity leave.

Czech legislation distinguishes between two terms – the term **maternity leave** and the term **parental leave**. Maternity leave is due to a female employee with regard to birth and care for a new-born child and it is generally 28 weeks in length. Both female and male employees have a legal right to take parental leave until the child is 3 years of age.

In accordance with the Labour Code, maternity leave and parental leave are considered to constitute a personal obstacle to work on the part of the employee. When a female employee takes maternity leave or a male or female employee take parental leave, their work relationship is not terminated. Their work relationship continues and the employment contract they have concluded with their employer remains valid. The Czech legal system ensures that they return from maternity leave to the same or equivalent work based on the type and place of work previously agreed in the employment contract.

In practice this provision means that up to the 22nd week after the birth of the child, a female employee has the right to maternity leave or a male employee to parental leave. After this period both a male and a female employee have the right to return to work in their original positions. After the 22nd week after the birth of the child a female and a male employee have the right to take parental leave until the child is 3 years of age, but after they return from parental leave they no longer have a legal right to return to their original positions, but they have the right to regain work in accordance with the employment contract.

The legal right of female employees to maternity leave and the legal right of female or male employees to parental leave is set forth in Sections 195 – 197 of the Labour Code.

Question H

Please state whether other specific measures for protecting women or men in matters covered by paragraph 1 of Article 1 exist and explain the reasons for such measures and their scope.

Measures adopted for the protection of women in ensuring equal treatment in the areas set forth in Article 1 paragraph 1 of the Protocol are mainly based on protection of pregnant women, women who are breastfeeding and mothers to the end of the ninth month after birth, because they are most at risk of becoming victims of discrimination on the ground of sex, given their family situation (the Employment stipulates that discrimination for reason of pregnancy or motherhood shall be considered to be discrimination for reason of gender). We would refer you to our answer to question G for details of **the prohibition to give notice during the protection period, transfer to alternative work and return to the original work.**

In order to provide **protection** to men and women against discrimination on the ground of sex **when terminating** the employment, Section 50 of the Labour Code provides that notice served on the employee by the employer must be in writing, the reason in the notice of termination must be factually specified so that it cannot be confused with another reason, and it must be served on the other party, or else it is void. The reason for notice of termination may not be subsequently changed. The employer may only serve notice on an employee for the reasons expressly set forth in the Labour Code. This does not contain reasons for termination such as a request for maternity leave or taking maternity leave or a request for parental leave or taking parental leave.

Pregnant female employees and male and female employees caring for children up to the age of 8 years may only be sent on business trips with their consent. Pregnant female employees and male and female employees caring for children up to the age of 8 years may only be transferred with their consent; the same applies to a single female employee and a single male employee caring for a child until the child reaches the age of 15 years.

Question I

Please indicate whether there are occupations (if so, which ones) that are reserved exclusively for one or other sex, by specifying if it is because of the nature of the activity or the conditions in which it is carried out.

The legislation that prohibits women from performing certain types of work is Decree no. 288/2003 Coll., which stipulates **the kind of work and work places that are prohibited to pregnant women, women who are breastfeeding, female employees until the end of the ninth month after childbirth** and for adolescent employees, and the conditions under which adolescent employees may, exceptionally, perform this work as vocational training. In accordance with the legislation of the European Community, this decree stipulates types of work and workplaces which are prohibited to pregnant women, women who are breastfeeding and employee-mothers to the end of the ninth month after childbirth, and types of work and workplaces prohibited to adolescent employees and defines the types of work and workplaces in which women who are breastfeeding and employee-mothers to the end of the ninth month after childbirth may perform this type of work, and the conditions under which adolescent employees may perform this type of work in exceptional circumstances for reasons of vocational training, under expert supervision.

Pregnant women are prohibited from performing the following types of work:

- a) in environments where the air pressure is over 20 kPa more than the surrounding atmospheric pressure,
- b) in environments where the concentration of oxygen in the air is less than 20% of volume,
- c) requiring the use of breathing apparatus,
- d) associated with disproportionate physical stress with regard to the change in the organism in pregnancy, particularly
 1. performed using major groups of muscles with a predominant dynamic component of muscular work, which exceeds the overall physical burden criteria corresponding to category 2 in accordance with a special legal regulation,
 2. associated with the movement of a load by manipulating with simple unpowered equipment,
 3. associated with lifting and carrying a load exceeding the indicator set forth in Annex no. 1, during which the allowable minute energy expenditure exceeds 14.5 kJ . min⁻¹ net,
 4. associated with the repeated assumption of conditionally acceptable or unacceptable working positions, such as, for example deep forward bends, kneeling, lying down, standing on tiptoes, with the hands above the head, included in categories 2 and 3 in accordance with a special regulation, and work associated with repeated turns of the body of more than 10 degrees,
 5. associated with pressure on the abdomen,
 6. during which the workplace cannot be adapted to reflect the anthropometric changes in the woman's body,
 7. in working positions that cannot be varied, such as a permanent sitting or standing position,
 8. performed at an enforced work rate,
 9. associated with mental fatigue, included in category 3 in accordance with a special legal regulation,
- e) associated with exposure to noise included in the third or fourth category in accordance with a special legal regulation,
- f) during which they might be exposed to shocks,
- g) associated with exposure to vibrations,
 1. transferred through the hands, if this work is included in the third or fourth category in accordance with a special legal regulation,
 2. general horizontal and vertical vibrations whose range exceed the maximum permissible values set forth in a special legal regulation reduced by 10 dB,
- h) during which the skin is highly contaminated by mineral oils during normal working conditions,
- i) with carcinogens and mutagens and during working processes with the risk of chemical carcinogenicity, set forth in a special legal regulation,
- j) with chemical substances and chemical preparations
 1. causing acute or chronic poisoning with severe or irreversible consequences for health labelled R 23, R 26, R 28, R 39, R 40 and R 48 in accordance with a special legal regulation,
 2. causing damage to the reproductive system or the foetus in the mother's body labelled R 60, R 61, R 62 and R 63 in accordance with a special legal regulation,
 3. causing damage to the nursing infant through the mother's milk labelled R 64 in accordance with a special legal regulation,

4. evoking severe damage to health when absorbed through the skin, labelled R 24 or R 27 or having a sensitizing effect on the respiratory apparatus or the skin and labelled R 42, R 43 in accordance with a special legal regulation,
5. restricting the division of cells,
6. in combination with the R labels set forth in items 1 to 4,
- k) associated with exposure to lead and its ionizing compounds,
- l) used to produce medications and veterinary preparations containing hormones, antibiotics and other highly active biological substances, if on the basis of a detailed evaluation of the exposure and risk, damage to the health of the pregnant woman or foetus under foreseeable circumstances cannot be excluded,
- m) in the production of cytostatic drugs, their preparation for injection, during their administration and when nursing patients treated with cytostatic drugs,
- n) associated with exposure to mercury, carbon monoxide and other chemical substances that have not been listed under items i), j) and k), unless working with them is included in the second to fourth categories in accordance with a special legal regulation,
- o) in controlled areas of work places with a source of ionizing radiation, where the working conditions do not ensure that the foetus receives the same level of protection against radiation as each member of the population,
- p) associated with exposure to the rubella virus or a source of toxoplasmosis and work associated with exposure to other biological agents classified in groups 2 to 4 set out in a special legal regulation, unless the pregnant woman can show that she is immune to the biological agents that might be associated with a given type of work,
- q) in areas where the highest acceptable level of electromagnetic radiation and electromagnetic poles set for the population in a special legal regulation are exceeded,
- r) classified in accordance with a special legal regulation as high risk, unless they are affected by the provisions of item p),
- s) performed under conditions where maximum operating temperatures are exceeded as a result of heat from technological equipment,
- t) performed for a period longer than four hours in a working period in areas where the air temperature is artificially maintained at 4°C and below,
- u) performed for a period longer than one hour in total during a working period in temperatures lower than -5°C,
- v) within an increased risk of injury, particularly work
 1. in the manufacture and processing of explosives and explosive items and handling them,
 2. with liquids labelled as R 11 and R 12 in accordance with a special legal regulation, unless they are used in laboratories or when providing health or veterinary care,
 3. at risk of collapsing constructions, buildings or falling objects,
 4. at heights of over 1.5 m measured from the level of the floor to the level of the feet and above open spaces,
 5. using high voltage equipment,
 6. with dangerous animals, as list of which is provided in a special legal regulation,
 7. related to breeding animals which might be the cause of an increased risk of injury,
 8. slaughtering animals at abattoirs,
 9. in areas with closed containers and tanks,
 10. using gas to disinfest areas and to carry out rodent control,
 11. treating patients interned in closed psychiatric wards in health care facilities.

Women who are breastfeeding are prohibited from the work listed above under items h) to n) and o), where this involves working in controlled areas of workplaces with open radionuclide emitters.

Mothers up to the ninth month after childbirth are prohibited from the work listed above under items a) to d), f) and g), s) to v).

Adolescent women undergoing vocational training who are pregnant or breastfeeding or mothers up to the ninth months after childbirth are, in addition to the types of work listed above, also prohibited from other types of work listed in the Decree.

The security force members are subject to Decree no. 432/2004 Coll., which lists the activities prohibited for pregnant security force members, security force members up to the ninth month after childbirth and security force members who are breastfeeding. This Decree stipulates the same range of prohibited work and activities as Decree no. 288/2003 Coll. referred to above.

In its Conclusions to the previous report on Article 1 paragraph 3 the Committee for Social Rights requested answers to the following questions:

The committee requested that the report contain statistical data concerning the position of women in employment and vocational training.

In 2006, according to the Czech Statistical Office Selective Survey of the Labour Force (VŠPS) an average of 4,828.1 thousand individuals were employed in the Czech economy. The number of employed people represents 55.0% of the population of the Czech Republic over the age of 15. Female employment reached 2,086.1 thousand, which means that 46.1% of women over the age of 15 are employed. The proportion of women in terms of the total workforce is 43.2%.

Economic activity in 2005 and 2006

	2005			2006		
	total	men	women	total	men	women
	in thousands			in thousands		
Total population over 15	8716.0	4210.0	4506.0	8773.4	4246.5	4526.9
Economically active (employed and unemployed)	5174.2	2892.2	2282.0	5199.4	2911.1	2288.3
Employed in the national economy	4764.0	2705.5	2058.5	4828.1	2742.0	2086.1
Unemployed	410.2	186.7	223.5	371.3	169.1	202.2
Total number of economically inactive	3541.8	1317.8	2224.0	3574.0	1335.4	2238.6

Source: Czech Statistical Office – Labour Survey

The overall employment rate for the population aged between 15 and 64 years represents 65.3%. The employment rate for women is 56.8%, the employment rate for men is 73.7%.

Employment Rate (as percentages)

age group	2005			2006		
	total	men	women	total	men	women
15 - 64	64.8	73.3	56.3	65.3	73.7	56.8
15 - 24	27.3	31.2	23.3	27.7	31.5	23.7
25 - 39	78.9	91.1	66.2	79.0	91.1	66.4
40 - 54	85.4	88.4	82.5	86.6	89.5	83.6
55 - 64	44.6	59.4	31.0	45.2	59.5	32.1
15+	54.7	64.3	45.7	55.0	64.6	46.1

Source: Czech Statistical Office – Labour Survey

The largest group of employees are employees working for wages, who numbered 4,032.0 thousand individuals in 2006, i.e. 83.5% of all workers. The proportion of women in this category is higher, representing 88.9% of all working women. On the other hand, the number of female entrepreneurs without employees is lower (7.4%) as is the number of female entrepreneurs with employees (2.2%).

Numbers of working women broken down by type of main work

	2005		2006		2005		2006	
	thousand	%	thousand	%	thousand	%	thousand	%
	total				women			
Working women	4,764.0	100.0	4,828.1	100.0	2,058.5	100.0	2,086.1	100.0
of which:								
Employees	3,979.5	83.5	4,032.0	83.5	1,838.0	89.3	1,854.9	88.9
Members of cooperatives	21.3	0.4	16.3	0.3	6.3	0.3	4.8	0.2
Entrepreneurs without employees	551.1	11.6	550.8	11.4	147.5	7.2	154.0	7.4
Entrepreneurs with employees	177.1	3.7	195.9	4.1	41.0	2.0	46.2	2.2
Helping family members	35.0	0.7	32.5	0.7	25.7	1.2	26.4	1.3

Source: Czech Statistical Office – Labour Survey

In terms of the type of employment contract, more women work part-time and have fixed term contracts. On the other hand, more men have second jobs and unlimited contracts.

Numbers of working women broken down by type of employment contract

	2005		2006		2005		2006	
	thousand	%	thousand	%	thousand	%	thousand	%
	total				women			
Employment	4,764.0	100.0	4,828.1	100.0	2,058.5	100.0	2,086.1	100.0
having a second job	114.9	2.5	103.6	2.4	46.7	2.0	43.9	2.1
unlimited term contract or entrepreneurs	4,415.0	92.0	4,472.9	92.7	1,876.0	90.3	1,897.4	91.0
fixed term contracts	345.5	7.8	352.4	7.3	181.3	9.4	187.2	9.0
full-time work	4,530.1	95.1	4,585.4	95.1	1,882.4	91.7	1,905.3	91.3
part-time work	233.2	4.9	242.0	4.9	176.0	8.3	180.4	8.6

Source: Czech Statistical Office – Labour Survey

47.7 thousand people, of which 36.8 thousand were women, i.e. 77.1% (2006 data) were classified as underemployed (which, according to International Labour Organization methodology are all those who work part-time in their main employment, or less than 40 hours a week, who want to work a higher number of hours than in their present job and are able to work a higher number of hours).

From the point of view of the breakdown of the economic sectors, the highest employment rate is in the tertiary sector (services), where a total of 56.3% of all workers are employed, the proportion of women employed in this sector out of the total number of working women is 70.7%. Female employment in the primary sector (agriculture, forestry) is lower – 2.8%, and the secondary sector (industry, construction) employs 26.5% of all working women, while overall employment in these sectors amounts to 3.8%, and 39.9%.

Numbers of working women broken down by sector of the national economy

	2005		2006		2005		2006	
	thousand	%	thousand	%	thousand	%	thousand	%
	total				women			
	4,764.0	100.0	4,828.1	100.0	2,058.5	100.0	2,086.1	100.0
Sector I	189.4	4.0	181.7	3.8	58.1	2.8	58.2	2.8
Sector II	1,880.5	39.4	1,929.4	39.9	544.9	26.5	563.2	27.0
<i>of which: industry</i>	1,421.9	29.8	1,493.0	30.9	506.2	24.6	529.9	25.4
<i> construction</i>	458.5	9.6	436.3	9.0	38.7	1.9	33.3	1.6
Sector III	2,694.1	56.6	2,717.0	56.3	1,455.5	70.7	1,464.7	70.2

Source: Czech Statistical Office – Labour Survey

LABOUR AND EARNINGS

Status of employment: first job in the civil sector (LFSS)

Source:
CZSO

Employed in the civil sector		1993	1995	2000	2002	2003	2004	2005		
Women	CZ-ICSE	<i>Thousands of persons</i>								
		2,137.1	2,177.0	2,055.0	2,063.6	2,046.5	2,042.3	2,056.9		
	of whom:	Group								
	employees	1	1,928.2	1,960.1	1,827.4	1,831.6	1,801.0	1,810.3	1,836.4	
	employers	2	28.9	45.4	45.4	43.7	43.9	41.8	41.0	
	self-employed	3	94.7	111.5	142.9	151.9	165.6	158.2	147.5	
	cooperative members	4	76.1	41.8	18.3	11.3	10.6	8.9	6.3	
	helping family members	5	9.0	18.2	20.9	24.8	25.2	22.9	25.7	
	not identified		-	-	-	0.2	0.3	.	-	
			%							
	of whom:									
employees	1	90.2	90.0	88.9	88.8	88.0	88.6	89.3		
employers	2	1.4	2.1	2.2	2.1	2.1	2.0	2.0		
self-employed	3	4.4	5.1	7.0	7.4	8.1	7.7	7.2		
cooperative members	4	3.6	1.9	0.9	0.5	0.5	0.4	0.3		
helping family members	5	0.4	0.8	1.0	1.2	1.2	1.1	1.3		
not identified		-	-	-	0.0	0.0	.	.		
Men	CZ-ICSE	<i>Thousands of persons</i>								
		2,665.5	2,731.0	2,620.6	2 666.4	2 651.0	2,641.6	2,692.4		
	of whom:									
	employees	1	2,239.7	2,260.0	2,088.2	2,099.8	2,057.1	2,057.2	2,128.4	
	employers	2	101.6	142.6	150.8	148.8	152.9	145.7	136.1	
	self-employed	3	213.5	262.9	343.2	388.6	415.7	415.0	403.6	
	cooperative members	4	105.2	57.7	32.4	24.5	17.4	15.4	15.0	
	helping family members	5	5.3	7.6	5.6	4.1	7.9	8.1	9.2	
	not identified		-	-	-	0.5	0.1	.	.	
			%							
	of whom:									
employees	1	84.0	82.8	79.7	78.8	77.6	77.9	79.1		
employers	2	3.8	5.2	5.8	5.6	5.8	5.5	5.1		
self-employed	3	8.0	9.6	13.1	14.6	15.7	15.7	15.0		

cooperative members	4	3.9	2.1	1.2	0.9	0.7	0.6	0.6		
helping family members	5	0.2	0.3	0.2	0.2	0.3	.	.		
not identified		-	-	-		

Retraining numbers from the beginning of the year

	to 31. 12. 2005		to 31. 12. 2006	
	total	%	total	%
Total numbers participating in retraining	46,772	100.0	59,035	100.0
Of whom				
Women	28,042	60.0	35,883	60.8
Retraining under ESF projects	43	0.1	16,347	27.7
Job seekers	46,202	98.8	58,123	98.5
Those interested in work	553	1.2	898	1.5
Disabled persons	3,276	7.0	5,271	8.9
University graduates under 30	165	0.4	415	0.7
Women – pregnant, breastfeeding, mothers up to 9 months after childbirth	490	1.0	292	0.5
Caring for children under 15	7,385	15.8	9,204	15.6
Special assistance	303	0.6	365	0.6
Asylum seekers	11	0.0	23	0.0
Graduates (up to 2 years after graduation)	5,310	11.4	5,393	9.1
Unqualified adolescents	372	0.8	450	0.8
EU/EEA + Swiss citizens	46,449	99.3	58,521	99.1
Foreigners	323	0.7	514	0.9
Age structure				
Up to 19 years	3,770	8.1	3,665	6.2
- of whom adolescents	610	1.3	708	1.2
20 – 24 years	9,387	20.1	10,970	18.6
25 – 29 years	6,144	13.1	7,335	12.4
30 – 34 years	6,935	14.8	8,794	14.9
35 – 39 years	5,569	11.9	7,152	12.1
40 – 44 years	4,817	10.3	6,467	11.0
45 – 49 years	4,059	8.7	5,533	9.4
50 – 54 years	4,405	9.4	6,295	10.7
55 – 59 years	1,625	3.5	2,702	4.6
60 – 64 years	61	0.1	121	0.2
65 years and over	0	0.0	1	0.0
Breakdown of education levels achieved				
(A) no schooling	1	0.0	13	0.0
(B) incomplete basic schooling	69	0.1	67	0.1
(C) basic schooling + practical training	5,939	12.7	8,751	14.8
(D) lower secondary education	36	0.1	39	0.1
(E) lower secondary vocational education	862	1.8	1,064	1.8
(H) secondary vocational education (apprenticeship)	15,587	33.3	20,452	34.6
(J) secondary or secondary vocational education without graduation or apprenticeship	485	1.0	582	1.0
(K) secondary with graduation	2,771	5.9	3,098	5.2
(L) secondary professional (apprenticeship with graduation certificate)	3,651	7.8	4,465	7.6
(M) secondary professional with graduation certificate (without apprenticeship)	14,231	30.4	16,856	28.6

(N) college	553	<i>1.2</i>	602	<i>1.0</i>
(R) bachelor degree	261	<i>0.6</i>	355	<i>0.6</i>
(T) master degree	2,244	<i>4.8</i>	2,601	<i>4.4</i>
(V) doctorate (scientific research)	64	<i>0.1</i>	68	<i>0.1</i>
Type of retraining				
professional retraining – for D	11,395	<i>24.4</i>	13,966	<i>23.7</i>
professional retraining – for THP	8,863	<i>18.9</i>	9,257	<i>15.7</i>
extended qualification	14,259	<i>30.5</i>	26,462	<i>44.8</i>
refresher course	104	<i>0.2</i>	114	<i>0.2</i>
unspecified retraining	1,349	<i>2.9</i>	953	<i>1.6</i>
business studies	1,626	<i>3.5</i>	2,183	<i>3.7</i>
other retraining	6,022	<i>12.9</i>	4,018	<i>6.8</i>
IT course	739	<i>1.6</i>	1 531	<i>2.6</i>
secondary technical specialized course – vocational training	3	<i>0.0</i>	68	<i>0.1</i>
Retraining period				
up to 1 week	2,526	<i>5.4</i>	3,292	<i>5.6</i>
from 1 week to 1 month	17,661	<i>37.8</i>	23,913	<i>40.5</i>
from 1 month to 3 months	14,201	<i>30.4</i>	18,423	<i>31.2</i>
from 3 months to 6 months	7,922	<i>16.9</i>	9,018	<i>15.3</i>
from 6 months to 12 months	4,325	<i>9.2</i>	4,264	<i>7.2</i>
over 12 months	137	<i>0.3</i>	125	<i>0.2</i>
Length of registration before retraining				
up to 3 months	13,614	<i>29.1</i>	16,167	<i>27.4</i>
from 3 months to 6 months	11,479	<i>24.5</i>	13,740	<i>23.3</i>
from 6 months to 9 months	6,742	<i>14.4</i>	8,661	<i>14.7</i>
from 9 months to 12 months	3,985	<i>8.5</i>	4,922	<i>8.3</i>
from 12 months to 24 months	6,266	<i>13.4</i>	7,988	<i>13.5</i>
over 24 months	4,686	<i>10.0</i>	7,584	<i>12.8</i>

Source: MLSA

In its Conclusions on the previous report on Article 1, the Committee for Social Rights requested answers to the following questions:

The committee has requested that the next report summarize the measures adopted to inform employees of their rights as concerns equality in the workplace.

In accordance with Section 279 paragraph 1 letter f) of Act no. 262/2006 Coll., of the Labour Code, the employer is obliged to inform employees of measures by which the undertaking safeguards equal treatment of male and female employees and the prevention of discrimination.

Information on gender problems are provided to employees (the public) through the media, mainly via the written media and television or from radio discussion programmes.

Between May 15th, 2006 and January 15th, 2007 a PHARE twinning light project was run by the Czech Republic and Germany entitled **Gender Equality Promotion - Focused on Social Partners – Adopting Equal Treatment in the Workplace**. The aim of the project was to support the Czech Republic's efforts to comply with its obligations under international and Community Law and to encourage social partners to promote equal opportunities and gender equality in the workplace, particularly in enhancing their awareness of their responsibility for implementing gender equality. The task of the German experts was to propose appropriate arrangements, which should in a planned and systematic way encourage employers to promote gender equality in the workplace.

Within the framework of the project, a total of 7 seminars and 1 national conference have been organized for social partners (trades unions and employers' organizations), not-for-profit organizations and media representatives. These focused primarily on collective bargaining and equal pay. The project also included an information campaign, which consisted of the distribution of two types of flyers to social partners and not-for-profit organizations. 4 manuals were developed for practical use, and these will also be published on the Ministry of Labour and Social Affairs website.

During 2006 a nationwide discussion into equal opportunities for women and men was supported by the media which resulted in a better informed society into the problems involved in gender equality. This discussion has introduced the gender element into everyday life, and has played an indirect role in destroying gender stereotypes (preconceptions as to the life roles of men on the one hand and women on the other) as perceived by the Czech population and has reinforced awareness of gender equality.

In 2006, the Ministry of Labour and Social Affairs, in collaboration with the Government Representative for human rights, implemented an information campaign entitled **Stop stereotypes**. This campaign was run on the basis of Government Decree no. 1611 of December 14th, 2005. The objective of the public information campaign was to address the public, to support public discussion and to make a clear declaration of the need to overcome gender-based stereotypes. This long-term campaign has focused particularly on the area of employment, the family and public administration. In the field of employment it focuses on previously untraditional careers for men and women and access to management positions for women. The area of the family focuses on balancing the roles of women and men within the family and the area of public administration aims to promote participation of women in decision-making and management.

Apart from the programmes detailed above, in 2006 the Czech Republic proceeded to participate in the **European initiative EQUAL, the Operational Programme for Human Resource Development** and the **Single Programming Document for Objective 3**, which form part of the European Union's employment policy; are financed from the European Social Fund and aim to promote and to improve employment. Their main objective is to support equal access to work, to develop and test approaches to stamp out discrimination and inequality on the labour market. In the Czech Republic, the initiative is financed by the Ministry of Labour and Social Affairs, which is responsible for its implementation, and from EU funds.

The committee has requested that the report detail whether the Labour Inspectorates or other extrajudicial bodies are authorized to investigate complaints of cases of discrimination.

Pursuant to Section 11 of Act no. 251/2005 Coll., on Labour Inspection, the Labour Inspectorate may impose a fine of up to 400,000 CZK on an employer who is in breach of the rules of equal treatment of employees in the area of working conditions or remuneration, has discriminated against an employee, has acted to the detriment or disadvantage of an employee who has insisted on his/her rights in a legal manner, or has failed to discuss a complaint concerning the performance of rights and duties ensuing from the labour relations with the employee or, at his/her request, with the employee representative, a fine of up to 400,000 CZK.

Pursuant to Section 139 of Act no. 435/2004 Coll., on Employment, the Labour Office may impose a fine of up to 1,000,000 CZK for discrimination against a job seeker.

The Labour Inspectorates and Labour Offices investigate complaints in cases of discrimination, but, primarily, they themselves are active in carrying out on-the-spot inspections, which, apart from anything else, also relate to complying with the legislation, including the provisions against discrimination.

In its previous report, the committee claimed that the number of girls in basic schools and secondary schools and the number of women in the tertiary education institutions is one of the lowest of the 25 countries of the European Union. In view of this conclusion, the Committee has requested that the next report provide some commentary on this subject.

The conclusion that the number of girls attending basic schools and secondary schools and that the proportion of women in tertiary educational institutes is one of the lowest of the 25 countries of the European Union does not match the results the Czech Republic has acquired from its last investigation. For information we have produced some statistical data, provided by the **Institute for information on education**:

To 30. 9. 2006 the total number of pupils at basic schools was 876,513, of which **422,041 were girls**.

To 30. 9. 2006 the total number of pupils at secondary schools was 576,585, of which **287 185 were girls**.

To 30. 9. 2006 the total number of students attending the conservatoire was 3,534, of which **2,091 were girls**.

To 30. 9. 2006 the total number of students at tertiary technical colleges was 27,650, of which **19,788 were girls**.

To 31. 10. 2006 the total number of students attending university was 323,765, of which **171,044 were women**.

It should be emphasized in this context that in the Czech Republic **schooling is compulsory up to the age of 15 years** and because of this the number of boys and girls attending basic schools basically copies the demographic progress on the territory of the Czech Republic.

The committee requests that the report provide information on practical progress achieved within the framework of the **Priorities and procedures for the enforcement of the equality of men and women** Action Plan (Government Decree no. 236 of 8th April 1998).

From the point of view of fulfilling the Priorities and procedures for the enforcement of the equality of men and women, the activities and approaches by the individual ministries are extremely varied. Although fulfilling the Priorities and procedures for the enforcement of the equality of men and women is a long-term matter, certain ministries still fail to work in such a manner that we can say that the Priority measures have been fulfilled in that particular ministry and equal opportunities are still declared in a purely formal manner. On the other hand we have to award a positive evaluation for the fact that some other ministries have provided active, smooth, and exemplary work in the field of promoting gender equality.

The process of educating public servants in the problems of equal opportunities for women and men, including information as to the methods of gender mainstreaming have already begun to be accepted in almost all the ministries. Most of them have attended at least the basic level of training with the cooperation of the Ministry of Labour and Social Affairs. Nonetheless, it is obvious from information received from the ministries that the level of education at the individual ministries is not on the same level. A free e-learning course on the problems of gender equality can also be used.

According to the statements made by the various ministries, they have managed to deal with the obligation to “conform to the conceptual, decision-making and evaluation processes at each stage of their preparation, while applying the viewpoint of gender equality” or they have managed to cope with gender mainstreaming methods, insofar as they claimed to have dealt with the statement with no problem. However, the problem still remains that without knowledge of the fundamentals of gender equality, the manner of using the methods referred to, the management of all their stages and other professional knowledge, the application, from this point of view, can never produce an effective result. Performance of these measures is conditional on the acquirement of a certain level of knowledge of the given problems. This assumption can only be justified after on-going training of the appropriate employees. The fundamental assumptions and conditions for applying these methods, that involve, in particular, an evaluation of the different impacts of the same policies, practices and programmes for women and men (gender analyses), carried out on the basis of the relevant gender-sensitive statistics which are able to provide objective information for the

identification of differences and problems between women and men. Another essential condition for the actual and effective implementation of this method in practice is creating a budget from the point of view of equal opportunities for women – gender budgeting, or the reallocation of existing funds and the incorporation of a gender focus into each budget estimate in order to achieve an effective allocation of finances. The consistent application of gender mainstreaming means the integration of a gender perspective into each existing policy, including those that, at first sight, appear to be gender neutral (transport, finance, environment, etc.). These policies must be applied across the whole of society, which in practice means that each ministry (authority) must implement its own set of measures to equalise opportunities for women and men in those areas of public policy for which it is responsible. Gender mainstreaming must also be carried out in its internal structures (personnel policies).

The committee has requested that the report provide information concerning the main activities of the **Committee to eliminate all forms of discrimination against women** (established in 1999 by the Human Rights Council of the Government of the Czech Republic) and the **Interdepartmental Commission for Equal Opportunities for Men and Women** (established in 2001).

The Committee to eliminate all forms of discrimination against women is a professional body of the Human Rights Council of the Government of the Czech Republic. The Council acts as an advisory body to the Government of the Czech Republic dealing with human rights matters and fundamental freedoms under the jurisdiction of the Czech Republic and was established by Government Decree no. 809 of December 9th, 1998. It monitors compliance with and observance of the Constitution of the Czech Republic, the Charter of Fundamental Rights and Freedoms and other legal standards that regulate the protection and observance of human rights and fundamental freedoms. The Council also monitors the domestic performance of the Czech Republic's international obligations in the field of protection of human rights and fundamental freedoms.

In 2006, the Committee to eliminate all forms of discrimination against women dealt with the problem of equal representation of men and women in the Government's advisory and working bodies. The Committee carried out an analysis of their representation from the point of view of the general make up. As a result it was discovered that the average level of participation of women in these bodies is around 10%. The Committee found this to be unsatisfactory. On the basis of this result, the Committee drafted a motion to change the model statutes for the Government's advisory and working bodies for the Human Rights Council of the Government of the Czech Republic. At its meeting on 19th June 2006, this motion was approved by the Committee.

In 2006, the Committee also dealt with the problem of settling the level for maintenance payments. A working group was set up by the Committee to try to chart the current situation. The working group came to the conclusion that a frequent characteristics of persons who are liable to make maintenance payments is that they deliberately present lower income levels in order that the level of maintenance be set at the lowest possible level and that the practice of courts in deciding on the level of maintenance payments is also not uniform. Uniform criteria for determining the level of maintenance payments would help the methods used by the courts. However, in preparing the motion, the working group was hindered by the problem of insufficient relevant statistical data.

A subject of interest for the Committee in 2006 was also discussions of the Final Recommendations of the UN Committee for the elimination of all forms of discrimination against women regarding the Czech Republic's Third Periodical Report on the fulfilment with obligations arising from the International Convention on the Elimination of all Forms of Discrimination against Women. During the discussions on Final Recommendation no. 12 (providing an institutional structure in the field of gender equality) it agreed that the situation is particularly unsatisfactory in the regions. In view of the above, individual regions were addressed and asked to put forward their point of view on ensuring the implementation of policies to promote equal opportunities for men and women in their region and on the importance of providing institutions to implement equal opportunity policies at a local level. The Committee is also due to discuss the possibility of establishing so-called *gender focal points* at a regional or municipal level in 2007.

The interdepartmental commission for equal opportunities for men and women was abolished in 2001 and replaced by the **Government Council for equal opportunities for men and women**, which is the Government's permanent advisory body in the field of creating equal opportunities for women and men. The Council was established by Czech Government Decree no. 1033 of October 10th, 2001. In particular, the Council prepares proposals for the implementation and attainment of equal opportunities for women and men, discusses and recommends to the Government strategic approaches for Government in the implementation of equal opportunities for women and men, coordinates the basic trends of ministerial approaches in the area of equal opportunities for women and men, establishes a sphere of priorities for ministerial projects to support the implementation of equal opportunities for women and men, identifies current social problems in the area of equal opportunities for women and men and evaluates the effectiveness of compliance with the principle of gender equality.

The Council has 23 members, representing the ministries, trade unions, employers, the general and professional public. It is clear from the output to date that an essential condition for fulfilling the objectives of Government policies in this area involves the involvement of the general public including the non-governmental organizations, reinforcing cooperation between the state and society and greater involvement of the social partners.

In order to link the activities of the Council with representatives of the territorial self-governing units, all the Heads of Regional Authority and the Mayor of the City of Prague were granted the status of permanent guests of the Council. By means of their representatives who attend Council meetings, they contribute to the transfer of equal opportunity policies to the activities of the regions.

The committee has requested that the report provide information concerning the activities of the Department for Gender Equality at the Ministry of Labour and Social Affairs.

The Department has 5 positions (specialities: 3 legal, 1 sociology, 1 economics). The basic activities of the department are:

To draw up the national action plan as a conceptual and strategic Government document for the implementation of policies of equal opportunities for women and men in the Czech Republic, to propose and update measures and to monitor their performance.

To implement information campaigns to support policies promoting equal opportunities for women and men and to support positive changes in overcoming prejudices in public opinion.

To incorporate the Czech Republic's international obligations in the area of gender equality into Czech legislation, particularly European Union directives, the UN Convention, the International Labour Organization Convention and the European Council Convention. Around 1/3 of all European Union directives that fall under the remit of the Ministry of Labour and Social Affairs deal with equal treatment of women and men.

To represent the Czech Republic in the European Union's working bodies in the field of gender equality; to draft specialized documentation and the national position for debates.

To ensure the participation of the Czech Republic and to manage projects for EU programmes in the area of equal opportunities for women and men, particularly in the community programme for gender equality, in the PROGRESS programme and in twinning projects.

The Department for Gender Equality in the Ministry of Labour and Social Affairs also assumes the role of secretariat for the Government Council for equal opportunities for women and men; in this position it drafts professional Council recommendations for the Government.

The committee has requested that the report contain information on the participation of employers organizations and trade unions in measures in the area of gender equality.

Solutions to the question of equal opportunities for women and men formed part of any discussions between representatives of individual ministries in all the bodies of the Council for Economic and Social Accord during 2006. In preparing the conceptual documentation, or drafting comments on the conceptual documentation from other ministries, each of the ministries represented in the Council for Economic and Social Accord declared that they were mindful to incorporate the principles of equal opportunities for women and men. These mainly involved the Summary Report on Fulfilling the Priorities and Proceedings of the Government in the Enforcement of Equality between Men and Women and updating the Priorities and Proceedings of the Government in the Enforcement of Equal Opportunities for Women and Men measure.

In view of the fact that discrimination against women primarily arises on the labour market (unequal access to jobs, barriers to promotion at work, unequal remuneration, reconciling the needs of family and work) it is important to emphasize the key role played by the social partners. The Czech-Moravian Confederation of Trades Unions, whose activities in the field of promotion of gender equality have made an important contribution to creating equal opportunities at work for women and men, is well aware of this fact. The Czech-Moravian Confederation of Trades Unions has been tackling the problem of gender equality in a systematic and long-term manner, promotes the gender mainstreaming method, particularly in the framework of the legislative process, in which it participates as a social partner. The Czech-Moravian Confederation of Trades Unions has established a Committee for Gender Equality, which actively participates in working discussions in connection with the Czech Republic's membership of the EU. As an active member of the European Trade Union

Confederation, the Czech-Moravian Confederation of Trades Unions is involved in the European social dialogue. The activities of the Czech-Moravian Confederation of Trades Unions are primarily focused on the general roles of men and women, on involving women in the decision-making process, in supporting the reconciliation of the needs of professional and family life and in resolving different pay rates for men and women. The Czech-Moravian Confederation of Trade Unions is also active in presenting equal opportunities for women and men on the labour market through conferences, manuals, methodological aids and publications.

The employers' organizations also voice their support for gender equality. Both the trade unions and the employers' associations (such as the Industry and Transport Federation) were actively involved in the implementation of the **Gender Equality Promotion - Focused on Social Partners – Adopting Equal Treatment in the Workplace** project, which has already been mentioned previously.

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The committee has requested that the report provide information on the specific legislative regulations that exist to prevent discrimination when recruiting into the armed forces and in service relations of military personnel and when recruiting into the security forces. It also wishes to know how compliance with these regulations is monitored.

Enforcement of equal access and equal treatment of all applicants (citizens) to enter into service relations and with all soldiers is regulated by Act no. 221/1999 Coll., on professional soldiers. This Act does not distinguish whether the applicant is a man or a woman.

The area of recruitment and selection of new military personnel is specifically subject to the provisions of paragraphs 3 to 6 of Section 2 of the above-mentioned Act, which provides that *service authorities shall be obliged to ensure equal access and equal treatment of all applicants to service relations and with all soldiers as regards creating the conditions for their performance of service, in particular as regards vocational training and promotion, remuneration and other monetary fulfilment. Any discrimination of applicants and soldiers on the grounds of race, skin colour, sex, sexual orientation, faith and confession, nationality, ethnic or social origin, property, family background, marital and family status and family duties, pregnancy or maternity or because the soldier is breastfeeding is prohibited. Conduct that is of a discriminatory nature, although not directly, but rather in its consequences, shall also be prohibited.*

To enforce compliance with the provisions of the Act on professional soldiers, the General of the Support and Training Forces issued a **Directive to safeguard the tasks concerning the recruitment of new personnel for the armed forces of the Czech Republic** and, in order to implement this Directive, uniform **Procedures for the recruitment and selection of new military personnel** were distributed.

Conditions for the recruitment of professional soldiers are the same for men as for women. The only difference lies in the standards used to assess their physical condition which take account of the specific differences in the female body. This distinction is also applied in other NATO member states. The criterion for recruiting new applicants is exclusively the objective assessment of their health condition: physical condition, mental awareness, integrity and compliance with the qualification levels required.

The Ministry of Defence has also adopted the following measures to support the equality of men and women at work:

The programming document **Priorities and procedures of the Ministry of Defence in enforcing the principle of equal opportunities for men and women**, which was approved by the Minister of Defence for the Czech Republic on 31.12.2001. This document contains tasks in the area of creating the legal framework, in education, cooperation, media and control and evaluation (objective and subjective investigations) and is updated and evaluated on a yearly basis.

The principles for enforcing the principle of gender equality were set down in the internal regulations – by order of the Minister of Defence of the Czech Republic – **Enforcing the principle of equality between men and women working within the Ministry of Defence**. Service Manual Pers-5-1 **Equal treatment for men and women**, which was created, published and distributed on the basis of a decision by the Minister of Defence in 2003 follows on from this decision. The purpose of the manual is to help the uniform application of internal regulations Enforcing the principle of equality between men and women working within the Ministry of Defence.