

EUROPEAN SOCIAL CHARTER

THE FOURTH REPORT ON MEASURES TAKEN TO GIVE EFFECT TO THE EUROPEAN SOCIAL CHARTER

**SUBMITTED BY THE GOVERNMENT OF THE CZECH
REPUBLIC**

(period 1 January 2003 – 31 December 2004)

**Articles 2, 3, 4, 15 of the European Social Charter and Articles 2, 3
of Complementary Protocol to the European Social Charter**

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REPORT ON MEASURES TAKEN TO GIVE EFFECT TO THE EUROPEAN SOCIAL CHARTER

ARTICLE 2: THE RIGHT TO JUST CONDITIONS OF WORK

Article 2, paragraph 1:

“With the view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

to provide for reasonable daily and weekly working hours, the working week to be progressively reduced to the extent that the increase of productivity and other relevant factors permit;”

Question A

Please indicate what statutory provisions apply in respect of the number of working hours, daily and weekly and the duration of the daily rest period.

Update:

Amended Labour Code - Act no. 46/2004 Coll., effective as of 1 March 2004, has changed the provisions on the work breaks, requiring the employer to provide a work break to the employee for the meal and rest (Sect. 89(1), Labour Code) after six hours of uninterrupted work at the latest. The previous legislation requiring provision of the work break for the meal and rest after four and a half hours of uninterrupted work at the latest shall now apply only to the minors (Sect. 89(1), Labour Code).

Furthermore, **Act no. 1/1991 Coll., On Employment** was rescinded, as well as the Czech National Council Act no. 9/1991 Coll., On Employment and Jurisdiction of the Czech Republic Bodies in Employment Issues, as amended by **Act no. 435/2004 Coll., On Employment, effective as of 1 October 2004**. As stipulated by Sect. 128(1)(a) of that Act, the Labour Offices shall review compliance with the employment legislation by employers, except for the working conditions arising from the statutory provisions on the safety and health at work (i.e. incl. also the Labour Code provisions laying down the working hours). For the audit activities purposes, employment statutory provisions shall be deemed include both the general employment provisions and the statutory provisions from which rights and obligations arise for parties from the employment relationships (such as the Labour Code; Act on Wages; Act on Salaries; and, Act on Travel Expense Compensations)

Labour Offices may assess a fine up to CZK 1,000,000 to an employer for a breach of obligations ensuing from the employment statutory provisions.

Question B

Please indicate what rules concerning normal working hours and overtime are usual in collective agreements, and what is the application scope of these rules.

Remained unaffected.

Question C

Please indicate the average working hours in practice for each major professional category.

The statistical data are not monitored.

Question D

Please indicate to what extent working hours have been reduced by legislation, by collective agreements, or in practice during the reference period and, in particular, as a result of increased productivity.

Update:

A part change occurred during the reference period, as the Constitutional Court ruled on 31 March to derogate the provisions of Sect. 7, Act no. 2/1991 Coll., On Collective Bargaining, that governed extension of the obligatory quality of collective agreements. Currently, the Czech Parliament have been discussing draft new legislation on the extended obligatory quality of collective agreements. (The part change concerns the information included in the First Report, part two, setting out, *inter alia*, *The provisions on the reduced working hours without any simultaneous reduction of wages have been contained also in certain collective agreements, the obligatory quality of which has been extended to the other employers (most importantly in the textile and clothing, leather and mining segments).*)

Question E

Please describe, where appropriate, any measures permitting derogations from legislation in your country regarding daily and weekly working hours and the duration of the daily rest period (see also Article 2, paragraphs 2, 3 and 5).

Please indicate the reference period to which such measures may be applied.

Please indicate whether any such measures are implemented by legislation or by collective agreements and, in the latter case, at what level these agreements are concluded and whether only representative trade unions are entitled to conduct negotiations in this respect.

Remained unaffected.

Question F

If some workers are not covered by provisions of this nature, whether contained in legislation, collective agreements or other measures, please state what proportion of all workers is not so covered (see Article 33 of the Charter).

Remained unaffected.

Article 2, paragraph 2

“With a view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

to provide for public holidays with pay;”

Question A

Please indicate the number of public holidays with pay laid down by legislation, stipulated by collective agreement or established by practice during the last calendar year.

Remained unaffected.

Question B

Please indicate what rules apply to public holidays with pay according to legislation, collective agreements or practice.

Please describe, where appropriate, whether measures permitting derogation from legislation in your country regarding daily and weekly working hours have an impact on rules pertaining to public holidays with pay.

Remained unaffected.

Question C

If some workers are not covered by provisions of this nature, whether contained in legislation, collective agreements or other measures, please state what proportion of all workers is not so covered (see Article 33 of the Charter).

Remained unaffected.

Article 2, paragraph 3

“With a view of ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

to provide for a minimum of four weeks’ annual holiday with pay;”

Question A

Please indicate the length of annual holidays under legislative provisions or collective agreements; please also indicate the minimum period of employment entitling workers to annual holidays.

Please describe, where appropriate, whether measures permitting derogation from statutory rules in your country regarding daily and weekly working hours have an impact on rules pertaining to annual holidays.

Remained unaffected.

Question B

Please indicate the effect of incapacity for work through illness or injury during all or part of annual holidays on the entitlement to annual holidays.

Remained unaffected.

Question C

Please indicate if it is possible for workers to renounce their annual holiday.

Update:

We are setting out, as complementary information to the Report for the period 2002, that the Act no. 436/2004 Coll., amending certain acts relating to adoption of the Employment Act (see also above), became effective as of 1 October 2004.

Modifications to the Labour Code have also amended the annual holiday rules. The changes have affected particularly taking of the annual holidays and wage replacements for holidays. The modifications have been reflected in Articles 109 and 110b, Labour Code, and respond to the requirement ensuing from the relevant Council directive 93/104/EC, as amended by 2003/88/EC, on organisation of working time, while they prohibit provision of any wage replacements equal to more than 4 weeks of untaken leave, except in case of termination of employment relationship. The modifications concerning the annual holidays are mainly concerned with ensuring rest after performed work and, consequently, an improved level of safety and health at work for employees. An emphasis is put on actual use of holidays.

Question D

Please indicate the customary practice where legislation or collective agreements do not apply.

Remained unaffected.

Question E

If some workers are not covered by provisions of this nature, whether contained in legislation, collective agreements or other measures, please state what proportion of all workers is not so covered (see Article 33 of the Charter).

Remained unaffected.

Article 2, paragraph 4

“With a view of ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

to provide for either a reduction of working hours or additional paid holidays for workers engaged in inherently dangerous or unhealthy occupations”.

Question A

Please indicate the occupations regarded dangerous or unhealthy. If a list exists of these occupations, please supply it.

We are hereby further specifying and updating our information in previous reports:

The Act no. 258/2000 Coll., On Public Health Protection, has stipulated in Art. 37 that occupations shall be classified into four groups according to the incidence of factors that may affect the health of employees and their health risk rate.

The criteria for classification of occupations according to the incidence of factors that may affect the employees' health have been stipulated by Decree no. 432/2000 Coll., laying down the conditions for classifying an occupation under a group; limit indicator values for biological exposure tests; and, requisites governing reporting on work with asbestos and biological agents, while the limiting factors include e.g. the dust, chemical substances etc.

The classification of occupations criteria have been set down in Appendix 1 to Decree no. 432/2003 Coll., as follows:

1. Dust

Occupations at which humans are exposed to the dust at average concentration levels in the air at the workplace per shift exceed the PEL level for that type of dust as set down by specific legislation (Government Ordinance no. 178/2001 Coll., as amended by Government Ordinance no. 523/2002 Coll.), however not exceeding its multiple of three, or higher.

2. Chemical substances

Occupations at which humans are exposed to chemical substances at the concentration level exceeding the approved limits and to work processes involving a chemical carcinogenicity hazard.

3. Noise

Occupations at which humans are exposed to:

- a) steady or variable noise, and
- b) impulse noise the levels of which exceed the set limits.

4. Vibrations

Occupations at which humans are exposed to the hands-transmitted vibrations or overall horizontal or vertical vibrations where the aggregate weighted acceleration level L_{vw} , 8h or weighted acceleration level L_{aw} , 8h, exceeds the highest acceptable value set down for an 8-hour working day.

5. Nonionising radiation and electromagnetic working fields

- a) where humans are exposed to the ultraviolet radiation, visible radiation or infrared radiation from technological sources, the levels of which exceed the highest acceptable values set down by specific legislation,
- b) performed in the environment where the intensity of electromagnetic or magnetic fields exceeds the highest acceptable values, and
- c) with the Class IIIb or IV lasers.

6. Physical stress

Occupations performed under conditions where limits set down by specific legislation are exceeded.

7. Working position

Occupations performed under acceptable or unacceptable conditions where set limits are exceeded.

8. Heat stress

Occupations performed under conditions where acceptable microclimatic conditions are not conformed to and the protection of human health requires modifications of the working hours and additional protective measures.

9. Cold stress

Occupations performed for periods in excess of four hours per working day within the premises where the operational temperature t_0 has been maintained, for technological reasons, at $+4^{\circ}\text{C}$ and lower.

10. Psychical stress

Permanent work

- a) at an imposed work rate,
- b) involving monotony,
- c) performed at the three shift and permanent operation working mode, and
- d) at night shifts.

11. Sight stress

Permanent work

- a) necessarily requiring the use of magnifying apparatuses, and
- b) involving technically unavoidable dazzling.

12. Work with biological agents

Occupations that as a rule include also activities involving deliberate handling of biological agents of Group 2, 3 and 4 or their sources and transmitters.

13. Occupations under increased air pressure

Occupations under an increase pressure starting from 100 kPa that, in case of underwater occupations, equal to the 10 m depth.

Question B

Please state the measures applied under specific legislation, collective agreements or otherwise in practice as regards reduced working hours or additional paid holidays in relation to this provision of the Charter.

Remained unaffected.

Question C

If some workers are not covered by provisions of this nature, whether contained in legislation, collective agreements or other measures, please state what proportion of all workers is not so covered (see Article 33 of the Charter).

Remained unaffected.

Article 2, paragraph 5

“With a view of ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

to ensure a weekly rest period which shall, as far as possible, coincide with the day recognised by tradition or custom in the country or region concerned as a day of rest.”

Question A

Please state the measures applied under legislation, collective agreements or otherwise in practice as regards weekly rest periods.

Please indicate whether postponement of the weekly rest period is provided for by these provisions and, if so, please indicate under what circumstances and over what period of reference.

Please describe, where appropriate, whether measures permitting derogation from statutory rules in your country regarding daily and weekly working hours have an impact on rules pertaining to the weekly rest period.

Remained unaffected.

Question B

Please indicate what measures have been taken to ensure that workers obtain their weekly rest period in accordance with this paragraph.

Remained unaffected.

Question C

If some workers are not covered by provisions of this nature, whether contained in legislation, collective agreements or other measures, please state what proportion of all workers is not so covered (see Article 33 of the Charter).

Please indicate for the whole Article 2 the rules applicable to the workers with atypical employment contracts (fixed term contracts or those for reduced working hours; substituting for the absent; temporary work contracts etc.)

Remained unaffected.

List of sources for Article 2:

Act no. 435/2004 Coll., On Employment

Article 3, paragraph 1

*“With a view of ensuring the effective exercise of the right to safe and healthy working conditions,, the Parties undertake:
to issue statutory provisions on safety and health at work;”*

Question A

Please list the principal legislative or administrative provisions issued in order to protect the physical and mental health and safety of workers issued in your country, indicating clearly:

- a) their material scope of application (risks covered and the preventive and protective measures provided for), and*
- b) their personal scope of application (whatever the legal status - employees or not - and whatever their sector of activity, including home workers and domestic staff).*

Please indicate what measures have been taken to ensure that workers with atypical employment contracts enjoy the same level of protection as other workers in an enterprise.

Update:

We are hereby updating the overview of legislation referred to in our previous reports with the below listed statutory provisions issued on safety and health at work over the period of reference of 2003-2004:

Government Ordinance no. 406/2004 Coll., detailing the requirements of providing for safety and health at work in an environment involving the risk of explosion.

ČÚBP (Czech Authority for Safety at Work) Decree no. 18/1987 Coll., laying down the requirements for protection against explosions of flammable gases and fumes, was rescinded by Decree no. 407/2003 Coll.

Decree no. 427/2004 Coll., detailing the requirements of evaluating the risk of chemical substances to human health (replaces Decree no. 184/1999 Coll.).

ČÚBP (Czech Authority for Safety at Work) Decree no. 18/1987 Coll., laying down the requirements for protection against explosions of flammable gases and fumes, was rescinded by Decree no. 407/2003 Coll.

The material scope of application of the above implementing provisions is clearly identifiable from their names. The personal scope of application of the statutory provisions on safety and health at work includes all employees and accordingly also other individuals (cf. Sect. 137, Labour Code), i.e. an employer who himself is a natural person and personally

works, as well as any natural person undertaking in accordance with specific legislation who has no employees, as well as a co-operating spouse or child of such individuals. Workers with atypical employment contracts (fixed term contracts or those for reduced working hours) are covered by the safety and health at work regulations at the same scope as the other employees. **Regarding the employees who work based on contracts for work** outside an employment relationship, the employer shall be required, based on provisions of Sect. 233(2)(a), create adequate working conditions providing for the due and safe performance of work, specifically he shall provide the necessary basic resources, materials and tools, as well as personal protective aids, and, in accordance with paragraph (b) of the above provision, shall familiarise employees with the statutory and sundry provisions applicable to the work they perform, specifically with the statutory and sundry provisions on ensuring safety and health at work.

With regard to new legislation on safety and health at work, the House of Delegates of the Czech Parliament adopted the Act on Labour Inspection on 3 May 2005. On 2 June 2004, the Government Ordinance no. 406/2004 Coll., detailing the requirements of providing for safety and health at work in an environment involving the risk of explosion, effective as of 1 September 2004. Furthermore, on 26 January 2005, the Czech Government passed an ordinance laying down the minimum requirements for the workplaces and working environment (transposing the Council Directive 89/654/EEC, concerning the minimum safety and health requirements for the workplace). The above implementing legislation would replace a major part of provisions of the current Decree no. 48/1982 Coll., laying down the minimum requirements for provision of safety at work and of technological equipment. Furthermore, a Government ordinance is being drafted detailing the requirements of providing for safety and health at workplaces involving the risk of fall from height and deep fall.

We are hereby also complementing the list of current applicable standards set out in the previous report with reference to protection or physical and mental health at work, by adding the following:

- Government Ordinance no. 178/2001 Coll., laying down the requirements of providing for safety and health of employees at work, as amended. The last modification to the above statutory provision has been made through an amending Government Ordinance no. 441/2004 Coll. The need for amending the above statutory provision was substantiated by the necessity of harmonising the provision with the EU laws with regard of work with the asbestos and complementing the list of carcinogens and mutagens.
- Decree no. 432/2000 Coll., laying down the conditions for classifying an occupation under a group; limit indicator values for biological exposure tests; and, requirements governing sampling of biological material for biological exposure testing and requisites for reporting on work with asbestos and biological agents.
- Decree no. 342/1997 Coll., laying the procedure in assessing occupational diseases and publishing the list of health service facilities authorised to recognise such diseases
- Decree no. 288/2003 Coll., laying down the occupations and workplaces prohibited for pregnant women, nursing mothers, mothers from their ninth month of pregnancy to delivery and to the minors, as well as the conditions upon which the minors are exceptionally allowed to perform such works as part of their training for future vocation.

Question B

Please indicate the special measures taken to protect the health and safety of workers engaged in dangerous or unhealthy work.

Remained unaffected, see also above.

Article 3, paragraph 3

With a view of ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake:

to provide for the enforcement of such regulations by measures of supervision;”

Question A

Please indicate the methods applied by the Labour inspectorate to enforce the health and safety regulations and please also give information, inter alia, statistical, on:

- a) places of work, including the home, subjected to the control of the Labour Inspection, indicating the categories of enterprises exempted from this control;*
- b) number of control visits carried out;*
- c) proportion of workers covered by these visits.*

Update:

We are hereby setting out an update of statistical information on the area of mining:

Inspection activities of the national mining authority bodies:

- a) The jurisdiction of the mining authority bodies included, over the period of reference, approx. 550 mining entities, approx. 120 organisations performing geological and hydrogeological survey, approx. 80 organisations ensuring underground construction works, and approx. 45 organisations performing specialist blasting works and other underground activities, where regular inspection activities are performed. Random inspections are carried out with approx. another 300 organisations employing 1 to 5 workers,
- b) The national mining authority bodies carried out the total of 7,536 inspections in 2003 and 7,776 inspections in 2004,
- c) the number of workers engaged in extraction of utility minerals amounted to 40,858 in 2003, out of which 19,089 worked underground. The number of further workers engaged in mining and in activities performed using the mining techniques was 4,500, out of which 1,450 worked underground. The number of workers engaged in production of explosives amounted to approx. 5,000.

The number of control events by the national health supervision amounted to 20,606 reviews and inspections in 2003.

As compared to 2002, when an increased number of control events by the national health supervision was influenced by an emphasised need of supervisory activities due to vast floods suffered by the Czech Republic, the recorded balance of the supervisory and control activities for 2003 come close to the standard projected activities of the public health protection authorities.

The data for 2004 are unavailable as yet; reports on activities of the public health protection authorities in protection of health at work are prepared and submitted for

information to the Government by the Ministry of Health as at 30 September of the respective year.

Relating to coming into effect of the Act no. 320/2002 Coll., amending and abrogating certain laws in relation to terminating operation of county authorities, as amended, restructuring of the current environmental health service model also took place. The former structure of the environmental health service corresponded to the territorial setup and, therefore, was organised along a three-level management model prior to 2003 (county environmental health stations, regional environmental health stations and the Ministry of Health (hereinafter only “MoH”)), while the area of specialist services was covered by the National Health Institute in Prague, in its capacity of the health facility managed directly by MoH.

Resultant to adoption of the Act no. 320/2002 Coll., Coll., county environmental health stations, with county authorities as their incorporators, wound up and the national health supervision got separated at the same time from the accompanying activities relating to provision of services. The national health supervision of the first level is currently carried out by the regional environmental health stations with their territorial workplaces (workplaces of the former county environmental health stations), while in Prague this activity has been covered by the Environmental Health Station of the City of Prague. The second level of supervision and management of subordinated public health protection authorities is the responsibility of the Ministry of Health, in the scope defined by Act 258/2000 Coll., On Public Health Protection, and amending certain related laws, as amended. The Ministry of Defence and Ministry of Interior have been providing for the health supervision within their departmental scopes.

The area of services provision, largely involving measurements of working conditions factors; expert assessment activities; audit reviews for the national health supervision bodies; provision of preventive company care and sundry specialist diagnostic outpatient care, consultancy and advisory activities etc., has been taken care by the health services institutes that, similarly to the health service facilities, similarly cover identical territories as the regional environmental health stations. The National Health Institute in Prague continues to report directly to the Ministry of Health.

The scope of control activities that are the responsibility of regional environmental health stations includes both supervision over performance of obligations stipulated by the statutory provisions on health at work protection, and, also control events based on motions and complaints; upon request of a company preventive health care physician, a request by a TU organisation or a superior body. Activities of the public health protection bodies are closely related to investigations in origination of occupational diseases and reviews on the process of classification of occupations.

Sanctions imposed for the period of 2003 were, similarly to 2002, imposed for similar identified instances of noncompliance with duties specified by statutory provisions (deficiencies in classification of occupations; deficiencies in water supply; ventilation; sanitary facilities and insufficient provision for personal working aids; excessive noise etc.).

The total amount of assessed sanctions totalled to CZK 306,700 which represents a distinct drop compared to 2002 with the total amount in excess of CZK 1 million. The reason of the drop, with in terms of the number and amount of fines lies in the fact that the process of occupation classification commenced prior to 2001 culminated in 2002, while many entities failed to accomplish and became liable to penalty. The period of 2003 saw completion of the largest part of classification of occupations started prior to 2001 and it is therefore easy to understand that also the number of proposed fines, reflecting the number of newly establishing workplaces, dropped keenly.

Further statistical data - national professional supervision (“SOD”)

Number of business entities subject to SOD reviews

Czech Statistical Office (CSO) Category	NUMBER	ESAW	successive addition
N/A			
1 to 5	229 025		229025
6 to 9	30 292	259317	259317
10 to 19	28 731		288048
20 to 24	6 806	35537	294854
25 to 49	12 792	12792	307646
50 to 99	6 882		314528
100 to 199	3 122		317650
200 to 249	582	10586	318232
250 to 499	1 138	1238	319370
500 to 999	474		319844
1000 to 1499	125		319696
1500 to 1999	71		320040
200 to 2499	28		320068
2500 to 2999	21		320089
3000 to 3999	17		320106
4000 to 4999	12		320118
5000 to 9999	13		320131
10 000 and more	13	1912	320144
Total			

**Source: CSO, Grandeová
balance at June 2004**

Number of reviews performed, by industry

Year			
Industry code	A Industry name	2003	Grand 2004 total
		No. of reviews	No. of reviews
10000	Agriculture, gamekeeping and related activities		No. of reviews
20000	Forestry, logging and related services activities	1296	1007
50000	Fishing, fish farming and related service activities	165	162
100000	Mining of coal and lignite; extraction of peat	5	31
120000	Mining of uranium and thorium ores	21	17
140000	Other mining and quarrying	3	
150000	Manufacture of food products and beverages	17	7
160000	Manufacture of tobacco products	732	661
170000	Manufacture of textiles	4	2
180000	Manufacture of wearing apparel; dressing and dyeing of fur	115	117
190000	Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear	84	42
200000	Manufacture of wood and of products of wood and cork, except furniture; manuf. of articles of straw and plaiting mater	18	10
210000	Manufacture of pulp, paper and paper products	632	656
220000	Publishing, printing and reproduction of recorded media	79	89
230000	Manufacture of coke, refined petroleum products and nuclear fuel	166	121
240000	Manufacture of chemicals and chemical products	30	30
250000	Manufacture of rubber and plastic products	284	323
260000	Manufacture of other non-metallic mineral products	274	276
270000	Manufacture of basic metals	487	330
280000	Manufacture of fabricated metal products, except machinery and equipment	209	196
290000	Manufacture of machinery and equipment n.e.c.	847	945
300000	Manufacture of office machinery and computers	484	726
310000	Manufacture of electrical machinery and apparatus n.e.c.	19	12
320000	Manufacture of radio, television and communication equipment and apparatus	365	297
330000	Manufacture of medical, precision and optical instruments, watches and clocks	70	46
340000	Manufacture of motor vehicles, trailers and semi-trailers	67	58
350000	Manufacture of other transport equipment	212	202
360000	Manufacture of furniture; sundry manufacture	73	49
370000	Recycling	251	212
400000	Electricity, gas, steam and hot water supply, cold generation	41	43
410000	Collection, purification and distribution of water	422	372

450000 Construction	68	48	116
Sale, maintenance and repair of motor vehicles and 500000 motorcycles; retail sale of automotive fuel	2246	1850	4096
Wholesale trade and commission trade, except of motor 510000 vehicles and motorcycles	523	506	1029
Retail trade, except of motor vehicles and motorcycles; repair of 520000 personal and household goods	970	978	1948
550000 Hotels and restaurants	936	942	1878
600000 Land transport; transport via pipelines	425	365	790
610000 Water transport	602	423	1025
620000 Air and space transport		3	3
Supporting and auxiliary transport activities; activities of travel 630000 agencies	4	5	9
640000 Post and telecommunications	195	236	431
650000 Financial intermediation, except insurance and pension funding	53	42	95
Insurance and pension funding, except compulsory social 660000 security	39	20	59
670000 Activities auxiliary to financial intermediation	14	3	17
700000 Real estate activities	39	68	107
Renting of machinery and equipment without operator and of 710000 personal and household goods	389	466	855
720000 Computer and related activities	32	31	63
730000 Research and development	25	15	40
740000 Other business activities	14	44	58
750000 Public administration and defence; compulsory social security	664	1034	1698
800000 Education	803	685	1488
850000 Health and social work	265	272	537
900000 Sewage and refuse disposal, sanitation and similar activities	445	164	609
910000 Activities of membership organizations n.e.c.	105	263	368
920000 Recreational, cultural and sporting activities	55	44	99
930000 Other service activities	272	163	435
Grand Total	77	59	136
	16732	15768	32500

Number of decisions by decision type 2003-2004

type decision code	decision type, name	2003 number of decisions	2004 number of decisions
	0 No decision issued - deficiencies removed		7
	1 No decision issued - deficiencies removal guaranteed		3
20	Decision on deficiencies removal	2538	5551
21	Decision on decommissioning machinery and equipment	71	59
22	Ban on use of production and operation premises	15	5
23	Ban on technologies	11	2
24	Ban on activities	149	168
25	Ban on overtime work (except minors)	17	12
32	Proposed necessary tech. and other measures	204	37
36	Fines as per Act no. 174/68 Coll., total	188	7
37	Fines as per Act no. 174/68 Coll., separate	8	
38	Assessed fines in cash	39	42
39	Fines result. to investig. of accidents and breakdowns of tech.equipment,	78	1
101	Proposed necessary tech. measures		15
102	Proposed other necessary measures		11
104	Fine to organisation based on first supervision	42	400
105	Fine to organisation based on subseq. supervision	9	40
106	Fine to individual business based on first supervision	11	53
107	Fine to individual business based on subseq. supervision	1	5
108	Fine to employee of organisation	1	4
109	Fine employee of individual business	1	
110	Fine based on supervision initiated by investigating industrial accident reasons	52	97
111	Fine based on supervision initiated by investigating other accidents	2	1
112	Fine based on supervision initiated by investigating complaints	16	45
147	Decision to suspend administrative proceedings	1	

Reviews by supervision type 2003, 2004

Year		2003	2004	Total
supevis. type	supevis.type, text	No. of reviews	No. of reviews	
2	reviews at organisations	11391	10630	22021
4	investigation of injuries and tech.reasons	411	325	736
5	investigation of oper.accidents& breakdowns	1	2	3
14	investigation of complaints	245	249	494
Total		12048	11206	23354

Industrial accidents by source - 2003, 2004

Injury source, name		Year	2003	2004
Injury source, code	N/A	Injury type	No. of industrial accidents	No. of industrial accidents
	0 N/A	Other	207	188
	0 Means of transport	severe	3	1
	0 Means of transport	Fatal	2	
	100 Means of transport	Other	3192	3080
	100 Hoists and conveyers; hoisting and conveyance aids	Severe	231	207
	100 Hoists and conveyers; hoisting and conveyance aids	Fatal	76	68
	200 Hoists and conveyers; hoisting and conveyance aids	Other	516	468
	200 Machinery (driving, auxiliary, machining and working)	Severe	39	44
	200 Machinery (driving, auxiliary, machining and working)	Fatal	6	3
	300 Machinery (driving, auxiliary, machining and working)	Other	5814	5757
	300 Working, or, conveyance transport space	Severe	133	115
	300 Working, or, conveyance transport space	Fatal	7	11
	400 Working, or, conveyance transport space	Other	16978	16983
	400 Materials, burdens, articles	Severe	312	337
	400 Materials, burdens, articles	Fatal	28	30
	500 Materials, burdens, articles	Other	24856	24510
	500 Tools, hand tools, hand-operated small machinery and apparatus	Severe	168	182
	500 Tools, hand tools, hand-operated small machinery and apparatus	Fatal	29	21
	600 Tools, hand tools, hand-operated small machinery and apparatus	Other	6011	6462
	600 Industrial harmful matter, hot substances and articles	Severe	17	13
	600 Industrial harmful matter, hot substances and articles	Fatal	1	
	700 Industrial harmful matter, hot substances and articles	Other	2858	2626
	700 Boilers, vessels and ducts (pipes) - pressured	Severe	61	63
	700 Boilers, vessels and ducts (pipes) - pressured	Fatal	12	13
	800 Boilers, vessels and ducts (pipes) - pressured	Other	25	15
	800 Electricity	Severe	2	2
	800 Electricity	Fatal	1	1
	900 Electricity	Other	94	84
	900 People, animals, elements	Severe	20	9
	900 People, animals, elements	Fatal	6	10
	1000 People, animals, elements	Other	2628	2448
	1000 Other sources	Severe	26	33
	1000 Other sources	Fatal	9	8
	1100 Other sources	Other	1573	1302
	1100	Severe	16	25
				5
				65124

Industrial accident numbers by CZ-NACE industrial classification and injury type, 2003 - 2004

CZ-NACE name	Type of injury	Type	2003	2004
			number of industrial accidents	number of industrial accidents
Agriculture, gamekeeping and related activities	1	Other	5102	4643
Agriculture, gamekeeping and related activities	2	Severe	50	67
Agriculture, gamekeeping and related activities	3	Fatal	15	16
Forestry, logging and related services activities	1	Other	863	812
Forestry, logging and related services activities	2	Severe	19	20
Forestry, logging and related services activities	3	Fatal	6	6
Fishing, fish farming and related service activities	1	Other	42	34
Fishing, fish farming and related service activities	2	Severe		5
Mining of coal and lignite; extraction of peat	1	Other	43	43
Mining of coal and lignite; extraction of peat	2	Severe	1	4
Extraction of crude petroleum, natural gas, bituminous shale and related activities	1	Other	3	
Mining of uranium and thorium ores	1	Other	1	1
Mining of uranium and thorium ores	2	Severe	1	
Other mining and quarrying	1	Other	39	27
Other mining and quarrying	2	Severe	3	
Manufacture of food products and beverages	1	Other	3975	3908
Manufacture of food products and beverages	2	Severe	43	44
Manufacture of food products and beverages	3	Fatal	4	2
Manufacture of tobacco products	1	Other	13	12
Manufacture of tobacco products	2	Severe	1	
Manufacture of textiles	1	Other	1440	1355
Manufacture of textiles	2	Severe	15	11
Manufacture of textiles	3	Fatal	1	1
Manufacture of wearing apparel; dressing and dyeing of fur	1	Other	301	248
Manufacture of wearing apparel; dressing and dyeing of fur	2	Severe	1	1
Manufacture of wearing apparel; dressing and dyeing of fur	3	Fatal		1
Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear	1	Other	141	103
Tanning and dressing of leather; manufacture of luggage, handbags, saddlery, harness and footwear	2	Severe	2	
Manufacture of wood and of products of wood and cork, except furniture; manuf. of articles of straw and plaiting mater	1	Other	2082	2085
Manufacture of wood and of products of wood and cork, except furniture; manuf. of articles of straw and plaiting mater	2	Severe	37	34
Manufacture of wood and of products of wood and cork, except furniture; manuf. of articles of straw and plaiting mater	3	Fatal	4	
Manufacture of pulp, paper and paper products	1	Other	477	473
Manufacture of pulp, paper and paper products	2	Severe	7	10
Manufacture of pulp, paper and paper products	3	Fatal	1	1
Publishing, printing and reproduction of recorded media	1	Other	337	354
Publishing, printing and reproduction of recorded media	2	Severe	2	3
Publishing, printing and reproduction of recorded media	3	Fatal		1
Manufacture of coke, refined petroleum products and nuclear fuel	1	Other	21	12
Manufacture of coke, refined petroleum products and nuclear fuel	2	Severe	2	
Manufacture of chemicals and chemical products	1	Other	592	528
Manufacture of chemicals and chemical products	2	Severe	26	17
Manufacture of chemicals and chemical products	3	Fatal	2	1
Manufacture of rubber and plastic products	1	Other	1699	1744
Manufacture of rubber and plastic products	2	Severe	17	22
Manufacture of rubber and plastic products	3	Fatal		2
Manufacture of other non-metallic mineral products	1	Other	2298	2235
Manufacture of other non-metallic mineral products	2	Severe	30	16
Manufacture of other non-metallic mineral products	3	Fatal	5	2
Manufacture of basic metals	1	Other	2413	2369
Manufacture of basic metals	2	Severe	44	43
Manufacture of basic metals	3	Fatal	2	2
Manufacture of fabricated metal products, except machinery and equipment	1	Other	4644	4882
Manufacture of fabricated metal products, except machinery and equipment	2	Severe	73	77

Manufacture of fabricated metal products, except machinery and equipment	3 Fatal	9	5
Manufacture of machinery and equipment n.e.c.	1 Other	4007	4024
Manufacture of machinery and equipment n.e.c.	2 Severe	48	44
Manufacture of machinery and equipment n.e.c.	3 Fatal	3	
Manufacture of office machinery and computers	1 Other	62	60
Manufacture of office machinery and computers	2 Severe	4	2
Manufacture of electrical machinery and apparatus n.e.c.	1 Other	1701	1731
Manufacture of electrical machinery and apparatus n.e.c.	2 Severe	23	12
Manufacture of electrical machinery and apparatus n.e.c.	3 Fatal	4	3
Manufacture of radio, television and communication equipment and apparatus	1 Other	376	374
Manufacture of radio, television and communication equipment and apparatus	2 Severe	2	2
Manufacture of medical, precision and optical instruments, watches and clocks	1 Other	317	290
Manufacture of medical, precision and optical instruments, watches and clocks	2 Severe	4	5
Manufacture of medical, precision and optical instruments, watches and clocks	3 Fatal	1	
Manufacture of motor vehicles, trailers and semi-trailers	1 Other	1890	1928
Manufacture of motor vehicles, trailers and semi-trailers	2 Severe	19	21
Manufacture of motor vehicles, trailers and semi-trailers	3 Fatal	3	4
Manufacture of other transport equipment	1 Other	596	554
Manufacture of other transport equipment	2 Severe	4	5
Manufacture of other transport equipment	3 Fatal	1	
Manufacture of furniture; sundry manufacture	1 Other	1760	1690
Manufacture of furniture; sundry manufacture	2 Severe	12	16
Manufacture of furniture; sundry manufacture	3 Fatal	1	1
Recycling	1 Other	170	157
Recycling	2 Severe	5	5
Recycling	3 Fatal	1	1
Electricity, gas, steam and hot water supply, cold generation	1 Other	340	327
Electricity, gas, steam and hot water supply, cold generation	2 Severe	11	9
Electricity, gas, steam and hot water supply, cold generation	3 Fatal	4	13
Collection, purification and distribution of water	1 Other	348	302
Collection, purification and distribution of water	2 Severe		5
Collection, purification and distribution of water	3 Fatal	1	2
Construction	1 Other	5657	5426
Construction	2 Severe	179	195
Construction	3 Fatal	42	37
Sale, maintenance and repair of motor vehicles and motorcycles; retail sale of automotive fuel	1 Other	773	867
Sale, maintenance and repair of motor vehicles and motorcycles; retail sale of automotive fuel	2 Severe	16	9
Sale, maintenance and repair of motor vehicles and motorcycles; retail sale of automotive fuel	3 Fatal	4	5
Wholesale trade and commission trade, except of motor vehicles and motorcycles	1 Other	2146	2081
Wholesale trade and commission trade, except of motor vehicles and motorcycles	2 Severe	45	46
Wholesale trade and commission trade, except of motor vehicles and motorcycles	3 Fatal	8	10
Retail trade, except of motor vehicles and motorcycles; repair of personal and household goods	1 Other	3021	2943
Retail trade, except of motor vehicles and motorcycles; repair of personal and household goods	2 Severe	31	27
Retail trade, except of motor vehicles and motorcycles; repair of personal and household goods	3 Fatal	5	4
Hotels and restaurants	1 Other	965	968
Hotels and restaurants	2 Severe	12	6
Hotels and restaurants	3 Fatal	1	1
Land transport; transport via pipelines	1 Other	3344	3351
Land transport; transport via pipelines	2 Severe	70	68
Land transport; transport via pipelines	3 Fatal	24	16
Water transport	1 Other	7	11
Air and space transport	1 Other	107	147
Air and space transport	2 Severe	1	
Supporting and auxiliary transport activities; activities of travel agencies	1 Other	527	470
Supporting and auxiliary transport activities; activities of travel agencies	2 Severe	6	15
Supporting and auxiliary transport activities; activities of travel agencies	3 Fatal	4	3
Post and telecommunications	1 Other	1103	1088
Post and telecommunications	2 Severe	13	13
Financial intermediation, except insurance and pension funding	1 Other	110	98
Financial intermediation, except insurance and pension funding	2 Severe	3	2
Financial intermediation, except insurance and pension funding	3 Fatal	1	1
Insurance and pension funding, except compulsory social security	1 Other	51	34
Insurance and pension funding, except compulsory social security	3 Fatal	2	
Activities auxiliary to financial intermediation	1 Other	53	38
Activities auxiliary to financial intermediation	2 Severe		1
Activities auxiliary to financial intermediation	3 Fatal	1	1
Real estate activities	1 Other	499	455
Real estate activities	2 Severe	10	8
Real estate activities	3 Fatal		1

Renting of machinery and equipment without operator and of personal and household goods	1 Other	63	35
Renting of machinery and equipment without operator and of personal and household goods	2 Severe	2	5
Renting of machinery and equipment without operator and of personal and household goods	3 Fatal		1
Data processing and related activities	1 Other	59	48
Data processing and related activities	2 Severe	5	4
Data processing and related activities	3 Fatal		1
Research and development	1 Other	95	83
Research and development	2 Severe	3	4
Other business activities	1 Other	1702	1889
Other business activities	2 Severe	39	34
Other business activities	3 Fatal	12	14
Public administration and defence; compulsory social security	1 Other	1638	1679
Public administration and defence; compulsory social security	2 Severe	26	20
Public administration and defence; compulsory social security	3 Fatal	4	
Education	1 Other	1252	1295
Education	2 Severe	17	25
Education	3 Fatal	3	4
Health and social work	1 Other	1965	2014
Health and social work	2 Severe	13	17
Health and social work	3 Fatal	3	2
Sewage and refuse disposal, sanitation and similar activities; city cleanup	1 Other	881	955
Sewage and refuse disposal, sanitation and similar activities; city cleanup	2 Severe	21	17
Sewage and refuse disposal, sanitation and similar activities; city cleanup	3 Fatal	3	4
Activities of membership organizations n.e.c.	1 Other	136	153
Activities of membership organizations n.e.c.	2 Severe	3	6
Activities of membership organizations n.e.c.	3 Fatal		1
Recreational, cultural and sporting activities	1 Other	405	386
Recreational, cultural and sporting activities	2 Severe	5	6
Other service activities n.e.c.	1 Other	82	87
Other service activities n.e.c.	2 Severe	1	3
Other service activities n.e.c.	3 Fatal	1	
Extra-territorial organisations and bodies	1 Other	1	1
Total		65948	65108
Accidents n.e.c.		18	16

Question B

Please describe the system of civil and penal sanctions guaranteeing the application of health and safety regulations and also provide information on violations committed:

- a) the number of violations;*
- b) the sectors in which they have been identified;*
- c) the action, including judicial, taken in this respect.*

Update:

In the area that is subject to reviews performed by the national mining authority bodies the following was carried out in the period:

- a) **2003** - altogether 182 workplaces were suspended, and cash fines amounting to CZK 784,000 were assessed (out of which the Czech Mining Authority CZK 50,100; district mining authorities CZK 733,900); for serious violations of the safety and health at work provisions fines were assessed in administrative proceedings at the total amount of CZK 4,729,000 (out of which the Czech Mining Authority CZK 65,000; district mining authorities CZK 4,664,000). The number of violations has not been monitored at the inspection activities.

- 2004** - altogether 129 workplaces were suspended, and cash fines amounting to CZK 708,500 were assessed (out of which the Czech Mining Authority CZK 35,850; district mining authorities CZK 672,650; for serious violations of the occupational safety and health provisions fines were assessed in administrative proceedings at the total amount of CZK 4,616,500 (out of which the Czech Mining Authority CZK 115,000; district mining authorities CZK 4,501,500). The number of violations has not been monitored at the inspection activities,

- b) defects and deficiencies, for which cash fines or fines based on administrative proceedings were assessed, were detected in organisations subject to supervision by the national mining authority, and

- c) measures of technical and organisational nature are adopted to remove such identified defects and deficiencies.

Question C

Please provide statistical information on occupational accidents, including fatal accidents, and on occupational diseases by sectors of activity specifying what proportion of the labour force is covered by the statistics. Please describe also the preventive measures taken in each sector.

Update:

Accident rate and adopted preventive measures (in the area that is subject to reviewing by the national mining authority bodies):

a) fatal accidents:

In the course of 2003, altogether 1,694 industrial accidents, out of which 20 were fatal, occurred at the activities subject to the supreme supervision by the national mining authority. Out of the number, 14 fatal accidents occurred at the extraction of black coal, 1 fatal accident at extraction of lignite and 5 fatal accidents at the other activities (manufacture of explosives and activities performed underground, using mining techniques). In 2003, the total of 22,502 employees were engaged at extraction of black coal, 12,240 employees at extraction of lignite and approx. 6,450 employees at sundry activities.

In the course of 2004, altogether 1,606 industrial accidents, out of which 21 were fatal, occurred at the activities subject to the supreme supervision by the national mining authority. Out of the number, 14 fatal accidents occurred at the extraction of black coal, 6 fatal accidents at extraction of lignite and 1 fatal accident at ore dressing. In 2004, the total of 21,615 employees were engaged at extraction of black coal, 11,884 employees at extraction of lignite and 2,209 employees at the extraction and dressing of ores.

b) accidents requiring hospitalisation in excess of five days

Following the Government Ordinance no. 494/2001 Coll., dated 14 November 2001, the classification of occupational accidents was changed. A new group has been introduced, involving accidents at which the injury to health requires inpatient care of the employee longer than 5 days. The below table provides an overview of the numbers of such accidents and their breakdown by category in 2003 and 2004:

Category	2003	2004
Black coal extraction	18	34
Lignite extraction	8	4
Extraction of ore and non-ore raw materials	5	17
Activities performed using mining techniques	4	3
Manufacture of explosives	1	0
Total	36	58

Update and specification of preventive measures:

Entities have been selected for reviews applying the concern of an increased potential threat to the employees or public due to the activities carried out at the employer, while the periodicity of reviews of the entities focused on enabling the supervisory bodies to gradually conduct reviews of a majority of employers within their region.

Organisation of information and control campaigns: **over the period of 2003 and 2004 campaigns were run in the construction industry** – overhead works and best practice in the construction business – “let’s work safely”; and a campaign in the agricultural sector. The programme “Safe Business” has been now continued for almost ten years.

For further statistical data concerning the industrial accidents and occupational diseases for the period of reference, see the below tables and also the completed set of tables appended to this paper:

With regard of the data collection methodology - The data from the industrial accident statistics, including fatal accidents and occupational diseases, are provided by the following reporting units: non-financial companies; financial institutions; budgetary, contributory and cooperative organisations (manufacturing cooperatives, agricultural cooperatives and other cooperative-type organisations); private not-for-profit institutions serving households etc. (or, also lower organisation entities or organisational groupings), providing such entities operate their own separate sickness insurance agenda. District social security administration offices submit summaries for the organisations that do not themselves settle the sickness insurance. The statistics include the persons that are insured in for sickness as per Act no. 54/1956 Coll., On Employee Sickness Insurance, as amended.

The industrial accidents statistics are the issue addressed by the EU Eurostat that has developed a system of European industrial accident statistics (ESAW – European Statistics on Accidents at Work). The system goal is to gain reliable and comparable data, providing a sufficient basis for adoption of informed measures to reduce occurrence of industrial accidents, particularly in certain industries that are described by their considerable frequency. The aim is to collect comparable data on industrial accidents and set up their database using a single methodology (ESAW Methodology, 2001 Edition). Currently, we have been going through a period of effort to remove obstacles that hinder full harmonisation of the Czech statistics for the sector with the European system.

SOCIÁLNÍ ZABEZPEČENÍ

SOCIAL SECURITY

24-1. Průměrný počet osob nemocensky pojištěných

Average numbers of the sickness insured

v tis. osob		Thousand persons				
Ukazatel	1995	2000	2001	2002	2003	Indicator
Celkem	4 708	4 518	4 484	4 467	4 435	Total
v tom:						
veřejný sektor	¹⁾ 1 650	1 593	1 548	1 556	1 545	Public sector
soukromý sektor	¹⁾ 1 769	2 147	2 050	1 996	1 946	Private sector
zahraniční sektor	-	477	595	628	663	Foreign sector
osoby samostatně výdělečně činné	423	301	291	287	281	Self-employed persons
nezařazeno	866	-	-	-	-	Not elsewhere classified

¹⁾ vno. zahraničního sektoru

¹⁾ Incl. foreign sector

SOCIÁLNÍ ZABEZPEČENÍ
SOCIAL SECURITY
6 - 4. Průměrný počet osob nemocensky pojištěných
Average numbers of the sickness insured

Pramen: ČSÚ

Source: CZSO

Ukazatel	Ženy <i>Females</i>	Muži <i>Males</i>	Ženy <i>Females</i>	Muži <i>Males</i>	Indicator
	1998		1999		
Průměrný počet osob nemocensky pojištěných	2 213 819	2 570 663	2 147 478	2 431 210	<i>Average numbers of the sickness insured</i>
v tom:					
veřejný sektor	869 695	757 775	879 881	767 313	<i>Public sector</i>
soukromý sektor	1 050 645	1 391 812	965 153	1 248 101	<i>Private sector</i>
zahraniční sektor	185 647	206 565	196 894	211 153	<i>Foreign sector</i>
osoby samostatně výdělečně činné	107 832	214 511	105 387	204 513	<i>Self-employed persons</i>
	2000		2001		
Průměrný počet osob nemocensky pojištěných	2 127 866	2 389 680	2 110 015	2 373 440	<i>Average numbers of the sickness insured</i>
v tom:					
veřejný sektor	862 924	729 508	848 483	699 120	<i>Public sector</i>
soukromý sektor	947 659	1 199 539	888 191	1 161 394	<i>Private sector</i>
zahraniční sektor	216 726	260 666	276 558	318 343	<i>Foreign sector</i>
osoby samostatně výdělečně činné	100 557	199 967	96 783	194 583	<i>Self-employed persons</i>
	2002		2003		
Průměrný počet osob nemocensky pojištěných	2 102 057	2 364 642	2 064 880	2 370 554	<i>Average numbers of the sickness insured</i>
v tom:					
veřejný sektor	854 210	701 513	835 722	709 428	<i>Public sector</i>
soukromý sektor	856 925	1 139 472	825 530	1 120 011	<i>Private sector</i>
zahraniční sektor	295 637	332 313	312 600	350 933	<i>Foreign sector</i>
osoby samostatně výdělečně činné	95 285	191 344	91 028	190 182	<i>Self-employed persons</i>

Období : leden - prosinec 2003
 Ref. period : January - December 2003
 Rozsah souboru : Úhm organizací (bez rozlišení drv)
 Coverage : All organisations (irrespective of kind ownership)
 Území : Česká republika
 Territory : Czech republic

Tabulka no. 1 - Pracovní neschopnost pro nemoc a úraz - absolutní údaje, počet případů na 100 pojištěnců

Table 1: Incapacity for work due to disease or injury - absolute data, number of cases per 100 sickness insured persons

Kraj Region	Počet závodů Number of esta- blish- ments	Průměrný počet nemocensky pojištěných celkem Average no. of sickness insured persons. total	Počet nově hlášených případů pracovní neschopnosti pro Number of newly notified cases of incapacity for work due to				Počet kalendářních dnů pracovní neschopnosti pro Number of calendar days of incapacity for work due to				Počet nově hlášených případů pracovní neschopnosti na 100 pojištěnců pro Number of newly notified cases of incapacity for work per 100 sickness insured persons			
			nemoc	pracovní úrazy	ostatní úrazy	celkem	nemoc	pracovní úrazy	ostatní úrazy	celkem	nemoc	pracovní úrazy	ostatní úrazy	celkem
			Disease	Industrial injuries	Other injuries	Total	Disease	Industrial injuries	Other injuries	Total	Disease	Industrial injuries	Other injuries	Total
a	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Capital of Prague	4 651	864 369	582 771	9 517	16 560	608 848	15 821 855	407 872	689 051	16 918 778	67,42	1,10	1,92	70,44
Central Bohemia	2 793	436 649	321 013	8 443	14 182	343 638	8 922 201	345 352	582 279	9 849 832	73,52	1,93	3,25	78,70
South Bohemia	1 815	256 577	205 164	6 686	9 809	221 659	5 744 199	264 119	398 533	6 406 851	79,96	2,61	3,82	86,39
Pilsen Region	1 569	230 075	186 573	6 222	9 755	202 550	5 168 039	259 265	389 898	5 817 202	81,09	2,70	4,24	88,04
Karlovy Vary Region	815	114 249	92 174	2 327	4 412	98 913	2 483 094	90 775	165 448	2 739 317	80,68	2,04	3,86	86,58
Ústí nad Labem Region	1 914	291 603	219 997	5 882	9 040	234 919	6 692 437	244 811	358 757	7 296 005	75,44	2,02	3,10	80,56
Liberec Region	1 117	166 907	139 203	3 710	5 855	148 768	4 245 157	157 622	261 990	4 664 769	83,40	2,22	3,51	89,13
Hradec Králové Region	1 546	226 860	182 223	5 539	8 052	195 814	5 213 436	232 219	335 545	5 781 200	80,32	2,44	3,55	86,31
Pardubice Region	1 337	207 679	166 472	4 402	7 872	178 746	4 805 091	180 841	319 392	5 305 324	80,16	2,12	3,79	86,07
Highlands	1 445	202 525	165 708	5 301	8 573	179 582	4 678 115	209 797	347 312	5 235 224	81,82	2,62	4,23	88,67
South Moravia	3 055	495 598	380 475	8 308	15 099	403 882	11 935 315	371 292	649 160	12 955 767	76,77	1,68	3,05	81,49
Olomouc Region	1 552	227 149	178 085	4 396	9 986	192 467	5 650 098	194 732	439 572	6 284 402	78,40	1,94	4,40	84,73
Zlín Region	1 649	238 517	189 808	4 374	11 886	206 068	6 295 077	198 894	522 784	7 016 755	79,58	1,83	4,98	86,40
Moravia-Silesia	2 724	476 677	372 663	7 912	25 566	406 141	12 494 606	441 749	1 098 508	14 034 863	78,18	1,66	5,36	85,20
Czech Republic	27 982	4 435 434	3 382 329	83 019	156 647	3 621 995	100 148 720	3 599 340	6 558 229	110 306 289	76,26	1,87	3,53	81,66

Období : leden - prosinec 2003
 Ref. period : January - December 2003
 Rozsah souboru : Úhrn organizací (bez rozlišení drů)
 All organisations (irrespective of kind)
 Coverage : ownership)
 Území : Česká republika
 Territory : Czech republic

Tabulka no.2 - Pracovní neschopnost pro nemoc a úraz - relativní údaje

Table 2: Incapacity for work due to disease or injury - relative data

Kraj Region	Průměrné procento pracovní neschopnosti pro Average percentage of incapacity for work due to				Počet kalendářních dnů pracovní neschopnosti na 1 nově hlášený případ pro Number of calendar days of incapacity for work per 1 newly notified case due to				Průměrný denní stav práce neschopných pro Average daily number of persons incapacitated for wok due to			
	nemoc	pracovní úrazy	ostatní úrazy	celkem	nemoc	pracovní úrazy	ostatní úrazy	celkem	nemoc	pracovní úrazy	ostatní úrazy	celkem
	Disease	Industrial injuries	Other injuries	Total	Disease	Industrial injuries	Other injuries	Total	Disease	Industrial injuries	Other injries	Total
a	1	2	3	4	5	6	7	8	9	10	11	12
Capital of Prague	5,015	0,129	0,218	5,363	27,15	42,86	41,61	27,79	43 348	1 117	1 888	46 353
Central Bohemia	5,598	0,217	0,365	6,180	27,79	40,90	41,06	28,66	24 444	946	1 595	26 986
South Bohemia	6,134	0,282	0,426	6,841	28,00	39,50	40,63	28,90	15 738	724	1 092	17 553
Pilsen Region	6,154	0,309	0,464	6,927	27,70	41,67	39,97	28,72	14 159	710	1 068	15 938
Karlovy Vary Region	5,955	0,218	0,397	6,569	26,94	39,01	37,50	27,69	6 803	249	453	7 505
Ústí nad Labem Region	6,288	0,230	0,337	6,855	30,42	41,62	39,69	31,06	18 335	671	983	19 989
Liberec Region	6,968	0,259	0,430	7,657	30,50	42,49	44,75	31,36	11 631	432	718	12 780
Hradec Králové Region	6,296	0,280	0,405	6,982	28,61	41,92	41,67	29,52	14 283	636	919	15 839
Pardubice Region	6,339	0,239	0,421	6,999	28,86	41,08	40,57	29,68	13 165	495	875	14 535
Highlands	6,328	0,284	0,470	7,082	28,23	39,58	40,51	29,15	12 817	575	952	14 343
South Moravia	6,598	0,205	0,359	7,162	31,37	44,69	42,99	32,08	32 699	1 017	1 779	35 495
Olomouc Region	6,815	0,235	0,530	7,580	31,73	44,30	44,02	32,65	15 480	534	1 204	17 218
Zlín Region	7,231	0,228	0,600	8,060	33,17	45,47	43,98	34,05	17 247	545	1 432	19 224
Moravia-Silesia	7,181	0,254	0,631	8,067	33,53	55,83	42,97	34,56	34 232	1 210	3 010	38 452
Czech Republic	6,186	0,222	0,405	6,814	29,61	43,36	41,87	30,45	274 380	9 861	17 968	302 209

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 All organisations (irrespective of kind)
 Coverage : ownership)
 Území : Česká republika
 Territory : Czech republic

Tabulka no. 3 - Pracovní neschopnost pro nemoc a úraz, nemoci z povolání žen - absolutní údaje, počet případů na 100 žen
Table 3: Female incapacity for work due to disease or injury, female occupational diseases - absolute data, cases per 100 women

Kraj Region	Průměrný počet žen nemocensky pojištěných Average number of sickness insured women	Počet nově hlášených případů pracovní neschopnosti žen pro Number of newly notified cases of female incapacity for work due to				Počet kalendářních dnů pracovní neschopnosti žen pro Number of calendar days of female incapacity for work due to				Počet nově hlášených případů pracovní neschopnosti na 100 žen pro Number of newly notified cases of incapacity for work per 100 women				Počet nově zjištěných ohrožení nemocí z povolání -ženy Number of new notified risks of occupational diseases-women
		nemoc Disease	pracovní úrazy Industrial injuries	ostatní úrazy Other injuries	celkem Total	nemoc Disease	pracovní úrazy Industrial injuries	ostatní úrazy Other injuries	celkem Total	nemoc Disease	pracovní úrazy Industrial injuries	ostatní úrazy Other injuries	celkem Total	14
		2	3	4	5	6	7	8	9	10	11	12	13	
a	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Capital of Prague	402 181	325 953	2 693	5 746	334 392	8 903 971	110 715	240 670	9 255 356	81,05	0,67	1,43	83,14	-
Central Bohemia	199 163	162 354	2 045	3 932	168 331	4 696 576	82 115	173 476	4 952 167	81,52	1,03	1,97	84,52	4
South Bohemia	119 775	107 299	1 653	2 780	111 732	3 129 728	62 056	120 134	3 311 918	89,58	1,38	2,32	93,28	7
Pilsen Region	108 532	98 747	1 557	2 914	103 218	2 816 039	65 742	124 050	3 005 831	90,98	1,43	2,68	95,10	5
Karlovy Vary Region Ústí nad Labem Region	55 479 135 902	49 404 112 761	546 1 468	1 368 2 629	51 318 116 858	1 363 506 3 525 157	19 129 57 033	54 804 112 375	1 437 439 3 694 565	89,05 82,97	0,98 1,08	2,47 1,93	92,50 85,99	1 2
Liberec Region	79 504	73 573	943	1 822	76 338	2 305 408	39 459	84 721	2 429 588	92,54	1,19	2,29	96,02	2
Královéhradecký Pardubice Region	105 256 96 812	95 125 86 475	1 379 1 147	2 435 2 261	98 939 89 883	2 819 564 2 569 246	59 278 52 405	110 182 99 557	2 989 024 2 721 208	90,37 89,32	1,31 1,18	2,31 2,34	94,00 92,84	6 3
Highlands South Moravia	91 203 236 370	83 018 198 448	1 335 2 092	2 308 4 377	86 661 204 917	2 430 481 6 236 272	54 178 94 554	96 700 198 581	2 581 359 6 529 407	91,03 83,96	1,46 0,89	2,53 1,85	95,02 86,69	1 1
Olomouc Region	105 329	87 482	998	2 725	91 205	2 837 420	44 833	122 979	3 005 232	83,06	0,95	2,59	86,59	4
Zlín Region	109 335	93 012	951	3 177	97 140	3 218 219	42 537	149 870	3 410 626	85,07	0,87	2,91	88,85	-
Moravia-Silesia	220 039	178 207	1 928	6 776	186 911	6 175 757	88 307	312 499	6 576 563	80,99	0,88	3,08	84,94	5
Czech Republic	2 064 880	1 751 858	20 735	45 250	1 817 843	53 027 344	872 341	2 000 598	55 900 283	84,84	1,00	2,19	88,04	41

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 Territory : Czech republic

Tabulka no.4 - Pracovní neschopnost pro nemoc a úraz žen - relativní údaje
Table 4: Female incapacity for work due to disease or injury - relative data

Kraj Region	Průměrné procento pracovní neschopnosti žen pro				Počet kalendářních dnů pracovní neschopnosti žen na 1 nově hlášený případ pro				Průměrný denní stav práce neschopných žen pro				Počet kalendářních dnů pracovní neschopnosti pro nemoc z povolání - ženy Number of calendar days of incapacity for work due to occupational disease-women
	Average percentage of female incapacity for work due to				Number of calendar days of female incapacity for work per 1 newly notified case due to				Average daily number of women incapacitated for work due to				
	nemoc Disease	pracovní úrazy Industrial injuries	ostatní úrazy Other injuries	celkem Total	nemoc Disease	pracovní úrazy Industrial injuries	ostatní úrazy Other injuries	celkem Total	nemoc Disease	pracovní úrazy Industrial injuries	ostatní úrazy Other injuries	celkem Total	
a	1	2	3	4	5	6	7	8	9	10	11	12	13
Capital of Prague	6,066	0,075	0,164	6,305	27,32	41,11	41,88	27,68	24 394	303	659	25 357	941
Central Bohemia	6,461	0,113	0,239	6,812	28,93	40,15	44,12	29,42	12 867	225	475	13 568	2 562
South Bohemia	7,159	0,142	0,275	7,576	29,17	37,54	43,21	29,64	8 575	170	329	9 074	2 824
Pilsen Region	7,109	0,166	0,313	7,588	28,52	42,22	42,57	29,12	7 715	180	340	8 235	2 175
Karlovy Vary Region	6,733	0,094	0,271	7,099	27,60	35,03	40,06	28,01	3 736	52	150	3 938	341
Ústí nad Labem Region	7,107	0,115	0,227	7,448	31,26	38,85	42,74	31,62	9 658	156	308	10 122	2 401
Liberec Region	7,944	0,136	0,292	8,372	31,33	41,84	46,50	31,83	6 316	108	232	6 656	1 772
Hradec Králové Region	7,339	0,154	0,287	7,780	29,64	42,99	45,25	30,21	7 725	162	302	8 189	2 956
Pardubice Region	7,271	0,148	0,282	7,701	29,71	45,69	44,03	30,28	7 039	144	273	7 455	1 111
Highlands	7,301	0,163	0,290	7,754	29,28	40,58	41,90	29,79	6 659	148	265	7 072	2 479
South Moravia	7,228	0,110	0,230	7,568	31,43	45,20	45,37	31,86	17 086	259	544	17 889	2 222
Olomouc Region	7,380	0,117	0,320	7,817	32,43	44,92	45,13	32,95	7 774	123	337	8 234	2 672
Zlín Region	8,064	0,107	0,376	8,546	34,60	44,73	47,17	35,11	8 817	117	411	9 344	2 338
Moravia-Silesia	7,689	0,110	0,389	8,189	34,65	45,80	46,12	35,19	16 920	242	856	18 018	5 918
Czech Republic	7,036	0,116	0,265	7,417	30,27	42,07	44,21	30,75	145 280	2 390	5 481	153 151	32 712

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 Coverage : All organisations (irrespective of kind of ownership)
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 Territory : Czech republic

Tabulka no. 5 - Pracovní neschopnost pro nemoc a úrazy žen - relativní údaje
Table 5: Female incapacity for work due to disease or injury - relative data

Kraj Region	Průměrné procento pracovní neschopnosti žen pro				Počet kalendářních dnů pracovní neschopnosti žen na 1 nově hlášený případ pro				Průměrný denní stav práce neschopných žen pro			
	Average percentage of female incapacity for work due to				Number of calendar days of female incapacity for work per 1 newly notified case due to				Average daily number of women incapacitated for work due to			
	nemoc Disease	pracovní úraz Industrial injuries	ostatní úraz Other injuries	celkem Total	nemoc Disease	pracovní úraz Industrial injuries	ostatní úraz Other injuries	celkem Total	nemoc Disease	pracovní úraz Industrial injuries	ostatní úraz Other injuries	celkem Total
a	1	2	3	4	5	6	7	8	9	10	11	12
Capital of Prague	5,567	0,084	0,158	5,809	30,60	42,45	44,03	30,98	22 567	340	640	23 547
Central Bohemia	5,974	0,127	0,231	6,332	32,29	41,07	44,06	32,75	11 655	248	451	12 354
South Bohemia	6,602	0,165	0,256	7,023	32,76	41,16	46,14	33,27	7 801	195	302	8 298
Pilsen Region	6,590	0,173	0,288	7,051	32,37	41,46	44,09	32,91	7 083	186	309	7 578
Karlovy Vary Region	6,087	0,100	0,236	6,424	30,82	36,29	45,23	31,26	3 308	54	128	3 490
Ústí nad Labem Region	6,445	0,126	0,202	6,773	35,01	43,34	43,90	35,35	8 594	168	270	9 032
Liberec Region	6,881	0,132	0,272	7,285	33,79	38,93	52,96	34,33	5 397	103	213	5 713
Hradec Králové Region	6,686	0,161	0,271	7,119	32,87	40,58	48,84	33,43	6 947	167	282	7 396
Pardubice Region	6,717	0,171	0,291	7,179	32,83	46,86	49,35	33,52	6 312	161	273	6 746
Highlands	6,925	0,188	0,324	7,438	33,76	43,66	51,19	34,47	6 119	167	286	6 572
South Moravia	6,874	0,125	0,239	7,239	34,52	46,50	47,08	34,99	15 892	289	553	16 734
Olomouc Region	6,784	0,108	0,296	7,188	35,48	39,74	48,74	35,94	6 939	111	303	7 353
Zlín Region	7,738	0,114	0,404	8,256	40,52	44,45	54,84	41,10	8 186	121	427	8 734
Moravia-Silesia	6,945	0,123	0,404	7,472	40,84	46,83	49,68	41,33	15 018	266	873	16 157
Czech Republic	6,481	0,127	0,261	6,869	33,99	42,88	47,61	34,49	131 816	2 575	5 312	139 703

Ref. period : January - June 2004
 Coverage : All organisations (irrespective of kind of ownership)
 Území : Česká republika
 Territory : Czech republic

Tabulka no. 6 - Závodní preventivní péče a riziková práce, náhrady a přirážky - relativní údaje

Table 6: Company preventive health care and hazardous work, compensation and additional premiums - relative data

Kraj	Náklady na závodní preventivní péči v tis. Kč	Počet zaměstnanců na rizikových pracovištích k poslednímu dni sledovaného období				Podíl odškod. prac. úrazů a nemocí z povol. na celk. počtu nově hlášen.	Podíl nově vznikl. náhrad dle § 195 a 199 ZP na celk. počtu nově	Průměrná částka náhrad a přirážek dle přísl. paragrafů připadající na jednoho zaměstnance pro pracovní úraz a nemoc z povol. Ratio of compens.&premiums in relevant Articles per 1 new notified case
		No.of employees at hazardous workplaces as at last day of reference period						
			z toho	% z cel.	% z celk.			

Region	Costs of company preventive health care in thous. CZK	absolutně	ženy	počtu	počtu	případů v %	hláš. případů	industrial injury & occup		
		Employees	Women	pojištěnců	nemocensky pojišt. žen	Ratio of comp. indust.& occup. diseases of total no. of newly notified cases in %	No. of new compens. cases acc. to Art 195 &199 of the L.C. per total no. of new.not.cases	dle § 194 ZP	dle § 195 ZP	dle § 196 ZP
a	1	2	3	4	5	6	7	8	9	10
Capital of Prague	101 258	34 007	14 377	4,01	3,55	87,83	2,88	7 115	12 192	
Central Bohemia	23 695	30 222	8 593	7,05	4,40	81,11	1,85	4 798	40 443	
South Bohemia	7 357	18 585	7 141	7,36	6,04	76,25	1,69	4 404	4 324	
Pilsen Region	10 297	19 101	8 062	8,38	7,50	71,69	1,35	4 660	2 469	
Karlovy Vary Region	6 867	7 353	2 565	6,62	4,72	72,84	2,39	4 201	4 142	
Ústí nad Labem Region	14 626	25 709	10 037	9,00	7,53	79,09	5,82	4 590	10 235	
Liberec Region	7 182	13 656	5 070	8,31	6,46	81,93	1,47	4 883	19 073	
Hradec Králové Region	5 251	18 066	7 058	8,10	6,79	77,55	1,47	4 491	6 058	
Pardubice Region	5 985	12 593	4 867	6,22	5,18	77,17	1,81	4 200	4 731	
Highlands	5 408	17 224	5 031	8,71	5,69	82,97	2,06	5 109	27 176	
South Moravia	15 332	32 222	13 154	6,65	5,69	76,34	2,26	4 822	6 081	
Olomouc Region	8 446	21 602	8 193	9,78	8,01	82,73	2,41	4 759	7 373	
Zlín Region	8 144	14 735	5 128	6,34	4,85	77,82	1,39	4 530	6 710	
Moravia-Silesia	16 086	59 969	11 752	12,86	5,43	223,46	3,49	11 390	199 807	
Czech Republic	235 933	325 044	111 028	7,48	5,46	94,26	2,38	5 628	32 044	

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Coverage : All organisations (irrespective of kind of ownership)
Území : Czech Republic
Territory : Czech republic

Tabulka no.7 - Náhrady a přirážky

Table 7: Compensation and additional premiums

Kraj	Počet odškodněných pracov. úrazů a nemocí z povolání	Pono. nově vzniklých náhrad dle § 195 a 199 ZP	Náhrada za ztrátu na výdělků po dobu prac. neschop. v Kč dle § 194 ZP	Celk. počet příjemců náhrad dle § 195 a 199 ZP	Náhrada za ztrátu na výdělků po skončení prac.nesch. v Kč dle § 195 ZP	Náhrada za bolest a za ztížení společenského uplatnění v Kč dle § 196 ZP	Náhrada nákladů spojených s léčením zaměstnanců v Kč dle § 197 ZP	Náhrada nákladů spojených s pohřbem v Kč dle § 197 a 198 ZP	Náhrada nákladů na výživu pozůstalých v Kč dle § 197 a 199 ZP	Jednoráz. odškodnění pozůstalých v Kč dle § 200 ZP
Region	No.of compensated indust.inju.&occupat. diseases	No.of new compens. cases acc. to Art.195 &199 of the L.C.	Compens. of lost earning while incap. in CZK,acc. to Art.194LC	Total no.of compens. recipients acc. to Art. 195 & 199 L.C.	Compens.of lost ear.after incap.ended in CZK, acc. to Art.195LC	Compens.for pain&irreparable bodily harm in CZK Art.196L.C.	Compens.for costs related to medic. treat.in CZK Art.197L.C.	Compens.for costs related to funeral in CZK, acc.to Art197&198 ZP	for costs of mainten. of bereaved family in CZK Art.197&199 ZP	Lump-sum compens. to the bereav. family in CZK Art. 200L.C.
a	1	2	3	4	5	6	7	8	9	10
Capital of Prague	4 208	138	34 089 815	1 245	58 409 717	12 630 311	3 226	53 802	1 999 555	76 000
Central Bohemia	3 461	79	20 471 880	1 993	172 570 919	14 207 292	5 772	164 682	791 394	350 000
South Bohemia	2 613	58	15 092 272	456	14 819 672	7 164 564	1 400	5 699	2 400	-
Pilsen Region	2 279	43	14 815 606	305	7 847 582	5 641 889	100	3 353	5 532	210 000
Karlovy Vary Region	794	26	4 579 250	135	4 514 986	1 613 720	-	-	103 282	-
Ústí nad Labem Region	2 228	164	12 930 299	776	28 832 309	7 947 544	-	67 830	21 476	508 571
Liberec Region	1 505	27	8 969 441	485	35 037 421	3 308 470	-	35 309	65 198	50 000

Hradec Králové Region	2 114	40	12 241 978	500	16 513 333	6 172 674	-	36 512	26 232	35 000
Pardubice Region	1 792	42	9 753 494	306	10 985 450	4 155 772	1 200	27 711	42 188	150 000
Highlands	2 294	57	14 126 476	1 099	75 140 840	6 053 170	10 759	31 065	167 314	150 000
South Moravia	3 143	93	19 850 378	644	25 037 011	10 071 529	-	36 292	77 982	1 210 000
Olomouc Region	1 787	52	10 278 390	445	15 924 837	7 382 886	-	68 265	251 352	100 000
Zlín Region	1 681	30	9 784 699	458	14 493 224	3 678 677	-	-	51 419	-
Moravia-Silesia	9 678	151	49 331 648	11 159	865 362 384	21 314 947	148 579	337 903	2 237 937	3 710 310
Czech Republic	39 577	1 000	#####	20 006	#####	111 343 445	171 036	868 423	5 843 261	6 549 881

Article 3, paragraph 3

“With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake:

to reasonably consult with employers’ and workers’ organisations measures to provide for improved safety and health at work.”

Please indicate if statutory provisions require, in this respect, consultation with the employees' and employers' organisations, if they are effectively maintained in practice and at what levels (nation-wide, regional, industrial or company).

Update of information from previous reports:

Following the Government Resolution no. 858, dated 3 September 2003, the Council of Government for Safety and Health was established that discharges, *inter alia*, the function of a standing advisory body to the Czech Government on occupational safety and health . The Council members include also representatives of employees and employers. In its activities, the Council drafts and approves proposals and recommendations on performance and regular evaluation of implementation of the National Occupational Safety and Health Policy.

Specifications for the information on agreements between the mining authority and trade unions:

Between the national mining authority bodies and PHGN and STAVBA ČR Trade Unions, agreements on mutual cooperation in safety and health at work have been signed that are regularly evaluated each year. The agreements contain arrangements on cooperation of national mining authority bodies and trade unions in control activities, investigations of industrial accidents, exceptional events, creation of provisions etc. During the year, regular contacts are ensured by the district mining authorities and regional inspectors or branches of trade unions.

List of sources for Article 3:

- *Government Ordinance no. 406/2004 Coll., detailing the requirements of safety and health at work in environments involving a risk of explosion*
- *Decree no. 427/2004 Coll., detailing the requirements of evaluating the risk of chemical substances to human health*

Article 4, paragraph 2

“With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake:

to recognise the right of workers to an increased rate of remuneration for overtime work, subject to exceptions in particular cases;”

“...The exercise of this right shall be achieved by freely concluded collective agreements, by statutory wage-fixing machinery, or by other means appropriate to national conditions.”

Question A

Please mention what provision apply according to legislation and collective agreements as regards overtime pay, the method used to calculate the increased rates of remuneration and the categories of work and workers to which they apply.

Please specify what provisions apply in respect of overtime pay on Saturdays, Sundays and other special days or hours (including night work).

Remained unaffected.

Question B

Please mention any special cases for which exceptions are made.

Please indicate, where appropriate, whether measures permitting derogation from legislation in your country regarding daily and weekly working hours (see Article 2, paragraph 1) have an impact on remuneration or compensation of overtime.

Remained unaffected.

Article 4, paragraph 3

„With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake:

to recognise the right of men and women workers to equal pay for work of equal value;”

“...The exercise of this right shall be achieved by freely concluded collective agreements, by statutory wage-fixing machinery, or by other means appropriate to national conditions.”

Question A

Please indicate how the principle of equal pay for work of equal value is applied; state whether the principle applies to all workers.

We are hereby specifying the information provided in our previous report:

The employees who perform equal work or work of equal value shall be entitled to an equal wage (salary), according to Sect. 4a, Act no. 1/1992 Coll., On Wages, Remuneration for Standby for Work and Average Earnings, as amended by Act no. 217/2000 Coll., and in accordance with Sect. 3(3), Act no. 143/1992 Coll., On Wages and Remuneration for Standby for Work in Budgetary and Certain other Organisations and Bodies, as amended by Act no. 217/2000 Coll. Equal work or work of equal value shall mean work involving identical or comparable complexity, responsibility and demands, performed under identical or comparable working conditions, at identical or comparable working capabilities and capacity of a workers and at identical or comparable work performance and results, all of the above under an employment relationship with the same employer.

The basis of comparison of the wage (salary) level between two employees in terms of value of the work performed by them shall be a comparison of such work of the two employees using all of the below listed criteria and a summary expression of the difference using a ratio indicator. Subject to specific conditions of wage relations of the employer, the required difference shall be deduced in monetary expression and compared to the difference actually recorded by the two employees over a specified period.

The procedure for evaluating the value of work of employees (work appraisal system) and the amount of their earnings shall include the following steps:

1. Determination of separate criteria and degree of their effect (criteria weights) within the system of evaluation of a specific work. Evaluation criteria are set out below. The evaluator (employer, reviewing body) shall determine, according to specific conditions, the strength of effect of separate criteria (criterion weight) so that the total of maximum values makes 100% (1,000 points), which shall be the maximum value for all applied criteria. In specific instances, some of the criteria may be of a nil value, however the total of maximum values for all of the criteria shall be 100% (1,000 points).

2. Determination of value of a specific work under separate criteria, which is done by its classification under one of the levels (gradation level). Classification of separate criteria is set out below. The effect of separate criteria on the value of work of individual employees

shall be appraised for the same conclusive period for which their average hourly earnings shall be identified (i.e. for the calendar quarter).

3. Subject to the weight of a criterion within the system of evaluation and the method of distributing the criterion over gradation levels, the value (weight) of a gradation level in % (points) shall be determined.

4. The aggregate weight (point values) of separate gradation levels, under which the employee's work has been categorised, shall determine the work's total relative value.

5. By comparison (of points, percentage) total resulting relative values of work of two (or group of) employees, their relative difference shall be determined.

6. The relative difference in the resulting total point values for the two (or group of) employees shall be compared to the difference in their average earnings (Sect. 17 Act, no. 1/1992 Coll., On Wages, Remuneration for Standby for Work and Average Earnings, as amended) as generated by them over the conclusive period.

7. Where the difference in earnings varies from the difference in the value of work, a case of earning discrimination exists. The difference (point, percentage) between the values of work and average earnings can be corrected (adjusted) by allowing for an inaccuracy within the tolerance $\pm 2.5\%$; that means that the results of the comparison may be with assurance declared a case of discrimination if the difference value exceeds 5%.

Question B

Please indicate the progress which has been made in applying this principle.

The rising trend of the proportion of the average wage of women in the average wage of men has remained unaffected since the last report.

Question C

Please describe the protection afforded to workers against retaliatory measures, including dismissal.

Please indicate the procedures applied to implement this protection.

Update:

We have adjusted the information, as supplied on this issue in our previous report, with respect of adoption of Act no. 435/2004 Coll., On Employment, which has rescinded the Act no. 9/1991 Coll., On Employment and Jurisdiction of the Czech Republic Bodies in Employment.

According to the new Employment Act, the Labour Office shall perform control activities over compliance with the industrial legislation and impose punitive sanctions in administrative proceedings. The new Act provides for improved operability of control activities, a review can be performed upon one's identification using the service identity document, without a necessity to present any authorisation of the review to the employer or

statutory body. The Act has newly introduced definitions of violations (i.e. infractions) and amounts of fines that may be assessed for the violator. The new Employment Act, *inter alia*, expands the range of entities subject to reviewing also for legal and natural persons that engage in activities under the Employment Act.

The House of Delegates of the Czech Parliament passed the Act on Labour Inspection on 3 May 2005.

Since the control of compliance with the obligations ensuing from the industrial legislation, including occupational safety provisions, has been drawing on a long-standing tradition, while such control was anyway decentralised until currently (discharged by the Labour Offices, occupational safety inspectorates, Czech Authority for Safety at Work, as well as by the Czech Ministry of Labour and Social Affairs), the Government has decided to write a Labour Inspection Bill.

The new Act will concentrate performance of control within two control bodies. Labour Offices should then perform only the control of statutory provisions on employment and insolvency of employers. All of the other duties ensuing from the industrial legislation, including occupational safety provisions, as well as satisfaction of titles of separate employees arising from collective agreements and internal rules issued by employers shall be the care of the labour inspection bodies. These will include the National Labour Inspection Office and regional labour inspectorates. While the labour inspection will always predominantly involve enforcing of remedy of identified deficiencies, the labour inspection bodies will be equipped also with the appropriate sanction powers.

Article 4, paragraph 4

“With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake:

to recognise the right of all workers to a reasonable period of notice for termination of employment;”

“...The exercise of this right shall be achieved by freely concluded collective agreements, by statutory wage-fixing machinery, or by other means appropriate to national conditions.”

Question A

Please indicate if periods of notice are provided for by legislation, by collective agreements or by practice and if so, indicate the length of such periods, notably in relation to seniority in the enterprise.

Please indicate whether the periods of notice established by legislation can be derogated by collective agreements.

Please indicate the periods of notice applicable to part-time workers and to home workers.

Please indicate in which cases a worker may not be given a notice period.

Please indicate whether a provision is made for notice periods in the case of fixed-term contracts which are not renewed.

Remained unaffected.

Question B

Please indicate whether wage earners may challenge the legality of such notice of termination of employment before a judicial authority.

Remained unaffected.

Article 4, paragraph 5

“With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake:

to permit deductions from wages only under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreements or arbitration awards.”

“...The exercise of this right shall be achieved by freely concluded collective agreements, by statutory wage-fixing machinery, or by other means appropriate to national conditions.”

Question A

Please describe how and what extent observance of this paragraph is ensured in your country, specifying the ways in which this right is exercised, both as regards deductions made by the employer for his own benefit and for the benefit of third parties.

Please indicate whether legislation, regulations or collective agreements provide for the non-seizability of a part of the wage.

Remained unaffected.

Question B

Please indicate whether measures described are applicable to all categories of wage-earners. If this is not the case, please give an estimate of the proportion of workers not covered and, if appropriate, give details of the categories concerned.

Remained unaffected.

ARTICLE 15: THE RIGHT OF PERSONS WITH DISABILITIES TO INDEPENDENCE, SOCIAL INTEGRATION AND PARTICIPATION IN THE LIFE OF THE COMMUNITY

Article 15, paragraph 2

“With a view to ensuring the effective exercise of the right of persons with disabilities to independence, social integration and participation in the life of community, the Parties undertake:

to take appropriate measures concerning placing of persons with disabilities, e.g. by establishing specialised intermediate services, opportunities for sheltered occupations and by adopting measures to provide incentives for employers to hire persons with disabilities.”

Question A

Please describe the measures taken to ensure intermediate services and, where possible, to place the physically and mentally handicapped (e.g. with the help of quotas, financial incentives etc.).

Update:

In October 2004, the Legislative Council of the Government discussed a substance of law on rehabilitation of persons with disabilities (See also answers for questions by the Committee for Social Rights in our previous Report). Based on the fundamental comments and recommendations of the Legislative Council of the Government a necessity was noted to rework the proposal and its new submission has been officially scheduled by 31 August 2005.

The Act no. 435/2004 Coll., On Employment, effective as of 1 October 2004, has newly stipulated the issues of employing persons with disabilities.

For the purposes of the above Act, a natural person shall be deemed handicapped if:

- a) accorded full disability by the social security body (hereinafter “a severely handicapped person”),
- b) accorded part disability by the social security body,
- c) accorded the disadvantaged health status by the social security body decision (hereinafter “a disadvantaged health person”).

Employers engaging more than 25 staff upon employment contracts are obliged to employ persons with disabilities at the level of the statutory proportion of such persons in the total staff of the employer. The statutory proportion is 4%. The employer will comply with the obligation as follows:

- a) by providing a job under an employment relationship,
- b) by purchasing products or services from the employers who engage more than 50% of employees with disabilities; by placing orders with such employers; purchasing products of sheltered workshops operated by a civic association, government-registered church or religious

corporation or a church legal person or by a public-serving organisation; by placing orders with such entities; by purchasing products or services from the persons with disabilities who are self-employed, while they themselves have no employees; or by placing orders with the foregoing persons, or

c) by remittance to the State Budget,

or by mutual combination of the methods described in points a) to c).

Persons with disabilities are at law furnished increased protection on the labour market. Persons with disabilities are entitled to work rehabilitation. Work rehabilitation shall be provided for by the Labour Office of territorial jurisdiction according to the place of residence of the person with disabilities, in cooperation with the work rehabilitation centres or the Office may authorise, by a written agreement, another legal or natural person to provide work rehabilitation.

Work rehabilitation involves a continuous activity aimed at gaining and retaining a suitable job by a person with disabilities, and the rehabilitation is ensured by the Labour Offices based on the handicapped person's application and also covers the related expenses. Work rehabilitation includes, without limitation, advisory activity focused on the selection of vocation, selection of occupation or another gainful activity; mediation, retention and change of occupation; change of vocation; and establishment of suitable conditions for performance of occupation or other gainful activity.

The Labour Office, in cooperation with the handicapped, shall develop an individual plan of work rehabilitation, with account to the person's health capacity, ability to perform a continuous job or other gainful activity, and, to the situation on the labour market.

A person with disabilities who does not receive sickness insurance benefits, old-age pension or wage (salary) or wage (salary) replacement, shall be entitled, based on the decision of the Labour Office, to assistance for retraining during attendance of the above courses. The retraining assistance shall pertain even if the person is not recorded in the job seeker register.

The Act also lays down other tools of the active employment policy, focused on the persons with disabilities, specifically concerning sheltered workshops and sheltered job. A sheltered job is a job created by the employer for a handicapped person based on a written agreement with the Labour Office. The sheltered job must be kept and operated for the minimum period of 2 years from the date arranged in the agreement. The Labour Office may provide an allowance to the employer for a sheltered job creation. A sheltered workshop is a workplace of an employer, reserved based on an agreement with the Labour Office and adapted to the needs of employing of persons with disabilities, while no less than 60% proportion of such employees (average FTE p.a.) shall be employed in that workshop. The sheltered workshop shall be operated for the minimum period of 2 years from the date arranged in the agreement. The Labour Office provides an allowance to the employer for setting up the sheltered workshop.

In addition to the above, an employer who engages more than 50% of persons with disabilities (a proportion in the total number of his employees) shall be provided an allowance to assist in employment of such persons.

Question B

Please indicate the number (or an approximation) of persons with disabilities who during the reference period found paid employment (whether in specialised institutions or not).

We have hereby provided a set of statistical data on the issue, however we wish to note that from the employment perspective, indexes are monitored on the nation-wide level covering persons with disabilities (“the handicapped”), without differentiating the scope or type of handicap.

Employment of handicapped

	2000	2001	2002	2003	2004
<i>rate of registered unemployment (in %)</i>	8.8	8.9	9.8	1.13	9.5 *
specific unemployment rate in handicapped (in %)	39.6	42.3	39.7	42.2	
<i>total number of job seekers</i>	457	461	514	542	
out of which handicapped job seekers	369	923	435	420	541 675
<i>total number of job seekers in receipt of allowance</i>	59 025	61 518	66 907	71 806	74 672
out of which number of handicapped job seekers in receipt of allowance	164	169	192	189	
<i>total number of job seekers in receipt of allowance</i>	139	046	615	479	143 236
out of which number of handicapped job seekers in receipt of allowance	12 651	12 670	13 941	14 345	15 333
share by handicapped in total unemployment (in %)	12.9	13.3	13.0	13.2	13.8
<i>share of job seekers in receipt of allowance in total job seeker number (in %)</i>	35.9	36.6	37.4	34.9	26.4
share of handicapped job seekers in receipt of allowance in total allowance for handicapped job seekers (in %)	21.4	20.6	20.8	20.0	20.5
<i>total number of vacancies</i>	52 060	52 084	40 651	40 188	51 203
out of which vacancies for handicapped job seekers	2 811	2 108	1 747	1 587	1 704
<i>number of job seekers per vacancy</i>	8,8	8.9	12,7	13,5	10,6
no. of handicapped seekers per handicapped reserved vacancy	21,0	29.2	38.3	45.2	43.8
share of handicapped reserved vacancies in total vacancies (v %)	5.4	4.0	4.3	3.9	3.3
sheltered workshops:					
established sheltered jobs **	1 434	1 017	976	1 185	1 171
placed job seekers	1 368	1 043	1 063	1 221	1 566
Handicapped employed in CS ***	90.0	83.8	101.2	98.3	
out of which: severely handicapped	15.2	9.4	15.1	16.0	

*) new methodology

***) sheltered workshops - numbers since year beginning

****) source: CSO - VŠPS

REPORT ON FUFLFILMENT OF COMPLEMENTARY PROTOCOL TO THE EUROPEAN SOCIAL CHARTER

ARTICLE 2 - THE RIGHT TO INFORMATION AND CONSULTATION

1. *With a view to ensuring the effective exercise of the right of workers to be informed and consulted within the undertaking, the Parties undertake to adopt or encourage measures enabling workers or their representatives, in accordance with national legislation and practice:*
 - a) *to be informed regularly or at the appropriate time and in a comprehensible way about the economic and financial situation of the undertaking employing them, on the understanding that the disclosure of certain information which could be prejudicial to the undertaking may be refused or subject to confidentiality; and*
 - b) *to be consulted in good time on proposed decisions which could substantially affect the interests of workers, particularly on those decisions which could have an important impact on the employment situation in the undertaking.*
2. *The Parties may exempt from the implementation of the above paragraph 1 such undertakings whose number of employees does not meet the minimum numbers defined by national local provisions and practice.*

Question A

Please indicate if workers in undertakings are consulted and informed, directly or through their representatives, and, in case this happens through their representatives, indicate how the representatives are elected at separate levels (workshop, plant, undertaking).

Remained unaffected.

Question B

Please describe the structure, procedures and arrangement of information and consultation in your country, including information on the level at which the foregoing are organised, whether compulsory or voluntary, their frequency etc.

Remained unaffected.

Question C

Please indicate the nature of the information and consultation stipulated by legislation, examples of major collective agreements or other means, and also if organised at the plant or undertaking level.

Remained unaffected.

Question D

Please indicate the set number (numbers) of workers stipulated as a threshold below which an undertaking is not required to comply with the provisions on information and consultation.

Remained unaffected.

Question E

If some of the workers are not covered by provisions of this type either by legislation, collective agreements or other appropriate measures, please indicate their percentage (see Art. 7 of the Protocol and relevant provisions of the Annex).

Remained unaffected.

Question F

Please indicate whether certain undertakings exist, in addition to those not set out in Article 2 paragraph 3, that are exempted from the application scope of this provision, in the meaning of the Annex to Protocol (Articles 2 and 3, paragraph 3) and indicate the nature of such undertakings and their business scope.

Remained unaffected.

**ARTICLE 3 - THE RIGHT TO TAKE PART IN DETERMINATION AND IMPROVEMENT OF THE WORKING
CONDITIONS AND WORKING ENVIRONMENT**

- 1. With a view to ensuring the effective exercise of the right of workers to take part in the determination and improvement of the working conditions and working environment in the undertaking, the Parties undertake to adopt or encourage measures enabling workers or their representatives, in accordance with national legislation and practice, to contribute:**
- a) to the determination and the improvement of the working conditions, work organisation and working environment;**
 - b) to the protection of health and safety within the undertaking;**
 - c) to the organisation of social and socio-cultural services and facilities within the undertaking;**
 - d) to the supervision of the observance of regulation on these matters.**
- 2. The Parties may exempt from the implementation of the above paragraph 1 such undertakings whose number of employees does not meet the minimum numbers defined by national local provisions and practice.**

Question A

Please indicate if the workers, directly or through their representatives, participate in determination and improvements of working conditions and working environment, in case this happens through their representatives, indicate how the representatives are elected at separate levels (workshop, plant, undertaking).

Update:

The Act no. 564/1990 Coll., On State Administration and Self-Government in Education was rescinded by the Act no. 561/2004 Coll., On Pre-School, Elementary, Secondary, Higher Vocational and other Education (Education Act) that came into force as of 1 January 2005.

Question B

Please describe generally the structures, procedures and system of participation of workers in determination of working conditions within the undertaking in general and, where appropriate, in various areas of activities of the undertaking. The information should be specified for differed areas referred by Article 3 paragraph 1 of the Protocol. Where appropriate, please describe the level at which such rights are exercised within the undertaking and describe how.

Remained unaffected.

Question C

Please indicate if the participation of workers covers all areas referred in Article 3 paragraph 1 of the Protocol.

Remained unaffected.

Question D

Please indicate the specified number or numbers of workers set as a threshold below which the undertaking is not required to comply with the provisions on information and consultation.

Remained unaffected.

Question E

If some of the workers are not covered by provisions of this type either by legislation, collective agreements or other appropriate measures, please indicate their percentage (see Art. 7 of the Protocol and relevant provisions of the Annex).

Remained unaffected.

Question F

Please indicate whether certain undertakings exist, in addition to those not set out in Article 2 paragraph 3, that are exempted from the application scope of this provision, in the meaning of the Annex to Protocol (Articles 2 and 3, paragraph 3) and indicate the nature of such undertakings and their business scope.

Remained unaffected.