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European Monitoring Centre on Change

Czechia: Effects of non-compliance with dismissal regulations

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Czechia

Phase:

Management

Type:

Effects of non-compliance with dismissal regulations

Last modified: 22 March, 2023

Native name:	Zákon o inspekci práce, zákon č. 251/2005 Sb.; Zákoník práce, zákon 262/2006 Sb.
English name:	Labour Inspection Act (Law No. 251/2005 Coll.); Labour Code (Law No. 262/2006 Coll.)

Article

25 Labour Inspection Act, 48 - 73a, (62 collective dismissals) Labour Code

Description

In the event of an employer not complying with legislation, the labour authorities can impose a fine of up to €74,100 (CZK 2 million). If the employer does not conclude a wage agreement in writing, an agreement to complete a job or an agreement to perform work, the fine could be up to €370,400 (CZK 10 million).

Employers must inform the public employment service and trade union or works council about a collective dismissal. Terminations of employment in the context of a collective dismissal (within 30 days, dismissals of at least 10 workers in companies with 20-100 employees, at least 10% in firms with 101-300 employees or 30 workers in larger firms) are not invalid just because the employer failed to deliver to the competent labour office a written report of its decision on the collective dismissal or did not inform about it the relevant trade union or a works council.

If an employer fails to comply with the legal requirements, the employees can address a complaint to the regional labour inspectorate to conduct the inspection in the company or sue in court.

From the point of view of the employee who was laid off illegally, in the Czech legislation there are no differences regarding collective or individual dismissals.

Comments

The Labour Code does not include penalty for shortcomings concerning dismissals. It is solved by the Labour Inspection Act.

Cost covered by

Employer

Involved actors other than national government

Public employment service
Trade union
Works council
Other

Involvement others

Labour inspectorate or court

Thresholds






Company size by number of employees:

20

Number of affected employees:

10

Sources

-  Ius Laboris (2009), Collective Redundancies Guide, Brussels
-  Eurofound (2009), Czech Republic: The impact of the information and consultation Directive
-  EMCC legal framework of restructuring
-  Labour Code (Law No. 262/2006 Coll.)
-  Labour inspection Act (Law No. 251/2005 Coll.)

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Contact us

Eurofound, Wyattville Road, Loughlinstown, Co. Dublin, D18 KP65, Ireland

Phone: (00) 353 1 2043100

E-Mail: information@eurofound.europa.eu

Press: media@eurofound.europa.eu



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