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European Monitoring Centre on Change

Czechia: Staff information and consultation on business transfers

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Czechia

Phase:

Anticipation

Type: Staff information and consultation on business transfers

Last modified: 18 June, 2021

Native name: **Zákoník práce, zákon č. 262/2006 Sb.**

English name: **Labour Code (Law No. 262/2006 Coll.)**

Article

339, 280

Description

Before the effective date of transfer of rights and obligations (arising from labour relations) from the hitherto employer (transferor) to another employer (transferee), both the transferor and the transferee shall be obliged to inform and negotiate thereof, sufficiently in advance (however, no later than 30 days before the transfer of the said rights and obligations to the transferee) the trade union organisation and the works council and consult them, with a view to reaching agreement, on:

- the determined or proposed date of transfer;
- the reasons for such transfer;
- legal, economic and social implications for the employees;
- envisaged measures relating to the employees.

Where neither a trade union organisation nor a works council operates at the enterprise of the employer, the transferor and the transferee shall inform and negotiate the employees who will be directly affected by the transfer.

Comments

These provisions apply, in addition to transfers of entire companies, also to transfers of selected activities or tasks to another employer. The business transfer must be negotiated with employees of companies of all sizes and types.

Cost covered by

Not applicable

Involved actors other than national government

Trade union
Works council

Thresholds

No, applicable in all circumstances

Sources

- DG Employment, Social Affairs and Equal Opportunities/Héra, Selected companies' legal obligations regarding restructuring, 2011
- [EMCC actors in restructuring](#)

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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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