



# Rules concerning worker representation

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## Main information

### Position and authorization of individual worker representatives.

#### 1. Worker representatives and their position

Worker representatives according to the Labour Code include:

- Trade unions
- Works councils
- Occupational safety and health protection representative
- European Works Council or negotiating committee, as appropriate

The position and authority of individual worker representatives differ significantly. Only a trade union has the authority to conclude a collective agreement on behalf of workers, the right to perform checks, to make joint decisions, and to make decisions. The works council and the occupational safety and health protection representative do not have such authorization. The employer can fulfil its information obligation towards workers

## 2. Trade unions

Trade unions have the right to act in labour relations, including collective bargaining, under the conditions laid down by law or the collective agreement. The right of trade union bodies to participate in labour relations is defined in the Labour Code in a much broader way than just to ensure the right of workers to certain information and negotiations; in addition to this regulation, the participation of trade union bodies in labour relations is stipulated in a number of provisions of the Labour Code, defining their cooperation with the employer through the discussion of certain measures (e.g. issues related to working hours arrangements) or approval (e.g. issuing work regulations, determining the schedule for drawing leave).

If there is more than one trade union operating at the employer, the employer is obliged to fulfil these obligations towards all trade unions in cases concerning all or a larger number of workers, where the Labour Code or special regulations require information, discussion, consent or agreement with the trade union, unless they agree on another method of informing, discussing or giving their consent. The trade union of which the worker is a member acts similarly on behalf of the worker in labour relations. The trade union with the largest number of members who are employed by the employer acts for a worker who is not unionised, unless the worker determines otherwise.

## 3. Obligations of the employer towards worker representatives

- It must create, at its own expense, the conditions for the proper performance of the activities of worker representatives
- It must provide leave with compensatory wages or salary in the amount of average earnings to the extent necessary for them to perform their activities
- It must inform, discuss and co-decide on matters stipulated by the Labour Code.

## 4. Duties of worker representatives

- They must inform - in an appropriate manner - workers at all workplaces about their activities, and the content and conclusions of information and discussions with the employer

performance of their office.

## **5. Access to transnational information:**

In accordance with the relevant legal regulations of the European Union, the Labour Code further stipulates the right of workers to access transnational information and to transnational negotiations. However, the obligation to provide transnational information and consultation applies only to selected employers or groups of employers who employ at least 1 000 workers in the Member States of the European Union, of which at least 150 are employed in at least two Member States,

The right of workers to transnational information and consultation is then exercised either through the European Works Council or through another agreed procedure. The Labour Code sets out in detail how the European Works Council is set up or arranges another procedure for transnational information and consultation. If a European Works Council is established, the term of office of its members will be 4 years.

## **Additional information**

### **Reference to legal acts**

Act No 262/2006, the Labour Code

Act No 89/2012, the Civil Code

Act No 304/2013, on public registers of legal and natural persons and on the registration of trust funds

Act No 251/2005, on labour inspection

**Ministerstvo práce a sociálních věcí**

Na Poříčním právu 376/1  
Nové Město  
12800 Praha 2

Datová schránka: **sc9aavg**

E-mail: [posta@mpsv.cz](mailto:posta@mpsv.cz)

Web: <https://www.mpsv.cz/>

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