

Voluntary Agreement on Telework
Joint report about implementation in the Czech Republic
Presented by SP CR and CMKOS

In the Czech Republic *telework* is a less developed form of work. According to the study “*National support of teleworking*“ presented by the Czech Ministry of Informatics in 2003 only about 2,25% employees in the Czech Republic are using this form of employment.

Vis-à-vis the need of higher flexibility of the labour market and better adaptability of the workers the Czech Social Partners have welcomed the voluntary agreement on telework adopted by the European Social Partners in 2002. The Czech employers and trade unions have focused mainly on:

- **Enhancing of the awareness at the national level**

The voluntary agreement was translated into the Czech language and distributed as jointly agreed text to all member organisations and published in the internal bulletins.

- **Legislative framework**

After several rounds of negotiations the social partners came to a decision that the essence of the Agreement should be implemented through the newly prepared Labour Code. This draft of legislation goes through legislative process now - at the moment it is awaiting the signature of the President of the CR - and if adopted it should come into force on 1st January 2007. The draft in its Article 317 stipulates that the Labour Code covers also the labour relation of an employee who does not work at the employer's premises, but according to agreed conditions performs the agreed work during his or her working time, organisation of which he/she decides himself/herself. Thus such employee enjoys all rights and all the duties as the employees working in the employer's premises, with certain exceptions. This article does not deal exclusively with the *telework* and *teleworkers*, but according to the constitutional principle “*what is not forbidden, it is permitted*“, it gives a space for both parties of the industrial relations to freely manage specific contractual conditions in collective and labour agreements.

- **Bipartite dialogue**

The international and European tendencies show that telework will become a progressive form of the work helping to integrate particularly vulnerable groups into the labour markets and enhancing the mobility of workers. From this reason the Czech Social Partners decided to go beyond legal provisions and to promote the conditions of telework as contained in the Framework Agreement within the bilateral social dialogue at all levels. The bilateral promotion of this Agreement is also mentioned as a priority in the bilateral agreement between Czech social partners signed in November 2004.

- **Co-operation with the ministries and other institutions**

The Czech Social Partners have addressed the high representatives of the Ministry for Labour and Social Affairs having informed them about the voluntary agreement and asking for the support during the implementation process.

The SP CR is addressing the Ministry of Informatics in order to encourage a stronger cooperation in the field of telework' promotion in the Czech Republic. The CMKOS addressed its partner organisations in EU Member States having more experience in implementing agreements through bilateral social dialogue in order to get information and experience. Both social partners will share results of these individual initiatives.

Prague, 27th April 2006