



## Employment Q & A for Czech Republic (per November 2012)

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### **Q1: Am I allowed to end the contract at any time?**

The employee may give notice to the employer without stating the grounds. The employer may terminate the employee's employment relationship only on the grounds set out explicitly in the Labour Code (the employer may only terminate without stating any grounds during the probation period). The notice period *must be* at least 2 months and has to be the same for the employer and the employee. By *mutual* agreement the employment relationship may be terminated on the agreed day at any time.

### **Q2: Is someone to be informed before firing an employee?**

The employer must consult the trade union in advance about any notice or immediate termination of the employment relationship (if a trade union is established in the company). In case of termination of the employment relationship of a member of a body of the trade union active at the employer, the employer must apply to the trade union for prior consent to notice or immediate termination.

In case of collective redundancy (mass dismissals), the employer shall be obliged to notify in writing the trade unions and/or council of employees (respectively every employee affected by collective dismissals) about the intention of collective dismissals and its reasons, at the latest 30 days in advance, before giving notice to individual employees. At the same time, the employer shall be obliged to inform the competent Labour Office in writing.

### **Q3: Is there a prescribed form for the termination of a labour contract?**

Yes, the termination of labour contract must be made in writing.

### **Q4: Are redundancy payments mandatory?**

If the employment relationship is terminated on the grounds set out explicitly in the Labour Code, the employer shall be obliged to pay the employee a severance *payment*.

### **Q5: How can an employee fight the decision of dismissal?**

Invalidity of termination of an employment law relationship may be claimed by the employee at the courts *no later than two months* from the date when the employment law relationship was to end through such termination.

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