

III.

EUROPEAN SOCIAL CHARTER

SECOND REPORT
ON MEASURES TAKEN TO GIVE EFFECT TO
THE EUROPEAN SOCIAL CHARTER

SUBMITTED BY THE GOVERNMENT OF THE CZECH REPUBLIC
(period 2001–2002)

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ARTICLE 1: THE RIGHT TO WORK

ARTICLE 1 PARA. 1

With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake:

to protect effectively the right of the worker to earn his living in an occupation freely entered upon;

Question A

Please indicate the policy followed by your government in attempting to reach and maintain full employment. Please supplement with details of the measures and programmes implemented to achieve as high and stable a level of employment as possible.

Please indicate the active policy measures taken in order to favour access to employment of groups most exposed to or affected by unemployment (women, the young, older workers, the long-term unemployed, the disabled, immigrants and/or ethnic minorities). Please give indications on the number of beneficiaries from these measures and information, if possible, on their impact on employment.

The Government's employment policy

The Government's Programme Declaration from 2002 states that the Government's strategic goal is to reach full employment. It also says that the priority of the Government's Active Employment Policy is to cut unemployment as much as possible, in particular in the regions of north, central and south Moravia and north-west Bohemia¹ (those with the highest unemployment rates). The Government intends to support projects whose implementation will create a significant number of new jobs in the less favoured areas and further develop the sector of small and medium-sized enterprises. It will take steps to motivate people to look for and keep work and will support employment of people with impaired ability to work and to promote equality between men and women at work. The Government undertakes to update its National Action Plan for Employment (NAPE) every year.

In its **formulation of the tasks of State Employment Policy for 2002** the Ministry of Labour and Social Affairs started from an analysis of the job market in 2001 and a prognosis for 2002, the capacity of the state budget, and obligations arising under agreements concluded with the European Union and OECD. There has been a progressive change in the approach to employment policy in conformity with the measures of National Action Plan for Employment. Employment policy is becoming an integral part of the Government's economic, social and educational policy.

Apart from Active Employment Policy, the Government's economic policy programmes focus on supporting new employment and restructuring the existing employment (system of investment incentives, programme in support for the development of industrial zones, programmes in support of small and medium-sized enterprises, programme for revitalization of strategic enterprises), programmes focusing on restructuring sectors and regions most exposed to unemployment (programme in support of regional development for north-west Bohemia and the Ostrava region, programme for restructuring the steel industry, global plan for revitalization of coal basin areas in north-west Bohemia), and other measures funded from the budgets of the ministries concerned.

¹) NUTS Ostrava, NUTS II Central Moravia, NUTS II South-East, NUTS II North-West

In 2002 Active Employment Policy (AEP) concentrated on:

- a) increasing employability of registered job-seekers by changing their qualifications and increasing their motivation to take a job,
- b) preserving and increasing employment of exposed groups of workers and specific groups, in cooperation with employers,
- c) reducing social tension in regions with the highest unemployment rates, in particular in the districts of Ústí nad Labem and Moravia-Silesia,
- d) fulfilling tasks and measures of National Action Plan for Employment 2002 (English translation of this text is available at <http://www.mpsv.cz/files/clanky/2622/2622.doc>)

In the implementation of AEP job centres focused on groups of job-seekers most exposed to long-term unemployment. In conformity with Measure 1.5 of National Action Plan for Employment approved on 11.3.2002 by Government Resolution No 249, attention and care for these groups of job-seekers was expressed in programmes for job-seekers over 25 unemployed for up to 12 months and school-leavers and young people out of work for up to 6 months.

In conformity with Measure 2.5 of NAPE, which charges MLSA, in collaboration with job centres, with changing the focus and scope of the instruments of AEP in favour of activation and preventive measures, job centres concentrated on changing the focus and scope of the instruments of Active Employment Policy to intensify activation and prevention activities to adapt the structure of labour force qualifications, including job-seekers, to the demands of the changing structure of employment.

The problem continued to be tackled in a comprehensive manner in 2002 within the framework of AEP programmes of job centres, elaborated into projects, using a suitable combination of the instruments of Active Employment Policy. Job centres concentrated on cooperation of the individual sections (the job market, retraining and advisory work) to make full use of the individual instruments of AEP and the funds allocated to them.

Expenditure on State Employment Policy in 2002

Expenditure on State Employment Policy was CZK 599,752,000 more in 2002 than in 2001. Expenditure on Active Employment Policy decreased by CZK 580,027,000 during the same period. Expenditure on Passive Employment Policy also increased in 2002. This development reflected economic recession in western Europe, which had an impact on employment in export-oriented sectors. There were also the consequences of the floods that struck the Czech Republic in the summer. Another causative factor was a higher number of school-leavers because the introduction of compulsory nine-year school attendance after a period of transition resulted in a full age-group of secondary school-leavers. All these influences caused 2002 expenditure on Passive Employment Policy to rise 18.8% (CZK 5,228,947,000 in 2001, CZK 6,209,746,000 in 2002). Because of these factors the average number of registered job-seekers was 29,346 less in 2001 (443,822) than in 2002 (473,168).

The average number of job-seekers in receipt of unemployment benefit increased since 2001 by 18,117 (155,006 in 2001, 173,123 in 2002).

The unemployment rate reached 9.8% at 31.12.2002, a rise of 0.9 percentage points on the state at the same date in 2001 (it was 8.9% at 31.12.2001). In 2002 it was 0.65 percentage points higher than in 2001 (9.15% in 2002, 8.5% in 2001).

The number of vacancies dropped by 11,433 from 52,084 at 31.12.2001 to 40,651 at 31.12.2002. At 31.12.2002 there were 12.7 job-seekers per vacancy. The number of

job-seekers per vacancy increased since 31.12.2001, when it was 8.9 job-seekers per vacancy. Considerable regional differences exist for this indicator. The highest number of job-seekers per vacancy was at 31.12.2001 in the districts of Karviná (106.9), Jeseník (79.6) and in the district of Teplice (65.5). The lowest number of job-seekers per vacancy was in the districts Prague–West (2.1), Prague–East (2.1), and the city of Prague (3.1).

Comparison between expenditure on State Employment Policy (SEP) in 2001 and 2002

	2001	2002	Difference CZK `000
	CZK `000	CZK `000	
Expenditure on SEP (CZK `000)	9,522,338	10,122,090	+599,752
Breakdown:			
Passive Employment Policy (PEP)	5,228,947	6,209,746	+980,799
Proportion of PEP to SEP (%)	54.91	61.35	
Active Employment Policy (AEP)	4,063,277	3,483,250	-580,027

Expenditure on Active Employment Policy

MLSA and the job centres strove to use with maximum effect the funds allocated to Active Employment Policy.

Budget for Active Employment Policy in 2002 (CZK `000)

		Approved budget	Adjusted budget	Drawn
Job centres, including:		2,471,890	2,760,995	2,646,418
Instruments of AEP		2,171,890	2,328,851	2,235,481
Contribution Article 24a		0	293,290	410,937
Ministry		1,553,290	842,185	836,832
incl.	invest. incentives	840,000	686,000	685,131
	subsidies to disabled	413,000	120,000	113,172
	other	300,290	36,185	34,929

Comparison between expenditure on AEP instruments in 2001 and 2002

	2001		2002		change from 2001
	CZK '000	%	CZK '000	%	
<i>Retraining</i>	382,652	13.3	370,431	16.6	-12,221
<i>Public utility works</i>	924,451	31.2	713,953	32.1	-210,498
<i>Public utility jobs</i>	1,042,504	35.2	616,819	27.7	-425,685
<i>School-leavers and young people</i>	388,336	13.1	347,996	15.6	-40,340
<i>Support for employment of the disabled</i>	211,214	7.2	177,575	8.0	-33,639
Total	2,949,157	100.0	2,226,774	100.0	-622,983

In 2002 job centres spent on creation of **public utility jobs** CZK 616,819,000, i.e. CZK 425,685,000 less than in 2001. The proportion of funds expended to create public utility jobs to the total expenditure on AEP, in comparison with 2001, dropped 7.5 percentage points to 27.7%. Most of the funds were expended on creation of public utility jobs with employers. Employers received funds totalling CZK 520,540,000. A total of CZK 96,579,000 was provided for creation of independent public utility jobs. Altogether 13,454 public utility jobs were created in 2002, which is 7,944 less than in 2001.

CZK 713,953,000 was expended in 2002 on public utility works, which is CZK 210,948,000 less than in 2001. The portion of expenditure on public utility works increased slightly since 2001 (in 2002 it was 32.1%, in 2001 it was 31.2%). A total of 16,488 jobs were created within the framework of public utility works in 2002 (in 2001 it was 18,962).

Job centres spent CZK 347,996,000 on **training facilities for school-leavers and young people** in 2002, CZK 40,340,000 less than in 2001. The proportion of expenditure on this instrument to total expenditure on AEP grew by 2.5 percentage points (in 2002 it was 13.1%, in 2001 it was 15.6%). In all, 8,131 jobs were created for school-leavers in 2002, 1,741 less than in 2001.

In 2002 the number of persons registered for retraining continued to increase, although the increase between 2001 and 2002 was not as sharp as in 2000 and 2001. The number of those registered for retraining only increased by 870 (in 2002 it was a total of 36,015 persons and 35,145 persons in 2001). Expenditure on retraining in 2002 declined by CZK 12,221,000 in comparison with 2001 (a total of CZK 370,431,000). The proportion of expenditure on retraining to the total expenditure on AEP grew 3.3 percentage points to 16.6%.

The number of job-seekers registered for AEP programmes in 2002 dropped to 75,719. A total of 87,577 job-seekers enrolled on such programmes in 2001. Their proportion to the average number of registered job-seekers dropped from 19.7% in 2001 to 16.0% in 2002. Apart from these job-seekers, job centres paid an allowance for the operation of sheltered workshops which covered a total of 4,679 people. The average costs per job-seeker covered by AEP (including operation of sheltered workshops) were CZK 29,500 in 2002, which is CZK 2,800 less than in 2001. This decrease bears witness to the financial discipline and optimum approach of job centres to the implementation of AEP programmes.

Expenditure on the disabled (an allowance to create jobs in sheltered workshops, an allowance for the operation of sheltered workshops, rehabilitation of the disabled) dropped between 2001 and 2002 by CZK 33,639,000, and their proportion to total expenditure on AEP increased 0.8 percentage points). CZK 42,135,000 was spent in 2002 on creation of jobs in sheltered workshops, i.e. CZK 4,245,000 less than in 2001, when job centres spent on it CZK 46,380,000.

There was also a reduction of CZK 6,349,000 in expenditure on rehabilitation of the disabled (CZK 6,388,000 in 2001, CZK 39,000 in 2002).

There was a reduction in expenditure on the operation of sheltered workshops, from CZK 158,446,000 in 2001 to CZK 131,632,000 in 2002, i.e. by CZK 26,814,000. The reduction in this expenditure on sheltered workshops was affected by a newly introduced allowance according to Article 24a of the Act on employment. The legislation applicable to the disabled was amended with effect from 1.1.2002. Act No 474/2001 Coll. amended the legislation imposing on employers the obligation to employ the disabled in the amount of the fixed compulsory percentage of the total number of employees and the inclusion of a new Article 24a in the Act on employment granted employers employing predominantly the disabled an allowance in part payment of the increased costs incurred in employing the disabled. The amount of the allowance for each disabled employee is fixed in the Act as 0.35 times the average wage in the national economy in the 1st to 3rd quarter of the preceding year.

The allowance according to Article 24a was paid to 73 job centres. The total amount is CZK 410,937,000. The highest sums were paid to the job centres in Brno, České Budějovice, Plzeň, Prague and Zlín, i.e. towns with big enterprises engaging the disabled – for the most part production cooperatives with a long tradition of employing these people. The allowance was beneficial for maintaining jobs with those traditional employers and helped to create more of them, approximately 400 jobs. A negative aspect of this new provision is purposeful establishment of this type of business just to obtain the allowance – particularly small businesses with just one employee.

Subsidies and returnable financial grants to businesses employing 50% disabled staff in 2002

These criteria have to be met to obtain a subsidy:

- a. the investment will create jobs for the disabled and the severely handicapped,
- b. the investment will reinforce the viability of the business and help to safeguard the existing jobs,
- c. the investment will improve the working conditions for disabled employees,
- d. the investment will allow an expansion or improvement of the production programme, including cooperation with other businesses, including foreign ones.

Within the framework of the programme **PALMIF** support is provided for the employment of job-seekers and other people with impaired ability to work, such as school-leavers without practical experience, young people without completed education, the handicapped and the long-term unemployed. The programme PALMIF also provides financial support for obtaining a higher degree of qualification. Preference is given to retraining projects allowing retrained persons to obtain new and higher education on the qualification level of the Member States of the European Union.

Expenditure on Passive Employment Policy

The increase in the subsistence level applicable to individuals since 1.10.2001 was the **upper limit of unemployment benefit** (2.5 times the subsistence level and 2.8 times the subsistence level during retraining), namely CZK 10,250 and CZK 11,480.

The increased subsistence level applied for only 3 months in 2001 while in 2002 it affected the amount of unemployment benefit for 12 months. In consequence of this and the increase in incomes the average amount of unemployment benefit was CZK 3,164 in 2002, CZK 203 more than in 2001.

In 2001 the percentage of people unemployed for more than 6 months was 57.1% of the total; in 2002 this averaged 56.7%. The drop in the percentage of the long-term unemployed raised slightly the percentage of job-seekers in receipt of unemployment benefit. Their average percentage in 2002 was 34.9% of registered job-seekers, whereas in 2001 it was 36.3%. The number of job-seekers in receipt of unemployment benefit increased overall. While in 2001 their average monthly number was 155,006, in 2002 it was 173,123 persons.

All these influences raised expenditure on Passive Employment Policy by 18.8% in 2002 (CZK 5,228,947,000 in 2001, CZK 6,209,746,000 in 2002).

In its conclusions to the last Report the Committee for Social Rights demands that basic information be included on the employment of foreign nationals and ethnic minorities, including their numbers (if necessary, an estimate).

According to the census as of 1 March 2001, there were in the Czech Republic 94% persons claiming Czech, Moravian and Silesian nationality. The most numerous minority are Slovaks (about 2%), followed by Poles, Germans and Romanians. The Romany nationality was officially claimed by only 0.1 (about 12,000 citizens), most of the ethnic group having claimed Slovak or Czech nationality. The number of Romanians is estimated at about 200,000 people but this is merely an estimate, just like the estimate of Romanians' unemployment rate. Job centre records do not contain any indication of job-seekers' nationality.

Number of valid work permits issued to foreign nationals in the Czech Republic
List of first 15 States according to number of work permits at the end of June 2003

State	Total number of permits at end of month							Comparison between 06/03 and 05/03		Total number of permits in June 2003						
	12/2002	01/2003	02/2003	03/2003	04/2003	05/2003	06/2003	diff.	%	women	individual permits	under contract	refugee status	un-skilled workers	secondary education	univ. education
Ukraine	19958	18581	19963	20506	21120	21161	21107	-54	100	7 238	20 252	830	25	20 276	476	355
Poland	7 338	6 201	6 319	6 419	6 514	6 723	6 764	41	101	751	5 252	1 512	0	6 018	257	489
Bulgaria	1 985	1 676	1 681	1 692	1 642	1 642	1 645	3	100	482	1 606	38	1	1 387	114	144
USA	1 435	1 368	1 388	1 373	1 402	1 521	1 557	36	102	550	1 111	446	0	15	442	1 099
Moldavia	1 412	1 379	1 380	1 396	1 373	1 400	1 384	-16	99	508	1 358	14	12	1 353	16	15
Germany	1 306	1 219	1 238	1 232	1 256	1 302	1 328	26	102	279	896	432	0	95	259	974
United Kingdom	1 005	1 041	1 064	1 049	1 070	1 133	1 178	45	104	263	874	304	0	21	350	807
Belarus	1 191	1 102	1 167	1 169	1 146	1 193	1 149	-44	96	544	1 117	30	2	1 004	34	111
Mongolia	1 185	1 181	1 139	1 186	1 145	1 107	1 127	20	102	792	1 127	0	0	1 072	43	12
Russia	930	906	920	885	839	830	818	-12	99	385	717	95	6	289	134	395
France	702	681	684	664	667	707	724	17	102	157	568	156	0	23	108	593
Romania	724	622	654	666	604	624	669	45	107	122	648	21	0	539	34	96
Austria	432	446	450	454	471	469	493	24	105	74	274	219	0	81	85	327
Japan	315	330	344	350	369	407	402	-5	99	67	285	117	0	29	39	334
Yugo-slavia	333	308	312	323	321	330	316	-14	96	100	300	16	0	175	52	89
Other States	4 370	4 099	4 142	4 136	4 144	4 253	4 379	126	103	1 358	3 361	981	37	1 499	825	2 055
Total	44 621	41 140	42 845	43 498	44 083	44 802	45 040	238	101	13 670	39 746	5 211	83	33 877	3 268	7 895

The Committee also demands in its conclusions to the last Report information on employment of the disabled.

Employing the disabled is difficult since there are few suitable jobs for them, it is complicated to mediate for and give advice to people who often have not worked for many years and there is low motivation to engage them on the part of the employers and the disabled themselves. In view of the qualifications of these people and the nature of the work they can do their incomes are usually fully comparable with the social benefits to which they are entitled.

This lack of suitable jobs is reflected in the increasing number of registered disabled job-seekers. **A total of 66,907 disabled job-seekers were registered at 31.12.2002**, which is 5,389 more than at the same date in 2001, when 61,518 were registered. The proportion of registered disabled job-seekers to the total number of registered job-seekers was 13.0% at 31.12.2002. In comparison with the situation at 31.12.2001 there was a decrease of 0.3 percentage points (the percentage was 13.3% at 31.12.2001). The number of vacancies for disabled job-seekers was 1,747 in 2002; the number of disabled job-seekers per vacancy was 38.3.

The amendment to the Act on employment (see above) introduced an allowance for employers employing more than 50% disabled people of their total staff. Another way of helping these employers to cope with the loss caused by predominant employment of the disabled is an subsidy of investment character and returnable financial grant according to *Principles for providing subsidies to businesses employing more than 50% disabled people*. To increase the motivation to employ disabled people Act No 99/2001 Coll. increased the sum which an employer can deduct from tax for each disabled employee from CZK 9,000 to CZK 18,000, and for a severely handicapped employee from CZK 2,000 to CZK 60,000.

Another motivation element in respect of employment of the disabled is an allowance for the establishment of sheltered workshops paid to employers and an allowance to cover in part the operating costs of a sheltered workshop. Decree No 115/1992 Coll. defines the status of a sheltered workshop. It is a workplace run by a legal or natural person employing at least 60% disabled people. A sheltered workplace is also one set up in the household of a disabled person.

Job centres pay employers an allowance for the creation of a job for a disabled person in a sheltered workshop up to CZK 100,000 per job. The employer undertakes in a written agreement to run a sheltered workshop for at least two years after receiving the allowance. A job centre may pay an allowance in the same amount to equip with working implements disabled job-seekers who will be independently employed. A job centre also pays employers an allowance in part payment of operating costs of sheltered workshop up to CZK 40,000 a year per disabled person employed in a sheltered workshop.

Number of jobs created for disabled job-seekers since the beginning of the year

	at 31.12.2000	at 31.12.2001	at 31.12.2002
number of jobs created	1,434	1,032	976
number of job-seekers placed	1,368	1,043	1,063

Within the framework of AEP job centres created 976 jobs in 2002 in sheltered workshops and 1,063 disabled job-seekers were placed in them. Despite efforts of job centre efforts 56 fewer jobs were created in comparison with 2001 (1,032 jobs were

created at 31.12.2001), but in comparison with 2001 there were 20 more people placed in these new jobs (1,043 disabled job-seekers were placed at 31.12.2001).

In all, CZK 45,904,000 was spent in support of creation of jobs for the disabled, i.e. 1.3% of the total expenditure on AEP.

A total of CZK 131,632,000, i.e. 3.8% of AEP expenditure, was spent on the operation of workshops where these people are employed.

CZK 410,937,000 was provided for the allowance according to Article 24a of the Act on employment in 2002. This sum indicates that employers employing more than 50% disabled staff employed a **total 6,918 of them**. This number of employees comprises people working in sheltered workshops. The total number of people employed in sheltered workshops is higher by the number of people employed in sheltered workshops who have not qualified for the allowance according to Article 24a. These are mainly sheltered workshops operated by church organizations. Although they run sheltered workshops, these organizations do not satisfy the condition of employing 50% disabled people.

The Committee is asking for this information in its conclusions to the last Report:

- how many disabled people are at present employed in sheltered workshops;
- how are cases of the disabled classified;
- what is the average length of placement;
- what package of active measures has been adopted with the objective of transferring these workers to the supported or open job market;
- how successful these measures are.

Re 1

In our reply to the Committee's question we will define in more detail the term 'sheltered workshop' as used in Czech legislation. A sheltered workshop in the Member States is a place for vocational rehabilitation of the disabled with a view to preparing them for further working life. A sheltered workshop is defined in Czech legislation as a **workplace employing more than 60% disabled people**. A sheltered workshop may be set up by either a legal or natural person. If established by a civic association or church, the employees of the sheltered workshop are predominantly severely handicapped people with severely impaired capacity to work in the free job market and they are not interested in being transferred to the open job market.

If established by a person other than a legal or natural person, a sheltered workshop is usually one of the economic centres of the employer, who satisfies as a whole the condition of having more than 50% disabled employees. A sheltered workshop can perform the function of a workplace in which a disabled person prepares for further, more demanding work and is transferred to another economic centre of the same employer. Employers having more than 50% disabled employees are a specific group. They have experience with employing people with impaired ability to work and they can adapt the workplace to the needs of the disabled, creating a working climate that allows these people integration with the working team. These employers operate in the free market and general economic rules apply to them.

A job centre can **pay an allowance for the creation of a job in a sheltered workshop and an allowance for part defrayal of the operating costs of the sheltered workshop**. From the amount of the allowances paid out we can calculate the number of jobs thus created in one year – 976 in 2002. From the amount of the allowances paid out to defray in part operating costs we can calculate the number of sheltered jobs: in 2002 job centres paid out the allowance for 4,679 jobs. These figures

do not have full informative value because jobs can be created in sheltered workshops even without the allowance from a job centre and job centres do not pay the allowance to defray in part the operating costs for all jobs.

An unambiguous indicator of the number of jobs with employers having predominantly disabled employees is the amount of the allowance paid out according to the provisions of Article 24a of the Act on employment. In 2002 it was paid for 6,918 employees reported in the annual average, i.e. employers with more than 50% disabled employees had 6,918 of them in 2002.

Re 2

For employment purposes and the ensuing relations, Act No 1/1991 Coll., on employment, defines the disabled and the severely handicapped as follows:

- the disabled are people classified by the Czech Social Security Administration (CSSA) as part invalid, regardless of whether they receive partial invalidity pension or not,
- the severely handicapped are invalids able to hold continuous employment under extraordinary conditions only (provisions of Article 39 (1) (b) of Act No 155/1995 Coll., on pension insurance), and those classified thus by the CSSA.

A total of 66,907 disabled job-seekers were registered with job centres at 31.12.2002, including 956 severely handicapped.

The total number of the disabled and severely handicapped in employment is monitored by the Czech Statistical Office within the framework of sample surveys. In 2002 there were 95,000 disabled people employed, including 14,000 severely handicapped.

Re 3

Allowances for the creation of jobs in sheltered workshops are channelled to job centres under an agreement which lays down the obligation to maintain these jobs for at least two years. The average length of placement of a disabled person in a sheltered workshop is not followed up statistically as it depends on the capacity and wishes of the person and on the number of vacancies in the open job market.

Re 4

The main instruments for integration of these people in the job market are:

- creation of working conditions adapted to the state of health of the disabled and the system of their legal protection by law and the allowances paid to employers under the Act,
- increased care for mediation of employment, i.e. individual approach in the creation of action plans with job-seekers,
- system of material incentives for these people during their preparation for work, in support of independent work, interest in employment in general, which means increased support in the selection of suitable qualifications, assistance when they begin independent work,
- obligations and motivation system (including material incentives) of employers in support of employment of the disabled under the employment regulations (e.g. fixing a compulsory quota for employing the disabled),
- support for businesses employing predominantly the disabled, allowances, assistance with search for suitable jobs, help during retraining and on the job training.

Re 5

The success of the measures is assessed in regular analyses. The fulfilment of the obligation to employ the disabled is evaluated in an annual summary. Employment of the disabled is still a big problem despite the changes in the regulations. It has not been lessened even by the far-reaching amendments to the Act on employment. A certain increase in the number of new jobs was occasioned by the last amendment to the Act on employment, which introduced an allowance for employers having more than 50% disabled workers and the change in the obligation to employ the disabled. The compulsory quota of the disabled for employers with more than 25 employees was set at 4% and it was met by direct employment to 3.39%.

The Committee asks in its conclusions to the last Report to be informed about the developments in respect of participation of people in the active measures. It also wants the next report to contain a breakdown by target group, in particular ethnic minorities.

We answer that the statistics do not and cannot provide any figures based on ethnic origin.

As for the participation of persons in the active measures, see the tables to Article 1.

In its conclusions to the last Report the Committee wants the next report to contain more concrete information about the impact of the various measures on employment.

For the answer to this question see the tables to Article 1 below.

Question B

Please indicate the trends in employment covering all sectors of the economy. In connection with this, indicate as far as possible, the activity rate, the employment rate⁶ and the breakdown of employment by region, by sex, by age, by employment status (employed, self-employed), by type of employment (full time and part time, permanent and fixed term, temporary), and by sector of activity.

Please give the trend of the figures and percentages of unemployed in your country, including the proportion of unemployed to the total labour force. Please give a breakdown of the unemployed by region, category, sex, age and by length of unemployment.

Unemployment

At the outset of the transformation of the economy and society unemployment was an unknown phenomenon but most people have now become accustomed to it and learned to live with it. After a leap in unemployment from zero in 1989 to 4.1% in 1991 the unemployment rate remained constant at 3–4% in 1992-1996. An upsurge came at the time of recession in 1997, when the unemployment rate began to rise, to reach 9.% in January 2000. Then a moderate economic revival led to a slight downturn in unemployment to 8.8% in December 2000. This relatively favourable trend continued until December 2001, when unemployment began to rise again. In comparison with December 1993 the number of registered jobless increased at the end of 2002 by 329,200 to 514,400. The unemployment rate was **9.8%** in December 2002 (i.e. 514,400 people).

The reduced supply in the job market manifested itself in a progressive decline in the number of vacancies reported by employers to job centres. In 2002 this number dwindled from 51,700 in January to 40,700 in December 2002. In comparison with the situation in December 2001 this number decreased by 11,400 vacancies. Differences

between districts with the highest and lowest ratio between a job-seeker and a vacancy are increasing.

The groups most exposed in the job market are those with handicaps, in particular people with low qualifications or no qualifications, the disabled, women with small children, people over 50, school-leavers and young people. Different handicaps accumulate in a number of people (teenagers with low qualifications, the disabled with low qualifications or with qualifications for which there is no demand). These groups find it practically impossible to find a job with today's reduced demand for labour force.

People under 25 account for about a quarter of the unemployed total (in December 2002 it was 25.3%). Their share in unemployment has been in the last years relatively stable. Their high specific unemployment rate, 21.1% at 31 December 2002, is more than double the total rate of unemployment (note: the specific rate of this group is increased by a high percentage of economically inactive young people owing to their studies or vocational training). It is more difficult for them to find work because they lack practical skills. Another factor is the insufficiently correlated structure of the school-leavers' skills and the needs of the job market.

The specific unemployment rate declines progressively with higher age, going up again from the **age category over 50**, but does not surpass much the general unemployment rate (but we can see here a phenomenon contrary to that of young people, where relatively high economic activity lowers the unemployment rate in this age category). The worsening position of older people is evidenced by their growing share in total unemployment, which reached 19.4% at the end of 2002. In this category of people the biggest problem from the viewpoint of employment is their unwillingness or inability to adapt to the changed conditions in the job market, both in terms of the demand for qualifications, and in terms of their performance at work. This problem grows with their approaching entitlement to old-age pension and is psychologically supported by the generalized way of dealing with the situation by retiring early.

The Czech Republic is aware of the difficult situation for this age category of workers, caused inter alia by a lack of specific retraining courses and the attitude of employers. It is expected that the situation will ameliorate after the implementation of **National programme of preparation for aging for the period 2003-2007** (for more details see the answer to Article 1 (2), Question A).

Unemployment **of the handicapped** increased from 20,000 in 1993 to 66,900 by the end of 2002. Compared with the same date in 2001 the number of the disabled increased by 5,400. The numbers of vacancies reported to job centres, suitable for the handicapped, continue to decrease. In December 2002 job centres only registered 1,700 of them. Starting in 2002 new measures in support of employment of these people took effect (in particular, with employers having more than 50% disabled employees of the total). They were reflected in increased employment of the disabled, though they did not come from the ranks of the registered disabled. The abolition of the age limit of 65 for being granted the disabled status was also reflected in the number of employed disabled people and the number of unemployed disabled people. Therefore the specific unemployment rate of these people dropped from 42.3% at the end of 2001 to 39.7%.

The number of the long-term unemployed (over 12 months) continued to rise, especially towards the end of the 1990s. The great majority of long-term unemployed people have several handicaps from the viewpoint of employment, which ensue from their personal, qualification, working and social characteristics and the lower level of working motivation. Long-term unemployment is strongly determined by the level of education achieved. A tendency to long-term unemployment rises in the higher age categories and the disabled. In regions with high rate of unemployment it shoots up because of the absolute lack of vacancies.

The share of long-term unemployed has levelled off lately at around 37.0% of the total number of job-seekers, but the average time they are registered is longer, to rise at the end of 2002 to 16.1 months. From the average time of registration of unregistered job-seekers, which is 7.2 months, it is evident that opportunities for the unemployed with increasing length of registration are insignificant.

The share of unplaced female job-seekers has ranged in the last months around 49% although their share in employment is 43.3%. In comparison with men women have a higher unemployment rate (men 8.7%, women 11.2%), especially in the lower age categories (the unemployment rate of women under 25 is 20.6%; between 25 and 29 it is 12.2%; between 30 and 34 it is 12.4%). At a age when men are characterized by the highest economic activity women are frequently economically inactive as they look after children. If they lose their job, they find it hard to find a new one. They are limited in this respect by being unable to do shift work or to commute as they care for their children. Employers are not very interested in women in productive age because of possible absence from work if they have to look after a family member. Long-term unemployment of women is a little higher than men's, standing at 52.2% (over 6 months) and 51.9% (over 12 months), the percentage of women in the total number of unemployed being 50.0%.

Regional unemployment

Changes in the sectoral structure of the economy caused by restructuring, changes in qualification and professional structure of the workforce made themselves felt in different regions with different intensity. The impact on employment was most strongly felt in the district of Moravia-Silesia and in north-west Bohemia, especially in the district of Ústí nad Labem, i.e. in regions marked by the reductions in coal mining, metallurgy, heavy engineering and chemistry. The highest unemployment rate in these areas was at the end of 2002 in the district of Most (21.7%) and Karviná (19.6%).

The common feature of the **regions with above average unemployment** very low creation of vacancies. A case in point is Karviná where there are 106.9 job-seekers per vacancy reported to the job centre, in the district of Jeseník with 79.6 job-seekers, in the district of Teplice 65.5 with job-seekers, and in the district of Most with 57.6 job-seekers. These are total numbers of vacancies and job-seekers regardless of their professional and qualification orientation. The average value of this indicator for the Czech Republic was 12.7 in December 2002.

Employment

The Czech job market underwent since the start of transformation in 1990 some rapid changes related to the restructuring tendencies and cyclic problems with balancing supply and demand in the job market.

In the first year of transformation a decline in employment took place. Moderate growth was registered between 1994 and 1996 and from 1997 employment progressively dropped until 2000, which was reflected in a drop in economic activity of the population. In 2001 and 2002 employment went up slightly although it did not attain the level of 1993.

Employment in the primary sector declined from 1993 by 39.1%, in the secondary sector by 9.2%. By contrast, employment in the tertiary sector grew by 10.9%. In 2002 of the people employed in the national economy of the Czech Republic there were in the primary sector 4.8% employees, in the secondary sector 39.6% and in the tertiary sector 55.6%.

The structure of employment in the Czech Republic approached the employment structure in the Member States but significant differences persist, in particular in the

share of the secondary and tertiary sector. The share of the tertiary sector in the Czech Republic lags behind the advanced countries (EU States attained an average of 69.4% in 2001). Nonetheless, this sector tends to absorb manpower in the quaternary sector (strategic services, information technologies, e-business).

Employment of women is still high and its share in employment has ranged in the last years around 43.4%.

The rate of economic activity is traditionally high in the Czech Republic in spite of a moderate decline. The rate of economic activity in 2002 (number of economically active people, i.e. sum of the unemployed and employed divided by the number of all people over the age of 15 expressed as a percentage) was 59.9% (according to European Union methodology: total 70.9%, men 78.9%, women 62.8%). The rate of economic activity of men (69.4%) traditionally exceeded that of women (51.0%). The highest rate of economic activity was in the age group 30-44. In terms of education level the highest rate of economic activity in 2002 had people without university education and the lowest people with primary education. The long-term decline in economic activity in the Czech Republic reflects the demographic trend; the population is aging.

Rate of economic activity according to age and gender in 2002 (%)

Gender	Total	Age group			
		15 to 29	30 to 44	45 to 59	60+
Total	59.9	55.5	90.5	80.1	8.4
Men	69.4	64.0	96.9	88.4	13.6
Women	51.0	46.6	83.9	72.1	4.8

Source: Czech Statistical Office - SSW

Rate of economic activity according to education level in 2002 (%)

Gender	Total	Level of education			
		primary	secondary without matura	secondary with matura	university
Total	59.9	26.6	70.3	69.8	80.1
Men	69.4	33.5	78.4	75.2	82.3
Women	51.0	23.0	58.8	82.3	77.0

Source: Czech Statistical Office - SSW

Development of employment and rate of economic activity in the Czech Republic

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Rate of employment *)	69.0	69.2	69.4	69.3	68.7	67.5	65.9	65.2	65.3	65.7
Rate of economic activity **)	61.4	61.6	61.5	61.2	61.1	61.0	61.0	60.4	60.0	59.9
Rate of economic activity ***)	72.1	72.4	72.3	72.1	72.1	72.2	72.2	71.6	71.1	70.9

*) employed aged 15-64 to population aged 15-64

***) labour force to population 15 and over (methodology of the Czech Statistical Office - ILO)

****) labour force aged 15-64 to population of same age (methodology of EU)

Source: Czech Statistical Office - SSW (calculation by MLSA)

Rate of employment of the population in productive age (15-64) during the period of transformation declined. In 2000 it dropped by 0.7 percentage points from 65.9% in 1999 to 65.2%. The strongest influence on its decline was a reduction of the rate in the youngest age group 15-24 which dropped by 1.9 percentage points. This development was caused by young people being tied to vocational training. In 2002 employment rate went up slightly and it is 65.7%. In the Czech Republic the employment rate is more favourable than the European Union average, which was 63.9% in 2001.

In terms of main employment the biggest group consists of employees working for a wage. Their share was 83.2% in 2002.

In comparison with the EU States the Czech Republic still has a high share of large and medium-sized companies. The sector of small and medium-sized enterprises has a considerable potential for creating jobs. In the last few years there has again been a dynamic growth in the number of self-employed people (without employees) and their share in total employment in 2002 according to 'Selective studies of the workforce' (SSW) has already reached 11.4% (in comparison with 7.7% in 1996). A certain number of employees laid off by unsuccessful companies are probably trying to make use of their professional skills in independent business. In 2002 the share of all entrepreneurs including family members assisting them in employment was 16.0%.

A characteristic sign of the structure of jobs is a high percentage of full-time jobs which was 95.1% in 2002. Flexible working regimes are used only rarely. Only 4.8% employees work part time (three quarters of them being women), while in the EU this form is much more common (amounting to around 17% of total employment). The use of flexible working regimes can be a form of adaptation of businesses to fluctuations in demand or changes in technologies. Part-time or fixed-period jobs could become a suitable means for gradual involvement of disadvantaged groups in the job market. At the moment there are no prerequisites for a higher variability of forms of employment and stimulation for employers and employees to use them more widely.

The development of employment according to the level of education matches the qualification structure of the population over the age of 15. The qualification structure of the Czech population is characterized at present by a high share of people with secondary education (without maturita and with maturita) and a lower share of people with higher and primary education. In the category of people with primary education the highest number is in the age group 45-59. People with secondary and university education are predominantly represented in the age group over 30.

Question C

Please indicate the trend in the number and the nature of vacant jobs in your country.

See the answer to Question B.

ARTICLE 1 PARA. 2

With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake:

to protect effectively the right of the worker to earn his living in an occupation freely entered upon;

Question A

Please give information concerning legislative or other measures taken to ensure the elimination of all discrimination in employment which might be based on sex, social or national origin, political opinion, religion, race, colour or age and to promote effectively equal opportunities in seeking employment and in taking up an occupation.

Please give information in this respect on existing sanctions and remedies in cases of discrimination in employment.

General – non-legislative measures

The Government of the Czech Republic adopted in 1998 a National Action Plan for the promotion of equality between men and women **Government priorities and procedures in the promotion of equality between men and women**. This document contains some 40 measures whose fulfilment is assessed by the Government every year and the measures are updated with a view to the needs of society. The Government's priorities and procedures for the promotion of equality between men and women represent a basic conceptual programme document with which the Government sets the main directions and targets – the road to achieving the required development in society in respect of equality between men and women. This National Action Plan contains a wide spectrum of measures which cover all areas of the life of society.

The National Action Plan was reviewed for the third time in 2001. The Government updated and expanded the measures that had been adopted by its Resolution No 456 of 9 May 2001. The major tasks with which it charged its members include these measures:

- the obligation of the individual departments to draft by 31.12.2001 their own programme documents for the promotion of equality between men and women within their competence;
- to deal with the agenda of equality between men and women the ministries were charged with creating by 1.1.2002 a vacancy, at least half-time, for an officer who will deal with equality between men and women;
- the obligation of the minister for labour and social affairs to submit to the Government by 31.12.2001 a proposal for the creation of a Government council for equal opportunities between men and women.

Since 2002 all departments formulate every year their priorities and procedures in the promotion of equality between men and women and assess their fulfilment. The main priorities and procedures laid down by the Government are elaborated at the departmental level in the form of concrete and detailed measures. A special officer has been working at every ministry since 1.1.2002 (gender focal point), at least half-time, dealing with the issue of equality between men and women.

Government Council for equal opportunities for men and women was set up on the basis of Government Resolution No 1033 of 10 October 2001. Its activity consists in drafting consensual proposals and recommendations with a view to addressing an issue affecting all society – creation and promotion of equal opportunities for men and women. The Council complements the existing system of the Government's advisory bodies concerned with elimination of significant discriminatory viewpoints. The Council has 23 members, 14 of whom are representatives of the ministries. The other members are representatives of the social partners and civic society and experts. The Council's term of office is four years and runs parallel with the Government's term of office.

The Government's priorities and procedures in the promotion of equality between men and women were updated for the fourth time in 2002. Government Resolution No 486 of 15 May 2002 updated and extended the measures adopted. The members of the Government were charged with:

- **preparing the ministerial priorities and procedures for the promotion of equality between men and women for 2003** in areas that fall within their competence and presenting them by the end of 2002 to the minister for labour and social affairs as the national coordinator for the agenda of equal opportunities for men and women;
- **assessing the fulfilment of the measures of ministerial priorities and procedures for the promotion of equality between men and women for 2002** and submitting the assessment by 31.1.2003 to the minister for labour and social affairs;
- **using gender-sensitive statistics to analyse the current situation from the viewpoint of equality between men and women** (by 31.12.2002).

Both versions of the updated measures of the Government's Priorities and procedures for the promotion of equality between men and women (i.e. the updated versions from 2001 and 2002) contain these measures relevant from the viewpoint of elimination of discrimination at work:

- **Review on an ongoing basis the existing legislation in terms of their conformity to the principle of equality between men and women** in society and the international obligations of the Czech Republic. Apply the results of the review to revoke, amend or supplement any regulations contrary to this principle. Ensure that this principle is consistently upheld when new regulations are drafted. (in charge – all members of the Government)
- Adapt the **method of assessment of types of work** to practical application so that it effectively contributes to the elimination of discrimination in remuneration and provide to judicial and control practice data for fighting against discrimination. (in charge - minister for labour and social affairs)
- **Check on compliance with the labour law regulations**, focusing on compliance with the provision forbidding discrimination on grounds of sex, including compliance with the principle of the same wage for the same work and for work of the same value, and observance of the provision on increased protection of women at work. (in charge - minister for labour and social affairs)

The intentions of State Employment Policy are put into practice through National action plan for employment, which was last updated and approved by the Government in March 2002. The entire 4th pillar of this plan is dedicated to equal opportunities for men and women with the objective of helping to eliminate all discrimination in the treatment of men and women in connection with access to all types of work and remuneration for this work.

The Government of the Czech Republic, which was elected to office in the elections held in June 2002, declared in its **Programme Declaration from August 2002 its adherence to the principle of equality between men and women.**

Resolution No 485 of 15 May approved the Government's **National programme of preparation for aging for the period 2003-2007**. The goal of this programme is to create a favourable social climate and conditions to address the issue of aging and

seniors and to achieve a change in attitudes and approach on all levels, to achieve a 'society for all generations', which should lead to the adoption of diverse social, political, and economic measures helping to cope with adverse demographic changes, in particular the aging of the population of the Czech Republic.

National programme of preparation for aging emphasises that equal opportunities in the job market and the widest support for the employment of older people and seniors is a means for their activation and full engagement in society and represents for society a valuable working and economic benefit.

The measures listed under point III – Working activities of National programme of preparation for aging are as follows:

1. Apply the principle of equal opportunities, i.e. prevent discrimination in treatment on grounds of age in connection with access to all types of work and remuneration for this work. Identify and analyse groups threatened by discrimination on grounds of age in order to better target activation measures. Through job centres monitor, assess and prosecute cases of discrimination on grounds of age on the part of employers.
2. Prevent measures which would remove older people from the workforce and allow older workers the same possibilities of changing their as younger workers. In conformity with Directive No 3 of European Strategy for Employment, which was reflected in National action plan for employment, create for older workers (over 50) educational and retraining programmes, so that they can hold their current or new jobs.
3. Support and develop adaptability, support flexibility and innovation at work to improve effectiveness, competitiveness and creation or preservation of sustainable jobs for older workers.
4. Develop, support and adopt measures for disadvantaged groups and individuals, including the elderly, to facilitate their ability to integrate themselves with the job market.
5. Make sure that the needs of older workers are taken into account in the modernization of the educational and qualification system, in particular by recognizing their earlier experience. Support the creation of infrastructures for accessible education and training so that people engaged in the working process are able to supplement and renew their skills.
6. Increase the flexibility of the job market and accessibility and variety of different types of employment, support temporary work, contribute to the introduction of flexible forms of work contracts, allowing part-time work and more gradual retirement of older workers.
7. Review the professional structure of retraining courses for the unemployed in the light of the need to give a higher priority to the disadvantaged, i.e. the elderly.
8. Ensure effective management of human resources and personnel management on the basis of Sectoral Operating Programme – Development of Human Resources, which includes approaches to addressing the issue of seniors and workers approaching this age, in measures dealing with integration of specific groups of the population threatened by social exclusion. One of the target groups is people over the age of 50.
9. Develop measures to maintain working ability of workers approaching the senior age and seniors, create at work suitable conditions for their employment and systematic approach in care for aging workers and seniors.
10. Popularize and support voluntary work of seniors in places where their interests, skills and abilities can be made use of.
11. Involve seniors in consulting, lecturing, education, etc., to use their life-long experiences and know-how.

12. Create more favourable conditions for older workers staying at work and for their engagement.
13. Through job centres organize retraining courses for elderly people laid off in restructuring of the national economy, ensure the introduction of a special training course to change their professional orientation.
14. In restructuring of some sectors of the national economy ensure cooperation of the ministries concerned and social partners with the objective of adopting measures that would prevent job cuts to the detriment of older employees.
15. Ensure wider participation of employers and social partners in dealing with social repercussions for older workers in connection with the restructuring of the national economy.
16. Create, implement and develop a system of life-long education as an essential system for keeping or finding again work. Improve the measures for return of elderly people to the educational system.
17. Monitor questions of further employment for elderly workers and elderly workers in selected professional groups.

From the viewpoint of the fight against all forms of discrimination and inequality related to the job market, an important Communities initiative is EQUAL, as defined in Article 20 (1) of Council Directive (EC) No 1260/1999, on general provisions on the Structural Funds, and Commission Communication COM (2000) 853, setting out the rules for the Communities initiative EQUAL. EQUAL supports through concrete programmes the work of development partnerships and is realized through calls for projects. Projects are realized by development partnerships based on cooperation of organizations of various types (regional, local councils, job centres, NGOs, businesses, social partners).

Legislative measures

The Czech Republic, in conformity with the international obligations it has assumed and the preparations for its membership of the European Union, has taken a number of important steps in the field of labour law in 1998-2000 in the fight against discrimination. Although the legal framework was created in 1998-2000, it was perfected in the subsequent period. Some regulations were amended in 2001-2002 and some new regulations related to equality between men and women were adopted.

- Act No 1/1991 Coll., on employment, as amended, was amended several times in the reference period. From the viewpoint of equality between men and women the most important amendment is Act No 220/2002 Coll. which entered into force on 28 May 2002. This amendment adds in Article 1 (1) to the existing ban on discrimination the following provision: *'Is forbidden to take any action that discriminates indirectly, in its consequences, as well as any incitement to discrimination. In comparison with the situation described in the first report on the fulfilment of the European Social Charter, according to the amended provisions of Article 1 (1) 'discrimination excludes instances prescribed by this Act or a special legal provision or having an objective reason consisting in the nature of the work that a citizen should perform and which is indispensable for this work'.* The provisions of Article 1 (2) forbidding any discriminatory offers of employment has not changed. This amendment also created a legal framework for the adoption of **positive measures**. This was done by the adoption of this provision: *'The pursuance of State Employment Policy comprises **measures in support and for achievement of equal treatment for men and women, the disabled, and other groups disadvantaged in the job market, with respect to access to employment.*** This positive measure cannot be regarded as discrimination according to the explicit formulation of the Act.
- During the reference period several amendments were passed to Act No 65/1965 Coll., Labour Code, as amended. Since an extensive harmonization amendment to the

Labour Code came into force on 1.1.2001 (see first report on the fulfilment of the European Social Charter), none of these amendments brought any major changes with respect to equality between men and women. An amendment has been drafted to the Labour Code, which, if it is passed by Parliament, will bring certain changes in the area of equality between men and women. This amendment to the Labour Code transposes the following provisions of Community law: Council Directive 2000/43/EC, implementing the principle of equal treatment between persons regardless of their racial or ethnic origin, Council Directive 2000/78/EC, which sets out a general framework for equal treatment at work, and **Parliament and Council Directive 2002/73/EC, which amends Council Directive 76/207/EEC on the introduction of equal treatment for men and women, regarding access to employment, vocational training, promotion at work and working conditions.**

- The Act on professional soldiers was amended several times in the reference period. The most important amendment was promulgated under number 254/2002 Coll. (with effect from 28.6.2002). The provisions of Article 2 were altered in comparison with the situation described in the first report on the fulfilment of the European Social Charter as follows (relevant changes are in bold type): *'The Service authorities are obliged to ensure **equal treatment for all applicants for employment in the Services ("applicants") and all soldiers in the creation of conditions for Service employment, in particular in professional training and promotion and remuneration.** It is forbidden to discriminate **applicants** and soldiers on grounds of race, colour, sex, sexual orientation, faith and religion, **nationality**, ethnic or social origin, property, family, marital and family status **and family obligations, pregnancy or maternity or because a female soldier is breast-feeding.** The Service authorities are forbidden to take any action that discriminates only indirectly, in its consequences. **This includes incitement to discrimination.** Discrimination excludes cases where there is an **objective reason for different treatment consisting in the nature of the Service performed by a soldier and which is indispensable for the performance of the Service.** This amendment made more precise the prohibition of abuse of the exercise of rights and obligations ensuing from employment in the Services to the prejudice of another soldier or demeaning him. Demeaning is also undesirable behaviour of sexual nature and all forms of harassment, which are demeaning to a soldier, create an intimidating, hostile, humiliating or offensive atmosphere, and which are unwelcome, inappropriate or may be justifiably perceived by another soldier as a condition for a decision affecting the exercise of rights and obligations ensuing from employment in the Services. If the rights and obligations ensuing from equal treatment for soldiers in employment in the Services are violated or any undesirable sexual behaviour in the performance of service, a soldier has a right to demand that the behaviour cease and its consequences are eliminated. The Service authorities may not prosecute or disadvantage the soldier in any way because he is claiming his rights ensuing from his employment in the Services in the legal manner.*

Thus the regulations applicable to professional soldiers are almost the same as the Labour Code, which applies to all civilian workers in the Armed Forces. Unlike the Labour Code, the Act does not grant explicitly to professional soldiers the possibility of claiming damages in cash whose amount would be decided by a court of law.

Another amendment was made to the Act on professional soldiers by Act No 309/2002 Coll. (with effect from 1.1.2004). This amendment institutes in proceedings before a Service authority the rebuttable legal presumption that the party to the proceedings was directly or indirectly discriminated on grounds of his or her sex, nationality or race, unless the contrary was established in the proceedings. (see the new Article 150a)

- Amendments to Act No 143/1992 Coll., on wages and remuneration for standby duty in planning units and some other organizations, as amended, which were made in 2001-2002, brought no changes in comparison with the situation described in the first

report on the fulfilment of the European Social Charter. Act No 1/1992 Coll., on wages, remuneration for standby duty and average wage, as amended, was not amended in the period 2001-2002. Legislative embodiment of the principle of the same wage for the same work or for work of the same value was made by an amendment (Act No 217/2000 Coll.), which came into force on 1.1.2001 (see the first report on the fulfilment of the European Social Charter).

- Act No 99/1963 Coll., Code of Civil Procedure, as amended, was amended several times in the period 2001-2002. An amendment promulgated under No 151/2002 Coll. (with effect from 1.1.2003) supplemented Article 133a in the sense that *'claims that a party was directly or indirectly discriminated on grounds of his or her sex, **racial or ethnic origin, religion, faith, political opinion, handicap, age or sexual orientation**, are held by a court as established in industrial relations unless the contrary is established in the proceedings.'* This amendment inserted in Article 26 a new paragraph, according to which ***in matters of protection against discrimination on grounds of sex, racial or ethnic origin, religion, faith, political opinion, handicap, age or sexual orientation the party can be represented in the proceedings by a legal entity established on the basis of a special provision whose objects, as listed in the articles of association, include protection against such discrimination.***
- **The Civil Service Act**, passed in 2002 and promulgated under number 218/2002 Coll. (it has not yet come into force), contains the **principle of equal treatment** for all civil servants in respect of their working conditions, remuneration, education and promotion. The Act **forbids discrimination in the Civil Service** on a number of grounds (including gender). Human dignity must not be debased in the Civil Service. The Act also regulates claims that can be made by an aggrieved Civil Servant if his or her rights and obligations have been violated.
- Another Act passed in 2002 was No 312/2002 Coll., on officials of self-governing territorial units, amending certain Acts (it came into force on 1.1.2003). It created a framework for taking **positive measures**. The relevant provisions of Article 38 are: *'The self-governing territorial unit will adopt such measures in the engagement of officials or appointment of senior officials that account is consistently taken of the interest in achieving and maintaining equal representation of the sexes among officials or on some level of management. Measures adopted by the self-governing territorial unit which would otherwise amount to discrimination on grounds of sex are not regarded as discrimination if there is a reason for them consisting in unequal representation of the sexes among officials or on some level of management. Measures adopted must not prejudice a person of the opposite sex whose qualities are higher than the qualities of persons being concurrently engaged or appointed.'*
- From the viewpoint of future regulation there is an important Government Resolution No 170 of 20 February 2002. A working group was created on the basis of it in April 2002 for the drafting of an **anti-discrimination law**, which should provide **unified regulation of protection against discrimination for various reasons**.

Another significant initiative in the area of legal promotion of gender equality was the ratification of **Option Protocol to UN Convention on the Elimination of All Forms of Discrimination of Women (CEDAW)**. This Option Protocol came into force for the Czech Republic on 26 May 2001 (it was promulgated in the Collection of International Treaties under No 57/2001 Coll.) This Option Protocol institutes a process, on the basis of which a person or group of persons coming under the jurisdiction of a State which is a party to the Option Protocol, and considering themselves a victim of violation of any of the rights set out in the Convention on the part of that State, make a complaint about the violation to the Committee for the Elimination of Discrimination of Women.

In its conclusions to the last Report on the fulfilment of European Social Charter the Committee for Social Rights asks for details of cases where it is possible to **derogate from the principle of equal treatment**. They would like to know whether certain categories of jobs are inaccessible to foreign nationals and if so, which ones.

Derogation from the principle of equal treatment is possible for three objective reasons defined in the Labour Code.

The first is the special nature of work, in view of the recognized moral, religious and cultural values. Violation of the principle of equal treatment excludes restrictions stemming from qualifications and requirements for doing specific work if they are critical for doing this work (Article 1 (4) of the Labour Code). In the area of equality between men and women these are instances when the sex of the worker is critical for doing the work. It is objectively established that all tasks connected with the work can be carried out only by workers of either sex, the employer can engage either men or women for such jobs. This applies to such professions as model or actor/actress, where one's sex can be critical for modelling certain clothes or playing a specific role. Also the casting of a soprano/alto or tenor/bass in a choir is objectively tied to the singer's sex in the same way as the roles of male and female ballet dancers.

The second reason is the special protection of women, including protection by reason of pregnancy and maternity and protection of adolescent employees. Women must not do work which is physically unsuitable for them and harms their organism. Some types of work forbidden to women are listed in Article 150 of the Labour Code. The Ministry of Health decrees some types of work and workplaces forbidden to all women, pregnant women, mothers until the end of the ninth month after childbirth, and adolescents (Decree No 261/1997 Coll.). The Labour Code sets out in Chapter Seven some restrictions on working in these firms.

The third reason is increased protection of people due to their state of health, in particular the disabled. These people are protected from termination of their employment and their employers are obliged to participate in the search for their new job (Article 47, Article 50 of the Labour Code).

As for the **category of jobs inaccessible to foreign nationals**, Czech citizenship is necessary for judges, public prosecutors, senior law officers and members of the Prison Service.

Foreign nationals cannot work in the Police and Fire brigade of the Czech Republic. According to Article 3 of Act No 186/1992 Coll., on service employment of police officers, only a citizen of the Czech Republic can be engaged by the Police. This also applies according to Article 10 of Act No 238/2000 Coll., on the Fire Brigade, amending certain Acts, referring to Act No 186/1992 Coll., to fire-fighters. According to Article 13 of Act No 13/1993 Coll., Customs Act, as amended, customs officers must also have Czech citizenship, as well as officers of the Security Information Service according to Act No 154/1994 Coll.

This condition is also anchored in the Act on professional soldiers, which states expressly that only a citizen of the Czech Republic can be engaged by the Armed Forces (Article 3 (1) of Act No 221/1999 Coll., on professional soldiers, as amended). This condition stems from the definition of compulsory military service (Article 1 of Act No 218/1999 Coll., on the scope of compulsory military service and military administration authorities, as amended: active military service is a service duty as part of compulsory military service).

Some categories of jobs inaccessible to foreign nationals (unless they have concurrently Czech citizenship) exist within the jurisdiction of the Ministry of Foreign Affairs, namely all its employees. There are two basic reasons for this:

- primarily, it is a function of foreign service for the State, which means representing the sending State and protecting its interests and those of its citizens. If the Czech Republic sent abroad a foreign national for these purposes, it would cast doubt upon its foreign policy interests;
- all posts at the Ministry of Foreign Affairs demand a clearance for handling classified information according to Act No 148/1998 Coll., on the protection of classified information, amending certain Acts, as amended. One of the conditions for obtaining this clearance is citizenship of the Czech Republic.

On the other hand, the Ministry of Foreign Affairs employs hundreds of foreign nationals as support staff at embassies abroad. These foreign nationals are employed according to the employment law in force in their country. Foreign nationals can be also employed in the Czech Republic in planning units of the Ministry of Foreign Affairs.

The condition of having Czech citizenship applies to captains of merchant ships (Article 28 (4) of Act No 61/2000 Coll., Maritime Act). According to Article 39 of this Act a captain is obliged to take appropriate action if a criminal offence is committed on his ship to prevent continuation of the criminal activity or evasion of responsibility, hear witnesses and perform other acts necessary to secure the evidence. He is obliged to draw up a record of every such hearing and act and deliver it together with objects related to the criminal offence to a Czech diplomatic mission. In doing so the captain proceeds according to the Penal Code. The captain is obliged according to Article 40 of the Maritime Act to make a record of every birth or death with the participation of two members of the crew. In the event of death he performs a number of other acts. A ship captain is authorized in an emergency to attest a signature or conformity of a copy with an original document according to Article 35 of the Maritime Act and Decree No 272/2000 Coll. These operations fully justify the requirement that a ship captain must be a citizen of the Czech Republic because his duties are those of the state authorities or notaries and cannot be entrusted to foreign nationals.

Citizenship of the Czech Republic is also demanded in Act No 49/1997 Coll., on civil aviation, amending Act No 455/1991 Coll., Trade Licensing Act, as amended, Article 55b, for the post of director of Institute for Investigating Air Accidents. This is a State authority, its budget is part of the budget chapter of the Ministry of Transport, and its director is appointed and removed by the Government on nomination of the minister for transport. In this case too the requirement that the director head can be only a citizen of the Czech Republic with a clean criminal record is justifiable.

Tenure of some elected posts is subjected to having Czech citizenship, for example in radio and television broadcasting:

- members of Council for Czech Television (Article 4 (3) of Act No 483/1991 Coll., on Czech Television, as amended), members of Council for Czech Radio (Article 4 (3) of Act No 484/1991 Coll., on Czech Radio, as amended), members of Council for Radio and Television Broadcasting (Article 7 (3) of Act No 231/2001 Coll., on radio and television broadcasting, amending certain Acts),
- members of Supervisory Commission for Czech Television and Supervisory Commission for Czech Radio which are advisory bodies for Council for Czech Television and Council for Czech Radio),
- general director of Czech Television and general director of Czech Radio or interim directors of these institutions.

If in the performance of a function one comes into contact with classified information, applicants (both Czech citizens and foreign nationals) have to undergo security vetting within the meaning of Act No 148/1998 Coll., on the protection of classified information. According to Government Resolution No 174 of 20.2.2002, security vetting of foreign nationals can be recognized if an international treaty so provides. It follows from the

applicable international treaties that a third party cannot obtain access to the contracting parties' classified information. The waiting time is 10 years for other foreign nationals before submission of the application for security vetting. The application for security vetting must contain an explanation why the foreign applicant must obtain a clearance for handling classified information in the Czech Republic and why his or her post cannot be held by a citizen of the Czech Republic.

Act No 218/2002 Coll., on the service of civil servants in administrative authorities (Service Act) was passed on 26.4.2002 and it has not yet taken effect. This Act rules out the employment of foreign nationals in service branches that come under this Act. Service Act lays down in Article 17 the basic requisites for service appointment. One of the key requisites is that applicants must have citizenship of the Czech Republic.

As for the question of the Committee for Social Rights, whether the general provisions of the Labour Code are invoked if an employee is dismissed for asserting the right to equal treatment, we confirm that in this case the provisions of Article 42 and subsequent of the Labour Code apply. An explicit prohibition of unequal treatment for men and women at work (Article 7 of the Labour Code) was instituted by an amendment to the Labour Code, Act No 155/2000 Coll., which came into force on 1.1.2001. The judicature is not very developed as regards violation of the right to equal treatment because of the relatively short time that the Act has been in force and precedent-setting court decisions are lacking.

The Committee wants in its conclusions to the last Report the report to contain information about concrete measures adopted with a view to eliminating employers' discriminatory practices at the company level.

As for observance of labour law regulations, including observance of the prohibition of discrimination at work, this is overseen by **territorial employment authorities - job centres**. They are authorized to impose administrative fines on employers breaching their duties.

The results of inspections carried out by job centres in the last two years show that the most frequent grounds for discrimination were age, sex, ethnic origin, and state of health. An employer can be fined for a violation of the duties ensuing from the regulations by a job centre up to CZK 250,000. Within the framework of inspections carried out by job centres for observance of the prohibition of discrimination, including compliance with the principle of the same wage for the same work and for work of the same value, employers were fined 63 times between the year 2000 and 2002. Their total amount was CZK 386,300. In 2002 job centres carried out 10,583 inspections. As regards discrimination, 76 violations of the Act on employment were detected, 193 violations of the Labour Code and 57 violations of the Act on wages, remuneration for standby duty and the average wage. These figures include violations of the regulations from the viewpoint of discrimination regardless of the reason for discrimination.

Employers' discriminatory practices are difficult to prove since no written records are made of job interviews and employers frequently explain their rejection of an applicant by saying that the applicant does not have the necessary qualifications.

Job centres have this experience:

- in a number of cases alleged discrimination could not be proved,
- a number of job centres imposed no fine for discrimination – no violation was detected,
- of the established cases, most violations of the prohibition of discrimination concerned age (an employer fixed an unwarranted age limit),
- there were very rare cases of denial of the right to work on grounds of sex (male applicants for jobs were rejected),

- several cases of discriminatory practices were found, consisting in negotiating different wages for the same type of work but no fine was levied in most cases because the employers took remedial action and compensated the aggrieved workers for the wage differences.

Most frequent was violation of the prohibition of job offers containing discriminatory elements (Article 1 (2) of Act No 1/1991 Coll., on employment). In these cases employers limited their job advertisement to a certain age and sometimes gender (e.g. an employer said he would employ only women). In some cases, mostly if a violation was detected shortly after the adoption of this provision, the employers were notified of the inadmissibility of such practices, and in the other cases they were fined.

The national action plan for the promotion of equality between men and women **Government's Priorities and procedures in the promotion of equality between men and women**, annually updated since 1998 when it was first approved, **imposes on the control bodies the duty to centre checks** on the observance of labour law regulations on **observance of the provisions prohibiting discrimination on grounds of sex**, including the principle of the same wage for the same work and for work of the same value and the provisions on increased protection of women at work.

To increase the effectiveness of inspections carried out by job centres the Ministry of Labour and Social Affairs has drafted **Methods of checks on remuneration paid to men and women** and **Methods of checks on observance of equal opportunities**. Both are part of Methodical Instruction No 9/2002 for job centres with effect since 1 January 2003.

With regard to the elimination of employers' discriminatory practices on the company level it is necessary to highlight the key role of social partners. This concerns their activities within the framework of collective bargaining and the right of trade unions to check on employers' compliance with labour law, internal regulations and obligations stemming from collective agreements. Activities of social partners comprise activities representing a significant benefit for the adoption of equal opportunities for men and women at work. The structures of **Czech and Moravian Confederation of Trade Unions (CMKOS)** contain a Committee for Equality, on which 20 trade unions are represented.

In addition to long-term attention paid to collective bargaining education, the Committee For Equality of CMKOS concentrated in 2002 on systematic raising of awareness of the issue of equal opportunities for men and women on all levels of trade union work, which showed itself in more intensive cooperation with regional trade union councils and the social partners, in particular Union of Industry and Transport of the Czech Republic.

CMKOS became through the Committee for Equality an active participant in a twinning project of the Czech Republic and Sweden, directed at improving the public institutional mechanism for the application, adoption and control of equal treatment for men and women in the Czech Republic. Within the framework of this twinning project CMKOS held together with Union of Industry and Transport of the Czech Republic the first joint seminar for the social partners on the them of promotion of equal opportunities for men and women. The two social partners collaborate on other projects and actions to take place in 2003.

Regional trade union councils within the framework of their territorial competence bring to bear the influence of trade unions associated in CMKOS on formulation and realization of employment policy in a given region. Through representatives of trade unions in advisory bodies in job centres regional trade union councils endeavour to address the issue of retraining and better access to the employment market for women who have not

been economically active for a longer period (for example, mothers after maternity leave, women looking after sick family members).

On the other hand, employers, specifically the Confederation of Industry and Transport of the Czech Republic, changed in 2002 their attitude to equal opportunities and began to see it as a challenge for the future. The goal of Confederation of Industry and Transport of the Czech Republic is to increase awareness of all member corporations and their employers of promotion of the principle of equal opportunities for men and women in the workplace. In April 2003 an expert group for equal opportunities attached to the Commission for Industrial Relations began its work. It is going to follow the activities of Government Council for Equal Opportunities for Men and Women, on which employers have their representative. CIT CR became actively involved in 2002 and 2003 with programmes and projects having to do with equal opportunities and it collaborates in a number of projects with CMKOS to highlight the joint interest of the social partners in improving the situation in the Czech Republic, fulfil the principle of equality between men and women in practice, and eliminate the existing gender stereotypes.

For tripartite negotiations between the Government, employers and trade unions there is Council for Economic and Social Accord, which deals with the issue of equality between men and women at work.

A draft amendment to the Labour Code, which is at present going through the Parliament of the Czech Republic, obliges employers to inform their staff of the employers' measures directed at adoption of equal treatment and prevention of discrimination. Employers should meet the requirements of the Act by declaring these measures in working regulations or in other internal documents, according to their particular conditions.

The Committee asks in its conclusions to the last report whether the right to unemployment benefit is subject to the acceptance of a job or undergoing vocational training. If so, it asks: (i) what sanctions apply to refusal of a job or vocational training, (ii) whether a rejection because a given job does not match the person's qualifications is valid, (iii) how long can a job be refused with the explanation that it does not match working qualifications, and (iv) whether there is the right to appeal.

Entitled to unemployment benefit is job-seeker who meets the condition of having worked a total of at least 12 months in the last three years before filing an application for mediation of employment. For these purposes time of employment includes these periods: study, vocational training for the disabled, compulsory military service or community service, personal care for a child up to the age of three, personal care for a relative who is predominantly or completely dependent, receipt of full invalidity pension. Entitlement to unemployment benefit is not directly subjected to acceptance of a job or undergoing a retraining course. Refusal of a suitable job or retraining course can lead to sanction measures – withdrawal of unemployment benefit or being struck off the register of unemployed.

A job-seeker may be **removed from the job-seeker records** if he or she declines to accept a suitable job without serious reasons or deliberately obstructs the co-operation with the job centre in mediation of a job. A job-seeker may be removed from the records as early as upon refusing the first suitable job. The job centre has an option to decide, in such cases, that only the unemployment will be withdrawn. In case of a refusal to take up retraining the job-seeker cannot be removed from the job-seeker records.

A job centre may **decide on withdrawing the unemployment benefit** (without removing the job-seeker from its records) in case that the job-seeker, without serious personal or family reasons, declines to accept a suitable job or start retraining or fails to perform fundamental duties in retraining over a prolonged period.

A suitable job is understood to be a job adequate to the job-seeker's condition of health, taking account of her or his age, qualifications and aptitudes, length of the preceding periods of employment, and the available accommodation possibilities. The job-seeker must document by means of a physician's report the fact that the job in question is inadequate to the condition of health of the job-seeker who is unable to perform it on the health grounds. In considering the other criteria the job centre will take into account namely the job market situation and local transportation conditions. Care for children and upbringing of children is an important element in considering the suitability of a job. In case the demand on the part of employers is lacking, even a job not making a full use of the job-seeker's qualifications may be deemed suitable.

The job centre decides through the administrative procedure on a removal from the job-seeker records, as well as on awarding, refusing, withdrawing, payout suspension or returning of unemployment benefit. Each job-seeker is informed about the possibility to **lodge an appeal** against the decision of the job centre. The Ministry of Labour and Social Affairs decides on the appeal. The job-seeker is also entitled to a review of the decision by a court after the standard remedial measures have been exhausted in the administrative procedure.

The Committee, in its conclusions on the last Report, further requested that the next Report contain information on legal warranties with regard to part-time work, specifically if any minimum working week exists and any rules that require, under any circumstances, equal pay for both full and part-time workers.

The Labour Code does not define any minimum working week. According to the provisions of Article 94, employers are required to keep the records of both working time and overtime, which excludes any unannounced work outside the planned, ordered-by-the-employer or agreed working hours. According to the provisions of Article 86 of the Labour Code, any employees engaged for shorter working hours are entitled to a wage proportionate to the shorter working hours.

Question B

Please indicate any methods adopted:

a. to seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of the above policy of non-discrimination;

b. to ensure the acceptance and observance of the above policy through educational efforts.

The Government of the Czech Republic adopted, in 1998, National Action Plan for the Promotion of Equality between Men and Women - **Government's priorities and procedures in the promotion of equality between men and women** (Government's priorities and procedures). This document includes about 40 measures, the fulfilment of which is evaluated by the Government every year and the measures are updated, taking into account current social needs. With regard to co-operation with firms, key importance should be attached to the following measures out of the Government's 'Priorities and procedures in the promotion of equality between men and women', as amended by the last update of the document implemented by Government Resolution No 486 of 15 May 2002:

- Promote, in the meetings of the Council for Economic and Social Accord, its working teams and groups, the principle of equal status of men and women, specifically in remuneration and working conditions.

- Ensure that separate ministries and administrative authorities, within the framework of their jurisdiction, establish the cooperation with non-governmental organisations engaged in equal opportunities for men and women and continue to seek and expand such cooperation. This cooperation includes requesting of opinions on the drafted legislation or other fundamental decisions.
- Make use of the opportunities for the participation in activities and programmes of international organisations for which the equality between men and women is an objective or declared principle.
- Continue the public discussion on the issue of equal opportunities for men and women, with the aim of acquainting the Czech public with the Government's policy of equal opportunities for men and women and its objectives.
- Evaluate effectiveness of the measures serving to promote the principle of equality between the sexes and, upon request, present these to the Government and non-governmental organisations concerned with the state of equality between men and women.

Since 1 January 2002, the ministries have been preparing their own **departmental programme documents** on the promotion of equality between men and women within the scope of their jurisdiction. The departmental priorities and procedures in the promotion of equality between men and women (departmental priorities and procedures) include measures based on which co-operation between the relevant departments and organisations operating within its jurisdiction is carried out. As of 1 January 2002, a position, in the minimum extent of a half of the full-time work engagement, has been set up in each ministry to be filled with an employee specifically dealing with the agenda of equality between men and women. These specialised workers have replaced the former interdepartmental co-ordinating committee that was composed of the representatives of the relevant ministries, as mentioned in the first Report on the implementation of the European Social Charter. The key role of the liaison officers in the ministries (gender focal point) is the promotion of the principle of equal opportunities for men and women in the personnel policy of the department.

In terms of ensuring co-operation between the public sector and the social partners and other organisations, establishment of the **Council of Government for Equal Opportunities of Men and Women**, based on Government Resolution No 1033 of 10 October 2001, was of key importance. The Council has a chair and 22 members, of whom 14 are representatives of the departments, one member represents the employer organisations, one representative speaks for the trade unions, five representatives come from the non-governmental non-profit organisations covering the area of equal opportunities for men a women, and one member is an expert active in the area of equal opportunities for men a women. The core activities of the Council includes preparation of consensual proposals and recommendations of solutions to the society-wide issue – adoption and promotion of equal opportunities for men and women. The Council effectively complements the existent system of the Government advisory bodies that have been dealing with the elimination of the other major discriminatory issues. The Council's term of office is four years and coincides with that of the Government.

Co-operation of the executive and non-governmental organisations dealing with the status of women and equality between men and women has been comparatively satisfactory. The most intense relations between separate departments and non-governmental organisations are maintained in specific areas of the public interest, including for example the protection of women against violence; provision of care for single mothers with children; and fighting trade in people. The departments often co-operate with the organisations in providing for education of their employees in the area of equal opportunities for men and women.

In comparison with the situation described in the First Report on the implementation of the European Social Charter, the former Section for Equal Opportunities within the

framework of Council of the Czech Government for Human Rights was renamed the Committee for Elimination of All Forms of Discrimination of Women.

Public relations and education

The Government of the Czech Republic has been systematically developing communication with the public and education in equality between men and women since 1998. In that year, the Government adopted its National Action Plan for the Promotion of Equality between Men and Women - the Government's Priorities and Procedures in the Promotion of Equality between Men and Women. These issues are covered, without limitation, by the following measures within the Government's Priorities and Procedures, as amended by the last update of the document implemented by Government Resolution No 486 of 15 May 2002:

- Promote the above principle within the framework of its media policy and in view of the interdepartmental nature of the policy of equal opportunities for men and women, and spread information on the measures contributing to its ensuring.
- Commence or continue the educational activities in human rights, with a view to equal opportunities for men and women and methods designed to achieve gender equality. Ensure that all conceptual workers and decision-making workers take part in this education.
- Continue the public discussion on the issue of equal opportunities for men and women, with the aim of acquainting the Czech public with the Government's policy of equal opportunities for men and women and its objectives.
- Continue, through the school curricula, textbooks and other resources, efforts to eradicate a stereotype discriminative perception of the status of a man and woman in the family, at work and in the society; and, continue to promote the principle of equality between men and women within the framework of activities connected with the "National Programme for the Development of Education in the Czech Republic - White Book".
- Perform an analysis of the curricula, textbooks and teaching aids, from the view of the manner in which they share in creation and reproduction of the gender-based stereotypes and bias, in relation to all levels of schools and types of education, including the preparation of the future teachers and educationalists, as well as the postgraduate education of teachers.
- Prepare and implement education programmes for teachers in equal opportunities for men and women, with an aim to provide them with effective procedures for the purposes of carrying out a gender-sensitive teaching.
- Ensure that the vocation counsellors in the job centres be trained in the issues of equal opportunities for men and women and promote them in their counselling work.
- Ensure training in equal opportunities for men and women for the education counsellors in schools, so that they are able to promote the issues in their counselling work.
- Publish regularly an annual publication, with the maximum use of all available statistical and analytical supporting information on the involvement of men and women in all key activities within the society and the shares they have in the results of such activities.

The activities, by which the Ministry of Labour and Social Affairs (MLSA) has contributed to the media dissemination of the issue, include organisation of seminars and round tables with a focus on both general and specific areas related to the issues. MLSA has been publishing and distributing publications on the topic, designed for both the professional and general public. Within the framework of the education, MLSA has been providing for frequent lecturing events. In April 2001, MLSA set up the section 'Equality between Men and Women' on its website, containing all information of major relevance on the issues, with regular updates.

The process of educating governmental officials in the agenda of equal treatment of men and women, including the gender mainstreaming methods, has been going on at most of the departments within the framework of the training events dedicated to the general EU topics or within the framework of education on human rights. Understanding of the underlying principles of the gender equality and gender mainstreaming has been significantly reinforced specifically by the joint education project of the EuroProfis agency and MLSA, through which 35 top governmental officials from all departments obtained training in the first six months of 2001. MLSA, in its role of the national co-ordinator of the agenda of equality between men and women organised training of its own staff, as well as for the job centre directors in 2002. The fact that each of the ministries established, as of 1 January 2002, a position to engage an employee dealing specifically with the agenda of equal opportunities for men and women, necessitated special training for the concerned workers. Based on the co-operation of MLSA and the Friedrich Ebert Foundation, the training course for these workers was complemented with a study trip to Brussels. These workers have been further supplied professional publications and receive regular invitations to professional seminars and conferences on equality between men and women.

The authorisation to perform an activity with a focus on the control over compliance with the employment legislation has been awarded, within the extent provided by the Labour Code, also to the trade unions with whom the job centres work together in discharge of the supervision (Article 26(2) of Act No 1/1991 Coll., on employment, as amended).

Employers and governmental labour bodies continue their co-operation, in implementing the Act on employment and hence the policy of non-discrimination, with the relevant co-operative bodies, bodies of the handicapped unions and, according to the heart of the matter, also with the employer organisations and territorial state administration authorities, and municipal and town bodies (Article 27 of Act No 1/1991 Coll., on employment, as amended).

Question C

Please indicate the guarantees, including applicable sanctions and remedies, which prevent any discrimination in regard to members of workers' organisations at the time of engagement, promotion or dismissal.

No change.

Question D

Please indicate whether any form of forced or compulsory labour is authorised or tolerated.

No change.

Question E

If so, please describe the nature and scope of any such labour and indicate the extent to which recourse has been had thereto during the reference period.

No change.

Question F

Please indicate what measures are being taken to secure the complete abolition of forced or compulsory labour and the date by which these measures will be fully implemented.

No change.

Question G

Please give information concerning the conditions under which work is carried out in prison establishments.

In its conclusions on the previous Report, the Committee for Social Rights requested further details of the conditions governing remuneration of prisoners.

The issue of remuneration to prisoners is governed both by the general and special legislation. Prisoners are categorised as either the accused, i.e. the persons in custody, or the convicted, i.e. the persons serving their term of imprisonment.

1. People in custody

Their employment is set down by Act No 293/1993 Coll., on the custody service, as amended, and Decree of the Ministry of Justice No 109/1994 Coll., publishing the custody rules, as amended.

An accused person may, upon her or his own application, be put on the work within the scope of work possibilities of the prison, while the provisions must be complied with of Article 7 (1) (separate placing according to set criteria) of Act No 293/1993 Coll. and subsequent concerns, specifically the security ones, must be minded. The work position, remuneration, health insurance and social security requisites are governed by the following:

- Act No 592/1992 Coll., on insurance premiums for general health insurance, as amended
- Act No 589/1992 Coll., on insurance premiums for social security, as amended
- Act No 65/1965 Coll., the Labour Code, as amended.

Prisons and remand prisons create conditions for employment of the accused – within the framework of own business activities or on a contractual basis with another firm or organization.

The accused are paid a wage for the performed work identically to any other employees. An accused person is allocated a position either based on the work contract (fixed term) or based on the contract on work performed outside a contract of employment (again fixed term).

1. Persons serving imprisonment

- Employment of persons serving imprisonment is governed by Act No 169/1999 Coll., on the prison service,
- Decree of the Ministry of Justice No 345/1999 Coll. on publishing prison service rules.

A convicted person serving her or his term of imprisonment is liable to work if she or he has been assigned a work, unless she or he has been recognised temporarily incapable of working or long-term incapacitated for work due to the condition of health. The convicted person is put on work based on the decision of the prison director, as a rule upon recommendation by expert staff.

Prisons create conditions for employment of the convicted within the framework of:

- their operation (internal regime)
- own production

- business activities (business operation centre)
- contractually, with other businesses.

At employing and educating the convicted, the prison ensures the following:

- the convicted are put on the work that is adequate to their health capacity and with account of their professional knowledge and skills
- the convicted are remunerated for their work
- conditions are created in order to enable the convicted to acquire and improve their work qualifications as well as improve their general awareness.

The convicted who work for legal or natural persons, i.e. contractually with external entities, are employed under a contract made between the prison or remand prison and the external entity. This contract also stipulates the terms and conditions under which the convicted will work, or, a procedure in induction training of the convicted to perform the assigned work. In creating the conditions for the safety and protection at work, as well as for the compliance with the fire protection and public health regulations, the external firm has the same obligations as it would otherwise have in relation to its own employees according to the special legislation.

The convict must provide a prior written agreement to his work for another entity whose founder or majority owner is not the State. Refusal of the convict's agreement is not regarded as refusal to work.

A firm employing convicts in prison or outside of it undertakes to ensure not only professional supervision but also prevention from unauthorised contacts of convicts with third persons.

The agreement also provides for remuneration for the convict's work and the terms under which the prison provides payment for the work.

Remuneration of convicts assigned for work follows general legal regulations for remuneration of convicts, including Act No 169/1999 Coll., on imprisonment and amendments to some related acts, Government Decree No 365/1999 Coll., as amended, stipulating basic elements of remuneration, remuneration for overtime work, performance premiums and bonuses. A convict is entitled to this remuneration base according to the type of work:

- in Class I, if the work does not require any professional qualifications,
- in Class II, if the work requires vocational training or any other professional qualifications,
- in Class III, if the work represents a specialised, demanding performance requiring higher than secondary education.

The remuneration base is:

- in Class I the amount of CZK 4,500,
- in Class II fifty percent more than in Class I,
- in Class III double the amount of the remuneration base in class II.

The prison pays the convict's remuneration for work. Calculated prison's costs with integrating the convicts in work in other businesses are cross-charged to the businesses that ensure compliance with security requirements laid down by the Prison Service of the Czech Republic (Article 10 of NGR No 48/2000, as amended, on remuneration of convicts assigned to work in imprisonment).

A convict who has been assigned work within the framework of own production or business activities of the prison following an agreement concluded between the prison

and another business entity, may be provided with a higher remuneration base than he would otherwise be entitled to. If a convict does work for which output standards have been stipulated, the prison may provide him with a remuneration base in dependence on the level of compliance with those standards.

For higher work performance in required quality or for the management of a particular work function or persons, the convict:

- a) who has been assigned the remuneration base in Class I or II may be granted a monthly performance bonus up to the level of 20% of the remuneration base, and up to the level of 50% of the remuneration base those assigned the remuneration base in Class III,
- b) remunerated according to Article 2 (5) (see last paragraph) grant the performance bonus up to the level of 50% of the remuneration base.

The working conditions, working hours and conditions of overtime work are regulated by the general regulations applicable to employees with a work contract (Labour Code).

A convict is entitled to remuneration according to the work done. For the purposes of withholding amounts for tax and social security and health insurance the remuneration for work is considered as income from dependent activities. Deductions from remuneration of persons employed during imprisonment, execution of the ruling concerning withholdings from remuneration of these persons and wards of special educational facilities and the settlement of further costs are detailed by Decree of the Ministry of Justice No 10/2000 Coll., as amended.

Convicts are responsible for any damage caused to the Prison Service or another entity which they are assigned to work for, by breach of their duties in the performance of his work tasks or in direct relation within the scope stipulated by special regulations applying to employees bound by a work contract (Labour Code).

ARTICLE 1 PARA. 3

With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake:

to establish or maintain free employment services for all workers;

Question A

Please describe the operation of free employment services available in your country, indicating the age, sex and nature of occupation of persons placed by them in employment and persons seeking employment.

Please indicate as far as possible the number of vacancies, the placement rate and the duration of unemployment of persons placed.

No change. (for up-to-date figures see the tables to Article 1)

Question B

Please describe the organisation of public employment services in your country indicating the accompanying measures for the unemployed, and where appropriate, the steps taken to revise the geographical distribution of local and regional employment centres and to re-deploy resources when the changing patterns of economic activity and of population so warrant.

Public employment services are managed by the Ministry of Labour and Social Affairs through its professional function of Administration of Employment Services integrated in the organisational structure of the Ministry of Labour and Social Affairs.

Administration of Employment Services manages 77 job centres. In relation to the establishment of district councils the minister for labour and social affairs has authorised 13 job centres to assume the responsibility of district co-ordinators for the implementation of State Employment Policy in the region. The availability of employment services is ensured by 182 offices established by job centres in central villages. The main job centre in Prague has established 10 offices in individual Prague quarters. In an emergency temporarily offices are set up.

Job centres provide services to job-seekers and those interested in employment on working days. Employers can notify of vacancies personally and by telephone in working hours of job centres or at any time by electronic mail.

Each job centre and some detached offices have established an information and advisory centre open to all interested parties and job-seekers. These centres provide guidance services for choice and development of career and inform about opportunities and conditions of training.

Vocational guidance and mediation is also provided by 30 psychologists within a network of balanced diagnostic services that extend the range of job centre guidance services.

In its conclusions to the last report the Committee requires that the next report include information on the number of employees of job centres and their qualifications.

In all, 77 job centres in the Czech Republic have a total of 4,996 employees of whom 917 are managers, 4,900 are in professional or administrative positions, and 96 are support staff.

Most work in the area of mediation (45%), 10% are engaged in the area of the job market, 8% work on control and legal issues, 5% work in financial departments, 4% in administrative support, 4% in support of ICT, 2% in re-training, 2% in vocational guidance and education. Altogether 18% of the total number of job centre staff are managers and the remaining 2% work in blue-collar professions.

Most managers have university education in economics, law or ICT. Job mediators who form the main part of the job centre staff and who are not required to have university education have mostly secondary education.

Question C

If both public and private free employment services exist in your country, please describe the steps taken to co-ordinate such services, and to determine the conditions governing the operation of private employment agencies.

No change.

In its conclusions to the last report the Committee inquires how many private agencies have been granted a licence, in what sectors they operate and how many people they have placed.

As at 30 June 2003 430 private job centres have been granted a licence. They mediate jobs for all sectors, mainly in administrative and blue-collar professions. Since the Act on

employment does not impose on these agencies any obligation to report the numbers of mediated jobs (job-seekers placed), the Ministry of Labour and Social Affairs has no such figures.

The new Act on employment imposes on private job centres the obligation to report to the Ministry of Labour and Social Affairs the numbers of clients placed every year. The estimate is 100 placements per job centre.

Question D

Please indicate whether and how the participation of representatives of employers and workers in the organisation and operation of the employment services and in the development of employment services policy is provided for.

To ensure adequate functioning of employment services, employment regulations impose on employers in relation to job centres a number of duties, such as informing about vacancies and their filling, procedures concerning employees from abroad and their placement (Article 19 and 19a of Act No 1/1991 Coll., on employment, as amended).

The Act on employment stipulates in Part Four the obligations of employers to job centres, the state budget and in the course of the employment itself in relation to the employment of people with impaired ability to work.

In the preparation of their concepts job centres can demand from employers information on their employment development plans.

When implementing Active Employment Policy (the AEP definition is included in Article 3 (3) of Act No 1/1991 Coll., on employment, as amended) job centres co-operate with employers to whom they recommend job-seekers for new jobs established with financial assistance from the State.

On the basis of their information job centres discuss with employers the placement of dismissed employees during structural changes, rationalisation and other measures, and co-operate with them in the development of programme measures for the placement of dismissed employees.

Employers are one of the entities with which job centres co-operate on the development and implementation of measures related to the development of the job market and employment (Article 12 of Act No 9/1991 Coll., on employment, and activities of the Czech Republic authorities in the area of employment, as amended).

In its conclusions to the last report the Committee inquires about the composition and mandate of advisory bodies and further, whether consultations among social partners on employment services are carried out on the State level.

To ensure this co-operation in the job market job centres set up consulting bodies including representatives of trade unions, employers, co-operative bodies, associations of handicapped people and job centres. Their purpose is to co-ordinate the implementation of State Employment Policy in the regions (Article 7 of Act No 9/1991 Coll., as amended). The Council for Economic and Social Accord of the Czech Republic (CESA), which is a joint voluntary negotiating and initiative body of trade unions, employers and the Government of the Czech Republic for tripartite negotiations with the objective to reach an agreement on main questions concerning economic and social development, operates on the state level. CESA of the Czech Republic discusses selected problems of common interest also in the area of labour law relations, collective bargaining and employment, public services and administration. Appendix No 1 and 2 to the CESA of the Czech

Republic Statute stipulates criteria for employers' and trade unions' representation in CESA of the Czech Republic.

Question E

Please indicate what legislation or administrative guarantees are provided to ensure that these services are available to all.

Indicate please number of job-seekers placed by employment services, number of reported vacancies and data concerning the market share of the state employment services.

Act No 1/1991 Coll., on employment, as amended, defines the parties to the legal relations that arise under this Act (Article 2). They include citizens, employers and individuals and legal entities performing activities according to this Act, especially in the course of job mediation, retraining and work recovery. Foreign nationals and stateless persons have equal legal status and may be employed in the territory of the Czech Republic and work only if they have been granted a work and residency permit², a foreign national may not be a job-seeker within the meaning of Article 7 of the Act on employment. As far as the right to mediating a job is concerned, equal treatment of foreign nationals is not ensured.

Job centres mediate jobs free of charge in the Czech Republic. In cases defined by an international agreement by which the Czech Republic is bound and which has been included in the Collection of Laws or in the Collection of International Agreements, they may mediate employment from the Czech Republic to foreign countries and from foreign countries to the Czech Republic (Article 4 (3)).

A citizen seeks a job with the assistance of a job centre in whose district he has permanent residency. He may ask for information about job opportunities and vacancies and guidance activities concerning employment at any job centre. For this purpose job centres maintain a register of vacancies (Article 6 (2)).

The Committee requires that next Report include information on the average number of job-seekers per year, broken down by category, if possible (sex, age, education, employed/unemployed).

To answer this question we refer to the tables to Article 1 (see below).

The Committee further requires information on the development of expenditure on public employment services and administration in proportion to GDP.

The indicators of expenditures for the public employment services and administration have been generated as part of numerical data of MLSA - ESA (Ministry of Labour and Social Affairs - Employment Services Administration) on expenditure on State Employment Policy, capital expenditure and operational resources (including wages).

In the period of 1999 to 2001 **Expenditure on Active Employment Policy** gradually increased to more than CZK 4bn and in 2002 it decreased again to less than CZK 3.5bn. On the contrary, between the years 1999 to 2001 **Expenditure on Passive Employment Policy** slightly decreased to CZK 5.2bn, but in 2002 it reached CZK 6.2bn. The proportion of expenditure on PEP to the total expenditure on SEP is about 60% in the last three years. Total expenditure on SEP gradually increased and in 2002 it reached almost CZK 9.9bn. The amount of capital expenditure decreased to CZK 51.3m in 2002,

²) The stay is cancelled, if the residence permit granted to a foreign national was issued only for the purpose of employment with a particular employer and not in relation to other employers. The cancellation of the residency permit is subject to administration proceedings.

while in 2002 the amount of material operational resources (including wages) was CZK 1.6bn. Total expenditure on public employment services and administration has been rising. In 2002 it amounted to CZK 11.5bn. The proportion of these expenditures to GDP approximates 0.5%, i.e. in 2002 it was 0.51%. Despite this, since 2000 the proportion of these expenditures to GDP has been slightly decreasing.

Table 1: Expenditure on public employment services and administration

millions	1999	2000	2001	2002
Expenditure on AEP	1,921.75	3,406.15	4,063.28	3,483.25
Expenditure on PEP	5,709.47	5,680.47	5,228.95	6,209.75
Expenditure on SEP	7,631.22	9,086.62	9,522.34	9,879.09
CAPEX	392.30	265.80	126.40	51.30
Operational resources (material including wages and salaries)	1,344.00	1,355.60	1,493.10	1,600.00
Total	9,367.52	10,708.02	11,141.84	11,530.39

GDP (bn)	1,902.30	1,984.80	2,157.80	2,275.61
GDP (bn) 1995	1,421.04	1,467.29	1,512.63	1,542.22
proportion to GDP	0.49%	0.54%	0.52%	0.51%

Source: MLSA- SSZ, Czech Statistical Office, own calculations

Tables to Article 1

Use of funds from state budget for AEP at 31.12.2002

	PUJ³	PUW⁴	Retraining	School-leaver' practical training	Sheltered workshops, establish.	Sheltered workshops, operation	Invest. incentives	Supp. for disabled*)	Other	Total
Expenditure at 31.12.2002 (CZK '000)	616,819	713,953	370,431	347,996	45,904	131,671	685,131	524,109	43,637	3,483,250
Share in total funds for AEP at 31.12.2002 (%)	17.7	20.5	10.6	10.0	1.3	3.8	19.7	15.0	1.4	100.0
Number registered for AEP at 31.12.2002	14,123	16,573	36,015	7,945	1,063	4,679	X	X	X	80 398
Average cost of 1 registered for AEP (CZK '000)	43.7	43.1	10.3	43.8	43.2	28.1	X	X	X	27.9**)

*) subsidies for employers employing at least 50% disabled have two components: non/investment subsidies (CZK 410,937,000 used) and investment subsidies (Programme 313410) (CZK 113,172,000 used).

**) Average total expenditure based on expenditure on own AEP instruments AEP realized by job centres (i.e. CZK 2,235,481,000).

³) Public utility jobs

⁴) Public utility works

Structure of AEP instruments in use at 31.12.2001 and 31.12.2002

	PUJ	PUW	Practical training for school-leavers	Sheltered workshops for disabled – est.	Retraining
Jobs created					
2001	21,398	18,962	9,872	1,032	X
2002	13,454	16,448	8,131	976	X
Persons placed in created jobs and retraining					
2001	21,767	19,977	9,645	1,043	35,145
2002	14,123	16,573	7,945	1,063	36,015
Use of funds (CZK '000)					
2001	1,042,504	924,451	388,336	46,380	382,652
2002	616,819	713,953	347,996	45,904	370,431

Jobs created and job-seekers placed within the framework of PUJ

	at 31.12.2000	at 31.12.2001	at 31.12.2002
Total number of PUJ	36,111	35,698	26,487
Number of job-seekers placed	34,615	34,250	25,819
Number of PUJ created from beginning	27,240	21,398	13,454
Number of job-seekers placed from beginning	26,721	21,767	14,123

Number of jobs created and job-seekers placed within the framework of PUW

	at 31.12.2000	at 31.12.2001	at 31.12.2002
Total number of jobs created	10,593	8,496	5,670
Total number of job-seekers placed	8,556	7,020	5,010
Total number of jobs created from beginning	19,714	18,962	16,448
Total number of job-seekers placed from beginning	20,034	19,977	16,573

Number of jobs created and job-seekers placed for school-leavers' practical experience and vocational training for adolescents

	at 31.12.2000	at 31.12.2001	at 31.12.2002
Total number of jobs	10,539	9,856	7,746
Total number of job-seekers placed	10,391	9,613	7,592
Total number of jobs from beginning	11,478	9,872	8,131
Total number of job-seekers placed from beginning	11,316	9,645	7,945

Number of job-seekers placed in and removed from retraining

	at 31.12.2000	at 31.12.2001	at 31.12.2002
placed in retraining in course	33,331	35,145	36,015
ended retraining course	32,260	34,771	34,896

Jobs created by district in 2002

District	PUW	PUJ	School-leavers practice	Sheltered workshops	Total
Prague	144	82	30	46	302
Central Bohemia	1,353	968	571	43	2,935
South Bohemia	999	654	427	77	2,157
Plzeň	449	466	215	41	1,171
Karlovy Vary	295	234	198	1	728
Ústí nad Labem	5,337	1,965	1,449	242	8,993
Liberec	638	317	222	166	1,343
Hradec Králové	479	300	220	41	1,040
Pardubice	769	607	438	22	1,836
Vysočina	1,132	1,197	596	4	2,929
South Moravia	1,282	1,753	902	89	4,026
Olomouc	1,066	1,519	719	60	3,364
Zlín	456	882	470	54	1,862
Moravia-Silesia	2,049	2,510	1,674	90	6,323
Total Czech Republic	16,448	13,454	8,131	976	39,009

Job-seekers placed in created jobs and retraining by district in 2002

District	PUW	PUJ	School-leavers	Sheltered workshops	Retraining	Total
Prague	161	82	30	81	515	869
Central Bohemia	1,294	1,029	552	48	1,963	4,886
South Bohemia	1,066	675	422	80	1,395	3,638
Plzeň	471	467	215	41	1,208	2,402
Karlovy Vary	303	241	198	13	1,508	2,263
Ústí nad Labem	5,349	2,272	1,304	256	4,773	13,954
Liberec	744	319	222	151	1,190	2,626
Hradec Králové	445	272	213	41	2,095	3,066
Pardubice	729	620	438	48	1,298	3,133
Vysočina	992	1,198	596	3	1,621	4,410
South Moravia	1,244	1,861	884	100	3,561	7,650
Olomouc	1,002	1,516	719	56	2,681	5,974
Zlín	420	878	470	55	2,288	4,111
Moravia-Silesia	2,353	2,693	1,682	90	9,919	16,737
Total Czech Republic	16,573	14,123	7,945	1,063	36,015	75,719

Average number	1998	1999	2000	2001	2002
Job-seekers - total	311,677	443,171	469,967	443,822	477,466
Women	173,895	231,369	240,159	226,191	241,733
School-leavers and young people	50,860	69,405	63,537	54,798	59,005
Disabled	43,953	53,595	58,468	59,327	63,759
Job-seekers on benefit	151,949	193,682	176,264	155,006	173,123

Structure of job-seekers total at 31.12.2002								
	Prague	Central Bohemia	South Bohemia	Pardubice	South Moravia	Ústí nad Labem	Liberec	Hradec Králové
Job-seekers - total	23,691	41,761	21,118	21,865	63,777	74,135	19,334	20,497
Age structure	23,691	41,761	21,118	21,865	63,777	74,135	19,334	20,497
under 19	1,152	3,416	1,745	1,481	4,378	5,784	1,611	1,705
of this up to 18	173	639	292	223	523	1,411	340	285
20-24	4,278	7,387	3,988	3,748	12,413	12,809	3,484	3,940
under 25	5,430	10,803	5,733	5,229	16,791	18,593	5,095	5,645
25-29	3,368	5,596	2,966	3,081	8,976	10,703	2,551	2,879
30-34	2,487	4,645	2,334	2,502	6,676	8,583	2,102	2,082
35-39	2,224	4,060	2,103	2,209	6,327	7,896	1,951	1,932
40-44	1,923	3,523	1,846	1,928	5,751	6,679	1,690	1,765
45-49	2,617	4,649	2,249	2,477	7,185	8,268	2,147	2,182
50-54	3,317	5,313	2,476	2,875	7,635	8,922	2,486	2,493
55-59	2,155	2,931	1,302	1,480	4,192	4,209	1,241	1,415
over 60	170	241	109	84	244	282	71	104
Educational structure	23,691	41,761	21,118	21,865	63,777	74,135	19,334	20,497
no education	41	393	67	37	45	124	59	18
incomplete primary	71	261	55	33	39	248	101	36
primary	4,660	13,297	5,907	5,949	17,523	31,742	6,573	5,994
lower secondary	99	29	22	21	28	58	12	20
lower secondary vocational	353	935	373	434	997	1,660	490	433
secondary vocational with apprenticeship certificate	7,717	16,178	8,383	9,723	26,756	27,319	7,510	8,348
secondary or secondary technical without mat. or apprenticeship certificate	408	549	348	234	634	545	281	228
general secondary	1,118	1,177	611	607	2,109	1,491	451	721
secondary technical with apprenticeship and maturita	1,169	1,569	1,016	854	2,752	2,078	527	872
secondary technical with maturita (w/o	5,440	5,924	3,358	3,219	9,889	7,718	2,708	3,113

apprenticeship certificate)								
higher technical	328	339	205	159	389	218	103	165
bachelor's degree	129	114	61	52	153	153	49	68
university	2,100	958	698	526	2,380	765	455	472
doctorate	58	38	14	17	83	16	15	9
Length job-seekers registered	23,691	41,761	21,118	21,865	63,777	74,135	19,334	20,497
up to 3 months	7,707	11,328	7,031	6,483	15,463	13,619	5,324	6,128
3-6 months	5,795	8,992	5,130	4,448	13,130	11,608	4,421	4,972
6-9 months	2,699	4,813	2,167	2,442	7,320	7,689	2,207	2,434
9-12 months	1,975	3,206	1,502	1,576	5,205	6,110	1,557	1,673
12-24 months	3,070	6,253	2,793	2,930	10,495	13,150	2,908	2,782
over 24 months	2,445	7,169	2,495	3,986	12,164	21,959	2,917	,508
average length of registration (days)	286	418	327	427	440	627	396	339
Job-seekers unregistered per quarter	11,645	14,149	7,793	7,173	15,394	14,713	6,046	6,966
average length job-seekers registered (days)	151	191	157	182	229	296	174	168
Length of registration of job-seekers with main job	11,506	17,794	10,804	9,698	24,991	20,522	8,455	9,747
up to 3 months	5,275	8,251	5,207	4,939	11,367	9,043	3,873	4,475
3-6 months	4,577	7,001	4,105	3,512	10,251	8,302	3,478	3,963
6-9 months	912	1,643	828	905	2,371	2,175	615	874
9-12 months	329	370	279	187	465	426	197	203
12-24 months	407	521	383	153	532	540	287	228
over 24 months	6	8	2	2	5	36	5	4

	Karlovy Vary	Zlín	Olomouc	Plzeň	Vysočina	Moravia-Silesia
Job-seekers - total	16,115	29,759	39,395	20,226	21,548	101,214
Age structure	16,115	29,759	39,395	20,226	21,548	101,214
under 19	1,521	1,962	2,594	1,559	1,780	7,162
of this up to 18	419	199	353	357	169	1,085
20-24	2,678	5,534	7,303	3,151	4,247	17,466
under 25	4,199	7,496	9,897	4,710	6,027	24,628
25-29	2,108	3,961	5,395	2,643	2,967	13,023
30-34	1,752	3,120	4,216	2,197	2,430	10,908
35-39	1,602	3,034	3,922	2,153	2,142	10,881
40-44	1,478	2,696	3,783	1,837	1,903	10,282
45-49	1,965	3,530	4,438	2,375	2,253	12,151
50-54	1,997	3,763	4,973	2,674	2,464	12,479
55-59	935	2,004	2,597	1,515	1,266	6,159
over 60	79	155	174	122	96	703
Educational structure	16,115	29,759	39,395	20,226	21,548	101,214
no education	93	19	152	28	4	162
incomplete primary	931	36	69	78	18	71
primary	6,846	6,582	10,781	6,592	4,480	31,910
lower secondary	22	11	45	11	10	69
lower vocational	469	486	763	288	312	2,443
secondary vocational with apprenticeship certificate	5,027	13,589	16,801	7,752	10,147	42,838
secondary vocational without mat. or apprenticeship certificate	111	301	429	237	207	753
general secondary	272	962	1,185	570	672	3,121
secondary vocational with apprenticeship certificate or maturita	316	1,451	1,779	642	1,051	4,497
secondary vocational with maturita (w/o apprenticeship)	1,792	5,104	5,776	3,233	3,723	12,042

certificate)						
higher vocational	31	233	295	107	230	443
bachelor's degree	37	105	135	75	78	264
university	163	856	1,154	597	597	2,554
doctorate	5	24	31	16	19	47
Total length of registration	16,115	29,759	39,395	20,226	21,548	101,214
up to 3 months	4,014	7,040	9,432	5,951	6,246	17,479
3-6 months	2,914	6,338	7,315	4,341	4,911	16,823
6-9 months	1,651	3,745	4,373	2,058	2,476	11,218
9-12 months	1,404	2,770	2,998	1,445	1,487	8,525
12-24 months	2,956	4,499	6,215	2,629	2,905	18,078
over 24 months	3,176	5,367	9,062	3,802	3,523	29,091
average length of registration (days)	452	430	518	428	409	609
Job-seekers removed in quarter	4,196	7,632	9,497	7,071	6,317	18,376
average length of registration of placed job-seekers (days)	191	209	252	188	187	301
Length of registration of job-seekers with main job	5,037	12,115	14,454	8,931	10,439	28,122
up to 3 months	2,536	5,108	6,723	4,317	4,893	11,240
3-6 months	1,954	5,102	5,560	3,481	4,132	12,026
6-9 months	369	1,359	1,416	715	951	3,309
9-12 months	62	330	325	220	173	684
12-24 months	116	212	425	198	284	847
over 24 months	0	4	5	0	6	16

Structure of job-seekers total - women - at 31.12.2002

	Prague	Central Bohemia	South Bohemia	Pardubice	South Moravia	Ústí nad Labem	Liberec
Job-seekers - total	12,472	22,134	11,269	11,191	31,819	37,044	9,832
Age structure	12,472	22,134	11,269	11,191	31,819	37,044	9,832
under 19	501	1,469	763	636	1,916	2,490	721
of this up to 18	75	319	135	120	264	645	172
20-24	1,718	3,024	1,700	1,600	5,149	4,969	1,328
under 25	2,219	4,493	2,463	2,236	7,065	7,459	2,049
25-29	1,805	3,234	1,733	1,621	4,526	5,341	1,312
30-34	1,551	3,006	1,560	1,547	3,983	5,010	1,286
35-39	1,363	2,478	1,292	1,338	3,658	4,515	1,190
40-44	1,154	2,032	1,089	1,090	3,194	3,663	925
45-49	1,566	2,646	1,251	1,303	3,934	4,525	1,240
50-54	2,019	3,200	1,475	1,619	4,271	5,183	1,454
55-59	774	994	384	427	1,147	1,263	362
over 60	21	51	22	10	41	85	14
Educational structure	12,472	22,134	11,269	11,191	31,819	37,044	9,832
no education	22	182	35	11	18	78	36
incomplete primary	26	100	28	17	14	100	37
primary	2,474	7,301	3,212	3,067	9,365	15,953	3,386
lower secondary	55	23	13	13	26	31	7
lower secondary vocational	172	347	147	174	377	588	171
secondary vocational with apprenticeship certificate	3,616	7,713	4,060	4,411	11,354	12,530	3,472
secondary vocational without mat. or apprenticeship certificate	318	464	243	181	469	438	224
general secondary	706	832	417	426	1,381	1,018	280
secondary vocational with apprenticeship and maturita	527	707	486	411	1,231	988	237
secondary vocational with maturita (w/o apprenticeship)	3,351	3,786	2,203	2,100	6,360	4,844	1,702
higher vocational	176	188	108	102	225	130	59
bachelor's degree	76	63	30	30	71	64	28

university	931	410	283	239	909	277	184
doctorate	22	18	4	9	19	5	9
Total length of registration of job-seekers	12,472	22,134	11,269	11,191	31,819	37,044	9,832
up to 3 months	3,701	5,385	3,158	2,665	6,682	5,934	2,342
3-6 months	3,196	4,826	2,881	2,298	6,684	5,818	2,323
6-9 months	1,483	2,646	1,302	1,367	3,852	3,937	1,219
9-12 months	1,117	1,796	876	902	2,737	3,171	814
12-24 months	1,580	3,342	1,519	1,631	5,337	6,548	1,502
over 24 months	1,395	4,139	1,533	2,328	6,527	11,636	1,632
average length of registration (days)	300	443	361	473	467	667	426
Job-seekers unregistered in quarter	5,949	7,256	3,884	3,544	7,722	6,946	2,977
average length of registration of placed job-seekers (days)	160	207	173	212	248	323	191
Length of registration of job-seekers with main job	6,120	9,060	5,622	4,675	12,253	10,220	4,299
under 3 months	2,724	4,057	2,476	2,054	5,138	4,247	1,818
3-6 months	2,605	3,879	2,403	1,917	5,477	4,441	1,929
6-9 months	519	882	520	540	1,267	1,199	363
9-12 months	171	172	138	107	256	217	99
12-24 months	98	67	83	55	113	101	88
over 24 months	3	3	2	2	2	15	2

	Hradec Králové	Karlovy Vary	Zlín	Olomouc	Plzeň	Vysočina	Moravia- Silesia
Job-seekers - total	10,470	7,285	14,863	19,055	10,362	11,254	48,388
Age structure	10,470	7,285	14,863	19,055	10,362	11,254	48,388
under 19	734	624	869	1,101	674	767	2,988
of this up to 18	133	213	81	175	164	83	503
20-24	1,613	905	2,428	2,878	1,308	1,786	6,810
under 25	2,347	1,529	3,297	3,979	1,982	2,553	9,798
25-29	1,495	1,000	2,092	2,614	1,475	1,626	6,450

30-34	1,255	901	1,908	2,430	1,356	1,573	6,228
35-39	1,145	854	1,711	2,175	1,271	1,296	5,868
40-44	1,038	749	1,457	2,013	1,051	1,069	5,153
45-49	1,254	948	1,832	2,322	1,274	1,262	5,968
50-54	1,434	1,052	2,006	2,787	1,488	1,461	6,870
55-59	491	235	535	710	443	398	1,909
over 60	11	17	25	25	22	16	144
Educational structure	10,470	7,285	14,863	19,055	10,362	11,254	48,388
no education	11	53	15	60	18	3	85
incomplete primary	17	393	17	28	35	6	38
primary	3,061	3,155	3,515	5,539	3,368	2,471	16,030
lower secondary	12	14	8	32	6	4	31
lower secondary vocational	179	131	202	309	116	118	918
secondary vocational with apprenticeship certificate	3,798	2,009	5,598	6,824	3,479	4,655	17,871
secondary vocational without mat. or apprenticeship certificate	195	89	235	307	198	159	611
general secondary	466	169	684	760	391	459	2,106
secondary vocational with apprenticeship certificate and maturita	438	130	660	775	284	493	1,878
secondary vocational with maturita (w/o apprenticeship certificate)	1,949	1,038	3,370	3,688	2,114	2,471	7,357
higher vocational	90	19	162	177	67	145	290
bachelor's degree	45	14	57	67	50	41	127
university	204	69	328	474	233	223	1,028
doctorate	5	2	12	15	3	6	18
Total length of registration	10,470	7,285	14,863	19,055	10,362	11,254	48,388
up to 3 months	2,655	1,784	2,901	3,790	2,642	2,767	7,298
3-6 months	2,639	1,341	3,320	3,619	2,274	2,586	8,377
6-9 months	1,346	786	1,977	2,275	1,148	1,407	5,541
9-12 months	950	625	1,462	1,544	796	870	4,269
12-24 months	1,458	1,257	2,351	3,020	1,419	1,571	8,779

over 24 months	1,422	1,492	2,852	4,807	2,083	2,053	14,124
average length of registration (days)	365	465	456	560	456	444	614
Job-seekers unregistered in quarter	3,580	2,004	3,734	4,634	3,483	3,274	9,000
average length of registration of placed job-seekers (days)	179	203	241	262	207	188	319
Registration of job-seekers with main job	4,997	2,475	6,065	6,633	4,526	5,164	13,636
up to 3 months	2,054	1,241	2,221	2,778	2,034	2,256	5,027
3-6 months	2,230	990	2,809	2,892	1,895	2,238	6,426
6-9 months	539	193	765	748	413	539	1,700
9-12 months	112	26	183	141	119	89	328
12-24 months	59	25	83	71	65	40	148
over 24 months	3	0	4	3	0	2	7

Structure job-seekers total - MEN at 31.12.2002								
	Prague	Central Bohemia	South Bohemia	Pardubice	South Moravia	Ústí	Liberec	Hradec Králové
Job-seekers - total	11,219	19,627	9,849	10,674	31,958	37,091	9,502	10,027
Age structure	11,219	19,627	9,849	10,674	31,958	37,091	9,502	10,027
under 19	651	1,947	982	845	2,462	3,294	890	971
of this up to 18	98	320	157	103	259	766	168	152
20-24	2,560	4,363	2,288	2,148	7,264	7,840	2,156	2,327
under 25	3,211	6,310	3,270	2,993	9,726	11,134	3,046	3,298
25-29	1,563	2,362	1,233	1,460	4,450	5,362	1,239	1,384
30-34	936	1,639	774	955	2,693	3,573	816	827
35-39	861	1,582	811	871	2,669	3,381	761	787
40-44	769	1,491	757	838	2,557	3,016	765	727
45-49	1,051	2,003	998	1,174	3,251	3,743	907	928
50-54	1,298	2,113	1,001	1,256	3,364	3,739	1,032	1,059
55-59	1,381	1,937	918	1,053	3,045	2,946	879	924
over 60	149	190	87	74	203	197	57	93
Educational structure	11,219	19,627	9,849	10,674	31,958	37,091	9,502	10,027
no education	19	211	32	26	27	46	23	7
incomplete primary	45	161	27	16	25	148	64	19
primary	2,186	5,996	2,695	2,882	8,158	15,789	3,187	2,933
lower secondary	44	6	9	8	2	27	5	8
lower secondary vocational	181	588	226	260	620	1,072	319	254
secondary vocational with apprenticeship certificate	4,101	8,465	4,323	5,312	15,402	14,789	4,038	4,550
secondary vocational without mat. and apprenticeship certificate	90	85	105	53	165	107	57	33
general secondary	412	345	194	181	728	473	171	255
secondary vocational with apprenticeship certificate and maturita	642	862	530	443	1,521	1,090	290	434
secondary vocational with maturita (w/o apprenticeship certificate)	2,089	2,138	1,155	1,119	3,529	2,874	1,006	1,164
higher vocational	152	151	97	57	164	88	44	75

bachelor's degree	53	51	31	22	82	89	21	23
university	1,169	548	415	287	1,471	488	271	268
doctorate	36	20	10	8	64	11	6	4
Total length of registration	11,219	19,627	9,849	10,674	31,958	37,091	9,502	10,027
up to 3 months	4,006	5,943	3,873	3,818	8,781	7,685	2,982	3,473
3-6 months	2,599	4,166	2,249	2,150	6,446	5,790	2,098	2,333
6-9 months	1,216	2,167	865	1,075	3,468	3,752	988	1,088
9-12 months	858	1,410	626	674	2,468	2,939	743	723
12-24 months	1,490	2,911	1,274	1,299	5,158	6,602	1,406	1,324
over 24 months	1,050	3,030	962	1,658	5,637	10,323	1,285	1,086
average length of registration (days)	272	389	288	378	414	587	364	311
Job-seekers unregistered in quarter	5,696	6,893	3,909	3,629	7,672	7,767	3,069	3,386
average length of registration of placed job-seekers (days)	142	174	142	153	210	272	157	156
Length of registration of job-seekers with main job	5,386	8,734	5,182	5,023	12,738	10,302	4,156	4,750
up to 3 months	2,551	4,194	2,731	2,885	6,229	4,796	2,055	2,421
3-6 months	1,972	3,122	1,702	1,595	4,774	3,861	1,549	1,733
6-9 months	393	761	308	365	1,104	976	252	335
9-12 months	158	198	141	80	209	209	98	91
12-24 months	309	454	300	98	419	439	199	169
over 24 months	3	5	0	0	3	21	3	1

	Karlovy Vary	Zlín	Olomouc	Plzeň	Vysočina	Moravia- Silesia
Job-seekers - total	8,830	14,896	20,340	9,864	10,294	52,826
Age structure	8,830	14,896	20,340	9,864	10,294	52,826
under 19	897	1,093	1,493	885	1,013	4,174
of this up to 18	206	118	178	193	86	582
20-24	1,773	3,106	4,425	1,843	2,461	10,656
under 25	2,670	4,199	5,918	2,728	3,474	14,830
25-29	1,108	1,869	2,781	1,168	1,341	6,573
30-34	851	1,212	1,786	841	857	4,680
35-39	748	1,323	1,747	882	846	5,013
40-44	729	1,239	1,770	786	834	5,129
45-49	1,017	1,698	2,116	1,101	991	6,183
50-54	945	1,757	2,186	1,186	1,003	5,609
55-59	700	1,469	1,887	1,072	868	4,250
over 60	62	130	149	100	80	559
Educational structure	8,830	14,896	20,340	9,864	10,294	52,826
no education	40	4	92	10	1	77
incomplete primary	538	19	41	43	12	33
primary	3,691	3,067	5,242	3,224	2,009	15,880
lower secondary	8	3	13	5	6	38
lower secondary vocational	338	284	454	172	194	1,525
secondary vocational with apprenticeship certificate	3,018	7,991	9,977	4,273	5,492	24,967
secondary vocational without mat. and apprenticeship certificate	22	66	122	39	48	142
general secondary	103	278	425	179	213	1,015
secondary vocational with apprenticeship certificate and maturita	186	791	1,004	358	558	2,619
secondary vocational with maturita (w/o apprenticeship certificate)	754	1,734	2,088	1,119	1,252	4,685
higher vocational	12	71	118	40	85	153

bachelor's degree	23	48	68	25	37	137
university	94	528	680	364	374	1,526
doctorate	3	12	16	13	13	29
Total length of registration	8,830	14,896	20,340	9,864	10,294	52,826
up to 3 months	2,230	4,139	5,642	3,309	3,479	10,181
3-6 months	1,573	3,018	3,696	2,067	2,325	8,446
6-9 months	865	1,768	2,098	910	1,069	5,677
9-12 months	779	1,308	1,454	649	617	4,256
12-24 months	1,699	2,148	3,195	1,210	1,334	9,299
over 24 months	1,684	2,515	4,255	1,719	1,470	14,967
average length of registration (days)	441	405	479	398	371	604
Job-seekers unregistered per quarter	2,192	3,898	4,863	3,588	3,043	9,376
average length of registration of placed job-seekers (days)	181	178	243	170	187	284
Length of registration of job-seekers with main job	2,562	6,050	7,821	4,405	5,275	14,486
up to 3 months	1,295	2,887	3,945	2,283	2,637	6,213
3-6 months	964	2,293	2,668	1,586	1,894	5,600
6-9 months	176	594	668	302	412	1,609
9-12 months	36	147	184	101	84	356
12-24 months	91	129	354	133	244	699
over 24 months	0	0	2	0	4	9

Job-seekers	31.12.94		31.12.96	31.12.97	31.12.98	31.12.99	31.12.00	31.12.01	31.12.02
Job-seekers - individuals	166,480	153,041	186,339	268,902	386,918	487,623	457,369	461,923	514,435
Age structure	166,480	153,041	186,339	268,902	386,918	487,623	457,369	461,923	514,435
under 19	22,431	20,399	24,139	33,418	32,566	23,551	16,167	36,180	37,850
20-24	24,613	22,353	27,721	46,469	95,294	120,233	103,808	83,324	92,426
under 25	47,044	42,752	51,860	79,887	127,860	143,784	119,975	119,504	130,276
25-29	23,644	19,310	22,243	32,769	47,535	63,563	61,788	63,512	70,217
30-34	20,117	18,128	21,453	30,215	41,911	54,072	51,991	51,374	56,034
35-39	19,154	16,822	19,060	25,184	35,229	47,836	47,435	48,302	52,436
40-44	19,126	18,429	22,035	30,168	39,623	50,280	47,285	45,442	47,084
45-49	17,371	17,946	22,835	31,567	42,178	56,299	54,783	54,701	58,486
50-54	14,591	14,301	19,273	28,301	38,901	53,294	54,286	56,066	63,867
55-59	5,175	5,097	7,186	10,294	12,906	17,563	18,510	21,377	33,401
over 60	258	256	394	517	775	932	1,316	1,645	2,634
Qualification structure	166,480	153,041	186,339	268,902	386,918	487,623	457,369	461,923	514,435
no education	1,869	1,919	2,043	2,706	2,521	3,071	3,195	3,200	3,289
primary	62,650	59,934	68,492	86,977	114,667	143,212	141,397	145,243	158,836
apprenticeship certificate	66,049	57,774	71,081	105,893	160,449	198,212	187,464	18,5560	208,088
secondary (without mat.)	3,065	2,743	3,111	4,050	4,103	11,482	11,781	14,064	16,158
apprenticeship certificate with mat.	3,701	3,410	5,187	9,179	17,682	26,848	21,125	17,669	20,573
general secondary (gymn. with mat.)	5,710	5,104	6,454	9,944	13,711	16,410	14,310	14,358	15,067
secondary vocational (with mat.)	19,850	18,693	25,506	42,405	62,109	72,020	62,503	64,621	73,039
higher education	163	186	282	620	1,399	1,958	2,226	2,760	3,245
university	3,423	3,278	4,183	7,128	10,277	14,410	13,368	14,448	16,140
Length of unemployment	166,480	153,041	186,339	268,902	386,918	487,623	457,369	461,923	514,435
up to 3 months	67,275	59,674	77,452	99,564	133,892	130,533	116,960	120,721	123,245
3-6 months	36,979	32,899	42,821	68,427	98,505	103,684	83,339	87,755	101,138
6-9 months	16,505	14,490	18,009	30,311	41,049	61,785	47,138	47,202	57,292
9-12 months	11,043	9,760	10,495	18,012	26,700	46,895	34,369	35,042	41,433
over 12 months	34,678	36,218	37,562	52,588	86,772	144,726	175,563	171,203	191,327
Job-seekers total	166,480	153,041	186,339	268,902	386,918	487,623	457,369	461,923	514,435

Women	31.12.94	31.12.95	31.12.96	31.12.97	31.12.98	31.12.99	30.12.00	31.12.01	31.12.02
Job-seekers - women	96,632	88,113	87,569	151,772	205,401	248,120	229,804	231,870	257,438
Age structure	96,632	88,113	87,569	151,772	205,401	248,120	229,804	231,870	257,438
under 19	10,643	10,057	12,044	17,082	14,340	10,888	6,756	15,588	16,253
20-24	13,015	11,607	13,843	23,619	44,548	51,147	41,960	33,542	37,216
under 25	23,658	21,664	25,887	40,701	58,888	62,035	48,716	49,130	53,469
25-29	15,962	12,525	14,223	21,105	28,696	35,451	34,103	33,990	36,324
30-34	13,268	11,889	13,711	19,759	26,200	32,546	31,422	31,142	33,594
35-39	11,849	10,306	11,350	15,171	20,572	27,053	27,196	27,693	30,154
40-44	11,038	10,752	12,683	17,312	22,017	26,971	25,548	24,537	25,677
45-49	10,265	10,623	13,467	18,474	23,893	30,911	29,627	29,398	31,325
50-54	9,504	9,240	12,068	17,028	22,669	30,156	29,795	31,264	36,319
55-59	931	967	1,566	2,031	2,190	2,686	2,994	4,280	10,072
over 60	157	147	145	191	276	311	403	436	504
Qualification structure	96,632	88,113	105,100	151,772	205,401	248,120	229,804	231,870	257,438
no education	1,094	1,116	1,121	1,381	1,195	1,394	1,440	1,433	1,483
primary	37,252	35,399	39,475	49,435	62,418	76,104	73,820	75,297	81,897
apprenticeship certificate	34,086	29,479	34,885	51,599	72,593	85,725	81,497	81,498	91,390
secondary (without mat.)	2,462	2,176	2,442	3,208	3,607	6,881	6,679	7,494	8,355
apprenticeship certificate with mat.	1,997	1,921	2,892	5,231	8,477	12,327	9,354	7,708	9,245
general secondary (gymn. with mat.)	4,168	3,528	4,687	7,362	9,783	11,402	9,825	9,675	10,095
secondary vocational (secondary with mat.)	13,750	12,773	17,459	29,626	41,681	46,758	40,335	41,377	46,333
higher education	107	127	178	407	925	1,157	1,368	1,607	1,938
university	1,716	1,594	1,961	3,523	4,722	6,372	5,486	5,781	6,702
Length of unemployment	96,632	88,113	105,100	151,772	205,401	248,120	229,804	231,870	257,438
up to 3 months	34,830	29,830	38,377	48,311	60,470	56,423	50,426	52,071	53,704
3-6 months	23,233	20,394	26,379	41,969	54,395	54,762	42,525	45,243	52,182
6-9 months	10,776	9,447	11,428	19,092	23,836	32,816	25,315	25,484	30,286
9-12 months	7,078	6,292	6,537	11,283	15,871	24,688	18,149	18,977	21,929
over 12 months	20,715	22,150	22,379	31,117	50,829	79,431	93,389	90,095	99,337

Unemployment rate	31.12.94	31.12.95	31.12.96	31.12.97	31.12.98	31.12.99	31.12.00	31.12.01	31.12.02
Prague	0.3	0.3	0.4	0.9	2.3	3.5	3.4	3.4	3.7
Benešov	1.8	1.7	1.9	2.5	3.5	4.1	3.5	3.5	3.9
Beroun	2.1	1.9	2.2	3.4	4.4	5.6	5.0	4.8	5.6
Kladno	4.9	4.6	5.1	9.2	8.7	10.2	9.8	9.5	10.2
Kolín	4.1	3.8	4.4	6.1	8.5	10.9	9.8	9.7	9.9
Kutná Hora	3.2	3.0	4.0	6.6	9.3	11.3	11.3	11.3	12.6
Mělník	2.9	2.3	2.9	3.9	5.9	8.5	7.4	7.0	7.8
Mladá Boleslav	1.6	1.3	1.4	2.1	2.8	4.5	3.2	4.0	4.6
Nymburk	4.3	3.4	4.0	5.8	8.4	9.7	8.9	9.0	9.2
Prague-East	0.7	0.6	0.5	0.7	1.6	2.5	3.0	2.9	3.6
Prague-West	0.6	0.4	0.6	1.1	2.2	3.1	2.8	2.5	2.8
Příbram	4.1	3.8	4.3	6.1	8.6	9.0	8.3	8.7	8.5
Rakovník	2.6	2.8	3.3	5.1	7.5	8.9	8.6	7.5	7.7
Central Bohemia district	2.9	2.6	3.0	4.6	6.1	7.5	6.8	6.8	7.2
České Budějovice	1.5	1.4	1.7	2.8	4.2	4.9	4.4	4.6	4.7
Český Krumlov	3.5	3.1	3.6	6.3	8.5	9.5	8.7	8.7	10.4
Jindřichův Hradec	1.8	1.1	1.5	2.7	4.8	5.9	4.9	5.6	6.7
Písek	2.8	2.8	3.3	5.2	7.3	7.9	7.6	7.6	8.4
Prachatice	2.5	3.1	4.0	5.5	6.9	7.7	6.0	6.8	7.3
Strakonice	3.7	2.6	3.6		6.6	7.7	6.6	6.8	7.4
Tábor	1.7	1.5	2.1	3.2	5.5	6.7	5.6	5.3	5.7
České Budějovice district	2.2	2.0	2.6	3.9	5.7	6.7	5.8	6.0	6.7
Domažlice	1.3	1.1	1.2	2.7	4.6	5.8	4.2	4.6	6.1
Klatovy	2.9	2.5	2.7	3.9	5.9	6.5	6.2	6.4	7.4
Plzeň-Town	2.9	2.6	3.1	4.9	6.7	8.3	7.3	7.2	7.4
Plzeň-South	1.0	0.7	1.3	2.5	4.6	6.1	4.8	4.9	5.2
Plzeň-North	1.8	1.6	2.0	3.7	5.6	7.0	5.7	5.7	6.4
Rokycany	3.6	2.8	3.6	5.0	6.3	9.0	7.9	7.5	7.5

Tachov	4.1	3.5	4.2	6.5	8.2	8.7	8.5	8.8	9.2
Plzeň district	2.6	2.2	2.7	4.2	6.1	7.4	6.5		7.1
Cheb	1.1	1.8	2.7	4.2	5.7	7.3	5.7	5.4	7.2
Karlovy Vary	0.9	1.4	2.0	3.9	6.4	9.1	8.2	9.3	10.2
Sokolov	3.4	3.4	3.7	6.0	8.6	10.5	9.9	10.9	12.5
Karlovy Vary district	1.7	2.1	2.8	4.6	6.9	9.0	8.0	8.7	10.1
Děčín	5.5	5.7	7.6	9.3	11.9	14.1	13.6	13.5	15.2
Chomutov	6.1	6.4	7.7	12.1	14.8	17.9	16.9	16.4	17.7
Litoměřice	3.8	4.5	5.4	8.9	11.8	13.4	13.6	12.4	13.2
Louny	6.9	7.1	8.2	11.3	15.5	17.5	17.1	17.2	18.6
Most	5.4	7.3	9.4	12.4	15.6	20.0	21.5	21.3	21.7
Teplice	6.1	6.5	7.1	10.0	13.2	15.7	17.0	16.6	18.2
Ústí nad Labem	3.1	3.3	4.5	6.8	10.5	13.7	14.1	14.1	15.3
Ústí district	5.2		7.6	10.0	13.2	15.9	16.1	15.8	17.1
Česká Lípa	3.1	2.8	3.2	5.1	7.1	8.2	6.7	7.6	9.2
Jablonec nad Nisou	0.9	1.0	1.2	3.2	5.1	5.9	4.9	6.2	8.2
Liberec	3.0	3.3	4.3	6.8	8.4	8.6	7.3	8.3	9.2
Semily	1.7	1.9	2.3	4.2	6.0	7.5	6.1	6.5	7.4
Liberec district	2.4	2.5	3.1	5.2	7.0	7.8	6.4	7.4	8.7
Hradec Králové	1.9	1.7	2.5	4.1	6.4	8.6	6.5	6.1	6.5
Jičín	2.7	2.3	2.9	4.8	6.7	7.7	5.8	6.0	8.0
Náchod	2.2	1.8	2.3	3.3	5.2	6.5	5.3	5.8	6.7
Rychnov nad Kněžnou	2.1	1.8	2.4	4.1	6.2	6.8	5.0	5.6	6.0
Trutnov	2.6	2.5	3.0	4.1	5.8	7.5	6.1	7.6	9.3
Hradec Králové district	2.2	2.0	2.7	4.0	6.1	7.5	5.9	6.3	
Chrudim	3.2	2.8	3.8	5.3	7.4	10.6	9.4	8.8	10.0
Pardubice	1.6	1.5	1.8	2.9	4.9	6.6	5.5	5.6	6.2
Svitavy	4.3	4.8	5.4	7.2	8.9	11.6	10.8	11.3	12.4
Ústí nad Orlicí	2.9	2.5	3.5	4.6	6.4	8.9	7.3	7.6	7.7
Pardubice district	2.8	2.7	3.5	4.7	6.6	9.0	7.9	7.9	8.7

Havlíčkův Brod	2.6	2.4	2.9	4.6	6.1	7.9	6.2	5.4	6.7
Jihlava	4.4	3.4	4.0	6.0	7.3	8.6	6.3	5.8	6.9
Pelhřimov	2.5	2.4	2.6	3.5	4.3	4.9	4.0	3.7	4.5
Třebíč	5.3	4.8	5.7	7.7	10.7	13.4	11.8	11.5	13.5
Žďár nad Sázavou	3.9	3.5	4.1	5.6	7.8	9.3	7.5	7.2	8.5
Jihlava district	3.9	3.4	4.2	5.7	7.5	9.2	7.5	7.0	8.3
Blansko	2.9	2.5	3.6	5.4	7.4	9.1	7.0	7.4	8.9
Brno-Town	1.6	1.6	2.0	3.4	6.0	8.1	7.9	8.6	10.0
Brno-Country	2.0	1.9	2.4	3.5	5.6	7.2	6.7	7.2	8.7
Břeclav	5.0	4.7	5.0	7.4	9.6	10.7	10.1	10.4	11.8
Hodonín	4.7	3.7	4.5	7.1	11.0	13.5	14.1	13.8	15.4
Vyškov	4.0	3.8	4.5	6.5	8.7	10.8	9.4	8.9	9.6
Znojmo	6.3	5.7	5.7	9.4	11.9	13.9	13.0	13.5	15.5
Brno district	3.2	2.9	3.5	5.4	7.9	9.9	9.3	9.7	11.2
Jeseník			7.0	9.3	10.3	13.0	13.2	14.8	16.9
Olomouc	3.8	3.8	4.8	7.1	9.9	12.1	11.4	11.0	11.6
Prostějov	4.1	3.5	4.5	6.8	9.2	10.7	10.4	10.1	10.0
Přerov	6.1	5.4	5.7	9.0	12.5	14.5	14.2	12.5	12.8
Šumperk	5.3	4.7	5.9	7.0	9.4	12.1	11.3	12.8	13.1
Olomouc district	4.7	4.3	5.6	7.6	10.2	12.4	11.9	11.8	12.2
Kroměříž	4.3	3.2	3.5	5.7	8.6	10.7	9.8	9.8	11.0
Uherské Hradiště	1.6	1.3	1.9	3.2	5.1	6.9	7.2	7.3	8.7
Vsetín	5.0	4.0	5.6	6.9	9.3	10.5	9.5	10.2	11.8
Zlín	1.9	1.6	2.3	3.5	5.6	7.6	6.9	7.5	9.7
Zlín district	3.0	2.4	3.3		7.0	8.7	8.1	8.5	10.2
Bruntál	6.9	5.8	6.5	8.7	11.4	15.6	17.2	16.5	16.7
Frýdek-Místek	5.5	4.1	4.7	7.2	11.4	14.8	14.1	13.8	14.4
Karviná	6.7	6.6	7.7	10.4	13.8	18.2	18.0	18.0	19.6
Nový Jičín	7.5	5.9	5.6	6.9	9.5	12.2	12.4	12.8	13.4
Opava	4.1	3.3	3.7	5.8	8.8	10.8	10.7	11.3	11.7
Ostrava-Town	5.6	4.8	5.4	7.5	12.0	15.9	16.6	16.2	17.2

Ostrava district	6.0	5.1	6.0	7.8	11.4		15.1	15.1	15.9
Total Czech Republic	3.2	2.9	3.5	5.2	7.5	9.4	8.8	8.9	9.8

Vacancies	31.12.94	31.12.95	31.12.96	31.12.97	31.12.98	31.12.99	30.12.00	31.12.01	31.12.02
Prague	14,587	14,432	12,017	7,546	5,370	3,883	4,906	7,658	7,685
Benešov	261	351	686	534	307	467	715	980	354
Beroun	508	904	657	462	256	380	483	413	370
Kladno	1,606	1,303	1,436	882	416	663	771	933	426
Kolín	567	758	735	545	446	285	556	492	338
Kutná Hora	670	631	823	750	665	208	189	233	136
Mělník	1,166	892	884	672	299	193	369	450	440
Mladá Boleslav	10,26	1,694	1,905	1,332	915	606	1,009	1,566	650
Nymburk	967	642	1,133	687	518	523	765	1,005	322
Prague-East	624	631	792	628	825	984	1,682	909	819
Prague-West	708	612	685	338	568	540	753	926	565
Příbram	481	768	908	632	412	439	777	1,325	589
Rakovník	468	706	749	465	129	97	172	128	222
Central Bohemia district	9,052	9,892	11,393	7,927	5,756	5,385	8,241	9,360	5,231
České Budějovice	1,294	1,946	1,413	1,162	449	382	500	348	442
Český Krumlov	420	528	326	361	174	149	265	350	332
Jindřichův Hradec	980	1,532	1,589	1,124	425	375	501	302	287
Písek	374	492	669	511	365	231	415	436	453
Prachatice	671	1,033	949	841	555	427	347	292	276
Strakonice	778	1,100	982		448	383	456	480	630
Tábor	557	520	482	499	304	277	684	752	268
České Budějovice district	5,074	7,151	6,410	5,684	2,720	2,224	3,168	2,960	2,688

Domažlice	672	686	648	400	400	395	533	463	305
Klatovy	633	1,027	1,053	903	676	556	695	718	499
Plzeň-Town	1,357	1,996	1,322	934	475	436	1,065	1,155	905
Plzeň-South	750	701	526	370	239	228	264	324	277
Plzeň-North	449	810	679	317	180	204	271	383	260
Rokycany	458	451	365	435	143	175	109	105	104
Tachov	366	606	422	340	371	314	494	386	301
Plzeň district	4,685	6,277	5,015	3,699	2,484	2,308	3,431	3,534	2,651
Cheb	740	621	588	298	336	593	641	554	468
Karlovy Vary	674	947	926	760	331	197	378	476	397
Sokolov	914	770	912	594	603	469	523	371	361
Karlovy Vary district	2,328	2,338	2,426	1,652		1,259	1,542	1,401	1,226
Děčín	876	1,301	1,177	1,177	264	431	784	1,092	702
Chomutov	746	767	817	401	356	266	348	429	291
Litoměřice	647	962	943	783	253	404	314	473	323
Louny	182	355	110	76	335	258	344	337	324
Most	677	952	1276	531	294	421	301	259	250
Teplice	536	941	631	503	150	167	221	242	181
Ústí nad Labem	917	653	489	426	467	576	486	463	510
Ústí district	4,581	5,931	5,443	3,897	2,119	2,523	2,798	3,295	2,581
Česká Lípa	810	881	1,178	777	779	755	704	579	469
Jablonec nad Nisou	645	583	625	370	275	515	556	368	315
Liberec	1,764	1,328	1,226	1,174	970	841	1426	769	740
Semily	915	1,213	1,386	865	423	510	963	961	384
Liberec district	4,134	4,005	4,415	3,186	2,447	2,621	3,649	2,677	1,908
Hradec Králové	2,376	2,008	1,651	1,162	583	656	1,948	1,486	1,077
Jičín	467	696	900	545	313	293	534	495	367
Náchod	1,233	1,331	1,245	941	879	686	1069	733	492
Rychnov nad Kněžnou	645	741	729	662	294	305	330	286	193
Trutnov	1,091	1,088	1,008	852	640	786	1,150	950	635

Hradec Králové district	5,812	5,864	5,533	4,162	2,709	2,726	5,031	3,950	2,764
Chrudim	603	725	699	741	432	197	394	510	312
Pardubice	1,369	1,365	1,331	1,050	572	443	1,481	959	679
Svitavy	690	703	1,003	1,066	622	452	706	695	528
Ústí nad Orlicí	1,588	1,701	1,321	1,190	918	725	1,080	565	461
Pardubice district	4,250	4,494	4,354	4,047	2,544	1,817	3,661	2,729	1,980
Havlíčkův Brod	637	806	1,200	765	318	258	404	253	179
Jihlava	484	701	1,172	727	493	734	612	941	606
Pelhřimov	778	878	776	455	274	210	303	420	432
Třebíč	711	966	835	595	315	273	663	525	601
Žďár nad Sázavou	645	556	1077	605	374	402	656	658	449
Jihlava district	3,255	3,907	5,060	3,147	1,774	1,877	2,638	2,797	2,267
Blansko	419	647	401	637	424	495	1,155	534	476
Brno-Town	2,674	2,369	2,290	1,560	475	559	1,278	1,421	782
Brno-Country	716	974	872	674	435	291	364	394	615
Břeclav	481	748	927	558	167	240	395	302	174
Hodonín	635	953	1,173	666	436	340	341	529	452
Vyškov	220	230	330	247	206	260	590	205	125
Znojmo	478	659	772	257	229	353	273	335	281
Brno district	5,623	6,580	6,765	4,599	2,372	2,538	4,396	3,720	2,905
Jeseník	0	0	306	289	221	130	180	231	44
Olomouc	1,049	1,298	800	1,091	256	480	656	899	1,189
Prostějov	628	1,280	923	768	801	762	1,061	1,322	1,051
Přerov	816	981	840	652	360	259	1,099	409	298
Šumperk	1,205	1,351	902	895	500	306	688	403	324
Olomouc district	3,698	4,910	3,771	3,695	2,138	1,937	3,684	3,264	2,906
Kroměříž	595	576	794	716	475	348	460	607	323
Uherské Hradiště	802	1,089	1,531	1,393	411	230	323	387	376
Vsetín	988	1,366	1,152	685	420	364	619	735	441
Zlín	765	634	654	850	500	1,377	540	444	418

Zlín district	3,150	3,665	4,131	3,644	1,806	2,319	1,942	2,173	1,558
Bruntál	720	678	492	421	255	188	196	253	208
Frýdek-Místek	849	1,026	1,195	928	350	337	580	437	490
Karviná	1,429	1,981	1,873	1,464	453	410	445	515	248
Nový Jičín	819	1,301	1,093	645	291	212	320	351	372
Opava	376	842	782	557	301	241	419	297	320
Ostrava-Town	2,159	2,773	1,808	1,384	482	312	1,013	713	663
Ostrava district	6,352	8,601	7,243	5,399	2,132	1,700	2,973	2,566	2,301
Total Czech Republic	76,581	88,047	83,976	62,284	37,641	35,117	52,060	52,084	40,651

Length of registration of job-seekers	31.12.98	31.12.99	31.12.00	31.12.01	31.12.02
Job-seekers unregistered per quarter	124,957	151,720	158,307	141,112	136,968
average length of registration of placed job-seekers (days)	142	178	211	213	219

Year	Newly registered job-seekers	Job-seekers unregistered by job centres						Rate of placement (placed through job centres/ unregistered) in %
		total unregistered	placed through job centres	placed otherwise	total placed	unregistered for non-cooperation with JC	other	
1994 total	386,974	405,710	128,771	172,168	300,939	37,170	67,601	31.7
monthly average	32,248	33,809	10,731	14,347	25,078	3,098	5,633	
1995 total	352,221	365,660	109,708	153,757	263,465	31,507	70,678	30.0
monthly average	29,352	30,472	9,142	12,813	21,955	2,626	5,890	
1996 total	376,763	343,465	102,007	150,150	252,157	29,316	61,992	29.7
monthly average	31,397	28,622	8,501	12,513	21,013	2,443	5,166	
1997 total	498,546	415,983	111,166	193,211	304,377	32,259	79,272	26.7
monthly average	41,546	34,665	9,264	16,101	25,365	2,688	6,606	
1998 total	638,583	520,567	105,134	257,924	363,058	52,101	105,408	20.2
monthly average	53,215	43,381	8,761	21,494	30,255	4,342	8,784	
1999 total	721,126	620,421	120,104	314,083	434,187	61,434	124,800	19.4
monthly average	60,094	51,702	10,009	26,174	36,183	5,120	10,400	
2000 total	668,158	698,412	148,217	350,450	496,667	68,911	132,834	21.2
monthly average	55,680	58,201	12,351	29,204	41,389	5,743	11,070	
2001 total	653,585	649,031	137,044	324,360	461,404	68,150	119,477	21.1
monthly average	54,465	54,086	11,420	27,030	38,450	5,679	9,956	
2002 total	677,374	624,862	116,900	329,617	446,517	62,687	115,658	18.7
monthly average	56,448	52,072	9,742	27,468	37,210	5,224	9,638	
total 1993 - 2002	6,071,320	5,721,927	1,359,564	2,744,916	4,100,480	550,955	1,070,407	23.8
monthly average	50,94	47,683	11,330	22,874	34,171	4,591	8,920	

Employment in the national economy by district

EMPLOYMENT IN NATIONAL ECONOMY						2000	2001	2002
Czech Republic total						4,731.6	4,750.2	4,796.0
						NUTS1		
						CZ0		
						NUTS2		
						NUTS3		
Prague					CZ01 CZ011	613.4	614.5	615.2
Central Bohemia district					CZ02 CZ021	520.7	525.8	545.7
South-West						566.0	566.5	568.4
	South Bohemia district				CZ031	299.7	300.0	299.5
	Plzeň district				CZ032	266.4	266.4	268.9
North-West					CZ04	499.2	512.7	508.1
	Karlovy Vary district				CZ041	150.8	147.5	145.9
	Ústí district				CZ042	348.5	365.2	362.2
North-East					CZ05	694.3	696.5	705.7
	Liberec district				CZ051	201.9	203.1	206.9
	Hradec Králové district				CZ052	263.5	260.7	264.3
	Pardubice district				CZ053	228.9	232.8	234.5
South-East					CZ06	760.5	753.4	756.5
	Vysočina				CZ061	239.3	240.4	241.0
	South Moravia district				CZ062	521.3	512.9	515.5

Central Moravia		CZ07	546.9	547.9	554.7
	Olomouc district	CZ071	278.6	280.6	288.9
	Zlín district	CZ072	268.3	267.3	265.8
Moravia-Silesia district		CZ08 CZ081	530.5	532.9	541.5
Men			2,675.7	2,686.8	2,719.5
		NUTS2 NUTS3			
Prague		CZ01 CZ011	326.3	326.3	329.6
Central Bohemia district		CZ02 CZ021	299.9	303.5	317
South-West		CZ03	322.9	322.9	323.2
	South Bohemia district	CZ031	172.5	171.1	171.5
	Plzeň district	CZ032	150.4	151.8	151.7
North-West		CZ04	287.0	293.7	290.7
	Karlovy Vary district	CZ041	82.2	81.8	82.3
	Ústí district	CZ042	204.8	212.0	208.4
North-East		CZ05	391.4	394.6	401.9
	Liberec district	CZ051	111.8	113.1	117.3
	Hradec Králové district	CZ052	148.3	148.4	149.3
	Pardubice district	CZ053	131.3	133.0	135.3
South-East		CZ06	431.2	425.3	431.5
	Vysočina	CZ061	137.7	137.1	140.4
	South Moravia district	CZ062	293.5	288,2	291,1
Central Moravia		CZ07	315.8	315.6	316.6
	Olomouc district	CZ071	162.2	161.6	163.9
	Zlín district	CZ072	153.6	154.0	152.7
Moravia-Silesia district		CZ08 CZ081	301.2	304.8	308.9

Women						2,055.9		2,076.4	
						NUTS2	NUTS3		
	Prague				CZ01	CZ011	287.1	288.1	285.6
	Central Bohemia district				CZ02	CZ021	220.8	222.3	228.7
	South-West				CZ03		243.1	243.6	245.1
		South Bohemia district				CZ031	127.1	129.0	127.9
		Plzeň district				CZ032	116.0	114.6	117.2
	North-West				CZ04		212.2	219.0	217.4
		Karlovy Vary district				CZ041	68.6	65.8	63.6
		Ústí district				CZ042	143.7	153.2	153.8
	North-East				CZ05		302.9	302.0	303.8
		Liberec district				CZ051	90.1	89.9	89.6
		Hradec Králové district				CZ052	115.2	112.3	115.0
		Pardubice district				CZ053	97.7	99.8	99.2
	South-East				CZ06		329.3	328.1	325.0
		Vysočina				CZ061	101.6	103.4	100.6
		South Moravia district				CZ062	227.7	224.7	224.4
	Central Moravia				CZ07		231.1	232.3	238.0
		Olomouc district				CZ071	116.4	119.0	125.0
		Zlín district				CZ072	114.7	113.3	113.0
	Moravia-Silesia district				CZ08	CZ081	229.4	228.1	

Source: Czech Statistical Office, Job Market in the Czech Republic
Age and education in the national economy

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EMPLOYMENT IN NATIONAL ECONOMY				1999	2000		2002
Total				4,764.1	4,731.6	4,750.2	4,796.0
Age group:	15 to 19			99.9	68.6	49.1	42.6
	20 to 24			550.2	529.2	495.1	448.8
	25 to 29			580.2	616.0	638.9	672.4
	30 to 34			546.4	544.2	558.7	571.4
	35 to 39			556.6	582.5	593.4	609.3
	40 to 44			644.5	607.6	589.1	567.0
	45 to 49			695.7	689.3	687.6	677.8
	50 to 54			633.9	642.2	661.4	660.2
	55 to 59			310.1	317.5	339.7	391.2
	60 to 64			85.1	78.1	83.0	100.7
	65 and over			61.6	56.5	54.1	54.7
Selected ISCED 97 codes			Level				
	Primary		1, 2	396.5	416.2	409.2	350.2
	Secondary without maturita		Part 3	2,140.2	2,056.6	2,010.1	2,081.1
	Secondary with maturita		Part 3, 4	1,659.5	1,660.3	1,739.4	1,727.1
	University		5, 6	552.1	597.7	586.1	635.0

Men			2,694.4	2,675.7	2,686.8	2,719.5
Age group:	15 to 19		58.9	39.4	30.0	27.0
	20 to 24		318.7	301.9	282.0	256.4
	25 to 29		364.8	383.5	399.2	415.8
	30 to 34		322.6	321.5	330.1	340.0
	35 to 39		303.8	318.9	325.4	334.0
	40 to 44		334.9	319.0	307.3	297.4
	45 to 49		357.7	355.0	349.9	346.4
	50 to 54		329.1	332.9	343.0	339.8
	55 to 59		212.0	216.7	231.9	259.1
	60 to 64		54.3	50.3	51.8	68.4
	65 and over		37.7	36.6	36.1	35.2
Selected ISCED 97 codes		Level				
	Primary	1, 2	162.8	168.5	175.1	136.9
	Secondary without maturita	Part 3	1,393.5	1,364.0	1,339.9	1,377.3
	Secondary with maturita	Part 3, 4	788.8	777.8	813.9	818.2
	University	5, 6	341.0	365.0	355.5	385.3
Women			2,069.7	2,055.9	2,063.4	2,076.4
Age group:	15 to 19		41.0	29.2	19.0	15.6
	20 to 24		231.5	227.3	213.1	192.3
	25 to 29		215.4	232.4	239.7	256.6
	30 to 34		223.7	222.7	228.6	231.4
	35 to 39		252.9	263.5	268.0	275.3

	40 to 44		309.5	288.6	281.8	269.6
	45 to 49		338.0	334.3	337.7	331.4
	50 to 54		304.8	309.3	318.4	320.4
	55 to 59		98.1	100.8	107.8	132.0
	60 to 64		30.8	27.8	31.2	32.3
	65 and over		23.9	19.9	18.0	19.5
Selected ISCED 97 codes		Level				
Primary		1, 2	233.6	247.6	234.2	213.3
Secondary without maturita		Part 3	746.7	692.6	670.1	703.9
Secondary with maturita		Part 3, 4	870.6	882.5	925.5	908.9
University		5, 6	211.1	232.7	230.5	249.7

Source: Czech Statistical Office, Job Market in the Czech Republic

Employment by sector of the national economy

EMPLOYMENT IN NATIONAL ECONOMY		2000	2001	2002
Total		4,731.6	4,750.2	4,796.0
	OKEC			
	Category			
Agriculture, game management and related workers	A 01	190.2	177.9	184.4
Forestry and fisheries	A 02, B	50.5	47.5	43.9
Mining of mineral resources	C	70.4	67.7	61.7
Manufacturing industry	D	1,281.5	1,315.2	1,326.2
Production and distribution of electricity, gas and water	E	77.5	87.8	84.4
Construction	F	439.0	429.8	428.5
Sales, repairs of motor vehicles and consumer goods	G	612.9	608.3	624.1
Restaurant services and housekeeping	H	156.3	159.4	171.7
Transport, storage, posts and telecommunications	I	373.2	364.2	370.1
Financial services and insurance	J	99.6	102.0	96.0
Real estate, leasing, corporate services, research and development	K	266.0	257.8	271.4
Public administration; defence; social security	L	342.9	341.0	327.5
Education	M	298.9	301.6	311.1
Health care, veterinary and social workers	N	290.7	306.0	306.2
Other public, social and personal services	O	175.8	179.2	180.7
Private households with domestic staff	P	1.7	1.3	3.3
Extraterritorial organization and associations	Q	2.0	0.8	1.1
Unidentified		2.4	2.6	3.8

Men			2,675.7	2,686.8	2,719.5
	OKEC	Category			
Agriculture, game management and related workers		A 01	124.1	119.0	121.5
Forestry and fisheries		A 02, B	40.2	38.8	35.8
Mining of mineral resources		C	60.1	54.6	53.0
Manufacturing industry		D	780.7	809.0	821.8
Production and distribution of electricity, gas and water		E	60.0	65.8	63.7
Construction		F	402.5	388.1	391.5
Sales, repairs of motor vehicles and consumer goods		G	284.9	279.0	290.8
Restaurant services and housekeeping		H	66.4	70.0	76.9
Transport, storage, posts and telecommunications		I	255.8	251.9	259.7
Financial services and insurance		J	33.9	41.8	39.8
Real estate, leasing, corporate services, research and development		K	146.8	147.7	148.6
Public administration; defence; social security		L	206.1	201.1	186.8
Education		M	70.3	74.2	77.4
Health care, veterinary and social workers		N	58.5	63.6	64.7
Other public, social and personal services		O	83.2	79.7	83.8
Private households with domestic staff		P	.	.	0.2
Extraterritorial organization and associations		Q	0.9	.	0.6
Unidentified			1.3	1.7	2.8
Women			2,055.9	2,063.4	2,076.4
	OKEC	Category			
Agriculture, game management and related workers		A 01	66.2	58.9	62.9
Forestry and fisheries		A 02, B	10.3	8.7	8.0
Mining of mineral resources		C	10.4	13.1	8.7
Manufacturing industry		D	500.8	506.2	504.4

Production and distribution of electricity, gas and water	E	17.5	22.0	20.7
Construction	F	36.5	41.7	37.0
Sales, repairs of motor vehicles and consumer goods	G	328.0	329.3	333.2
Restaurant services and housekeeping	H	89.9	89.5	94.8
Transport, storage, posts and telecommunications	I	117.4	112.2	110.4
Financial services and insurance	J	65.7	60.2	56.2
Real estate, leasing, corporate services, research and development	K	119.2	110.1	122.8
Public administration; defence; social security	L	136.8	140.0	140.6
Education	M	228.7	227.3	233.7
Health care, veterinary and social workers	N	232.1	242.4	241.5
Other public, social and personal services	O	92.6	99.5	96.9
Private households with domestic staff	P	1.6	1.1	3.1
Extraterritorial organization and associations	Q	1.1	.	0.4
Unidentified		1.1	0.9	1.0

Source: Czech Statistical Office, Job Market in the Czech Republic

Classification of professions in the national economy

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EMPLOYMENT IN NATIONAL ECONOMY			1998	1999	2000	2001	2002
Total			4,865.7	4,764.1	4,731.6	4,750.2	4,796,0
	CZ - ICSE	Group					
Employees		1	4,138.4	4,024.	3,971.7	3,988.8	3,992.3
Employers		2	202.5	195.7	196.2	187.0	194.0
Self-employed		3	437.5	464.0	486.1	502.2	544.2
Members of production cooperatives		4	64.5	55.1	50.8	43.8	35,7
Helping family members		5	22.6	25.1	26.6	27.8	29,1
	KZAM	Main Class					
Legislators and senior officials		1	324.9	313.0	290.7	302.8	305.7
Science professionals		2	468.6	478.3	504.8	509.8	491.0
Technical, health, teaching and related professionals		3	872.6	878.4	883.0	902.0	919.1
Lower administrative workers (officials)		4	394.0	367.8	364.7	383.3	409.1
Service and sales assistants		5	597.3	576.7	567.8	581,8	600.7
Skilled agriculture, forestry and related workers		6	104.7	98.2	95.8	91.2	91.2
Craft and qualified producers, processing operators, repairers		7	1,025.7	994.1	965.6	940.3	940.9
Machine operators		8	613.3	608.8	606.6	620.3	632.7
Labourers and unqualified workers		9	415.2	392.1	393.3	373.5	367.9
Armed forces		0	48.0	55.2	56.1	43.4	35.0
Unidentified			1.3	1.5	3.3	1.8	2.8

Men			2,756.9	2,694.4	2,675.7	2,686.8	2,719.5
	CZ - ICSE	Group					
Employees		1	2,246.8	2,173.0	2,143.3	2,150.7	2,149.0
Employers		2	155.5	151.2	150.8	144.3	150.0
Self-employed		3	309.8	329.1	343.2	356.0	391.5
Members of production cooperatives		4	40.0	35.6	32.4	29.5	24.5
Helping family members		5	4.6	5.4	5.6	6.0	4.2
	KZAM	Main Class					
Legislators and senior officials		1	243.5	235.9	218.5	222.6	226.7
Science professionals		2	220.0	225.0	241.1	241.9	239.3
Technical, health, teaching and related professionals		3	399.5	403.2	405.2	424.6	441.4
Lower administrative workers (officials)		4	80.4	74.0	75.1	79.7	93.1
Service and sales assistants		5	195.8	193.4	194.5	206.8	207.3
Skilled agriculture, forestry and related workers		6	57.6	55.0	56.5	53.6	53.5
Craft and qualified producers, processing operators, repairers		7	866.6	836.3	815.3	796.7	806.1
Machine operators		8	472.4	462.6	452.6	463.7	474.6
Labourers and unqualified workers		9	172.5	153.9	159.9	153.6	141.5
Armed forces		0	47.6	54.0	55.2	42.4	34.0
Unidentified			1.0	1.1	1.9	1.2	2.1
Women			2,108.8		2,055.9	2,063.4	2,076.4
	CZ - ICSE	Group					
Employees		1	1,891.6	1,851.1	1,828.3	1,838.2	1,843.3
Employers		2	47.0	44.5	45.4	42.8	44.0
Self-employed		3	127.7	134.9	142.9	146.2	152.7

Members of production cooperatives	4	24.5	19.6	18.3	14.3	11.3
Helping family members	5	18.0	19.6	20.9	21.	24.9
	Main Class					
KZAM						
Legislators and senior officials	1	81.4	77.1	72.3	80.2	79.0
Science professionals	2	248.5	253.3	263.7	268.0	251.7
Technical, health, teaching and related professionals	3	473.1	475.2	477.7	477.4	477.7
Lower administrative workers (officials)	4	313.7	293.8	289.7	303.6	316.0
Service and sales assistants	5	401.5	383.3	373.3	375.0	393.4
Skilled agriculture, forestry and related workers	6	47.1	43.2	39.3	37.6	37.7
Craft and qualified producers, processing operators, repairers	7	159.1	157.8	150.3	143.5	134.8
Machine operators	8	141.0	146.1	154.1	156.6	158.1
Labourers and unqualified workers	9	242.8	238.3	233.4	219.9	226.3
Armed forces	0	.	1.2	0.	1.0	1.0
Unidentified		.	.	1.3	.	0.7

Source: Czech Statistical Office, Job Market in the Czech Republic

Employment		2000	2001	2002
Total		4,731.6	4,750.2	4,796.0
Women	total	2,055.9	2,063.4	2,076.4
	percentage	43.5	43.4	43.3
Men	total	2,675.7	2,686.8	2,719.6
Rate of economic activity	labour force/population 15+	60.4	60.0	59.9
Rate of employment	employed 15-64/popul. 15-64	65.2	65.3	65.7

Source: Czech Statistical Office, Job Market in the Czech Republic

Employment - type of job, under-employment, disability

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EMPLOYMENT IN NATIONAL ECONOMY	2001			2002		
	Men	Women	Total	Men	Women	Total
Total	4,750.2	2,686.8	2,063.4	4,796.0	2,719.5	2,076.4
Type of job						
For indefinite period or as entrepreneur	4,380.2	2,486.9	1,893.3	4,435.8	2,534.0	1,901.8
Fixed term (including temporary work)	349.9	188.6	161.3	338.7	172.7	166.0
Under contract until end of education	5.4	3.7	1.7	3.6	2.9	0.7
Under contract for trial period	13.7	7.0	6.7	13.3	6.9	6.4
Refuses	-	-	-	0.5	0.5	0.1
Don't know	0.9	0.5	0.4	3.3	2.1	1.3
Reasons for working fixed term						
Couldn't find permanent job or	138.1	66.5	71.6	213.8	100.8	113.1
This type of job suits you or	64.2	28.4	35.8	114.6	56.9	57.7
Do you have other reasons?	147.6	93.6	53.9	-	-	-
Refuses	0.1	0.1	-	0.1	0.1	-
Don't know	-	-	-	27.0	24.7	2.3
Type of work						
Full-time or	4,452.0	2,609.2	1,842.9	4,561.9	2,659.2	1,902.7
Part-time or	226.9	56.5	170.3	231.4	58.8	172.6
Out of work for more than 4 weeks (sick, maternity leave)	69.7	19.7	50.0	-	-	-
Refuses	0.9	0.8	0.1	0.9	0.9	0.1
Don't know	0.6	0.5	0.1	1.8	0.7	1.1

Reasons for working part time						
Can't find suitable full-time job	22.3	2.7	19.6	25.3	2.6	22.7
On employer's initiative (redundancy)	40.2	5.4	34.8	-	-	-
Health reasons (e.g. disabled)	37.7	16.6	21.1	43.8	18.0	25.8
Child care	31.2	1.0	30.2	34.3	0.3	34.0
School attendance or training course	12.7	7.1	5.6	12.1	7.2	4.9
Has another job (second job)	2.1	0.7	1.3	-	-	-
Part-time work suits me	48.4	12.8	35.6	58.0	16.3	41.7
Other reasons	32.3	10.1	22.1	56.6	13.9	42.7
Refuses	-	-	-	1.3	0.4	0.8
Don't know	0.0	0.0	-	-	-	-
Disability	83.9	45.1	38.8	95.1	52.7	42.4

Source: Czech Statistical Office, Job Market in the Czech Republic

Structure of vacancies	31.12.93	31.12.94	31.12.95	31.12.96	31.12.97	31.12.98	31.12.99	31.12.00	31.12.01	31.12.02
Total vacancies	53,938	76,581	88,047	83,976	62,284	37,641	35,117	52,060	52,084	40,651
including:										
according to KZAM* total	33,993	76,581	88,047	83,976	62,284	37,641	35,117	52,060	52,084	40,651
Class 1	413	571	576	606	350	326	427	561	823	790
Class 2	2,204	4,669	4,450	3,747	2,121	1,787	2,154	3,075	3,234	3,093
Class 3	3,934	8,508	8,705	6,877	5,075	3,915	3,687	5,455	5,423	5,174
Class 4	1,001	1,512	1,603	1,218	617	455	680	1,369	1,371	1,104
Class 5	3,710	7,898	8,390	8,631	5,923	3,769	3,968	6,215	5,439	4,296
Class 6	908	1,680	2,268	2,070	1,283	817	793	1,038	1,433	781
Class 7	15,506	35,207	41,001	38,780	30,789	17,258	14,440	21,081	21,347	14,741
Class 8	3,353	9,051	10,893	10,850	8,488	5,535	6,156		7,527	5,815
Class 9	2,939	7,377	10,114	11,098	7,566	3,735	2,799	4,350	5,480	4,727
Class 0	25	108	47	99	72	44	13	25	7	130
Qualification structure	54,967	77,851	89,481	85,594	63,825	37,641	35,117	52,060	52,084	40,651
no education	535	613	984	1,322	522	305	405	595	603	471
primary	8,267	13,666	18,422	19,459	14,097	9,556	8,750	12,555	14,136	11,710
apprenticeship	33,127	46,192	53,183	50,482	39,442	20,429	18,142	27,981	26,547	18,724
secondary (without mat.)	854	945	1,072	893	462	308	920	908	686	605
apprenticeship with mat.	1,598	1,884	2,082	1,672	1,367	694	953	1,155	945	856
general secondary (gymn. with mat.)	787	903	775	511	428	229	291	454	676	535
secondary vocational (with mat.)	5,857	8,656	8,409	7,677	5,120	4,125	3,529	5,366	5,086	4,792
higher education	81	62	102	34	30	36	145	136	132	112
university	3,845	4,822	4,445	3,536	2,355	1,959	1,958	2,873	3,233	2,813
scientific	16	108	7	8	2	0	10	21	24	22
not stated	0	0	0	0	0	0	14	16	16	11
*) KZAM corresponds to ISCO 98 - International Standard Classification of Occupations										

ARTICLE 5: THE RIGHT TO ORGANISE

With a view to ensuring or promoting the freedom of workers and employers to form local, national or international organisations for the protection of their economic and social interests and to join those organisations, the Contracting Parties undertake that national law shall not be such as to impair, nor shall it be so applied as to impair, this freedom. The extent to which the guarantees provided for in this Article shall apply to the police shall be determined by national laws or regulations. The principle governing the application to the members of the armed forces of these guarantees and the extent to which they shall apply to persons in this category shall equally be determined by national laws or regulations.

Question A

a) Please indicate whether any, and if so what, categories of workers and employers are prohibited by law from forming organisations, or restricted in doing so. Please indicate inter alia:

- *the existence of legislation or special regulations applicable to the forming of organisations by civil servant and other persons employed by the public authorities at central or local level;*
- *to what extent the rights provided for in this Article apply to members of armed forces and of the police, explaining in particular the nature and functions of staff associations which may be available to them;*
- *whether nationals of other Contracting Parties lawfully resident or working regularly in the territory of your country may join or be a founding member of a trade union. Please indicate in particular whether they may hold positions in the administration or management of a trade union;*
- *the eligibility of workers, nationals of other Contracting Parties to the Charter, for election to consultation bodies at the enterprise level such as works councils.*

b) Please indicate any conditions of registration or otherwise with which employers' and workers' organisations must comply when they are founded and the provisions with which they must comply in the course of their existence.

c) Please indicate the measures intended to guarantee the exercise of freedom to organise and in particular those to protect workers' organisations from any interference by employers and by the state. Please indicate how such protection from outside interference applies to employers' organisations.

d) Please indicate, where appropriate, any statutory provisions regarding the affiliation of employers' and workers' organisations with national federations of organisations and with international organisations of the same type.

Compared with the situation described in the previous Report on the implementation of the European Social Charter, no substantial changes occurred in the legal regulation of the right to organise.

On 1 April 2002 a new Act No 6/2002 Coll., on courts and judges, assessors and state justice administration and amendments to some other Acts, became effective. However, the situation described in the previous Report did not change, i.e. for this category of persons there are still no limitations on the right to organise.

Question B

a) Please describe how the right to join a trade union is protected in law and in practice and indicate whether any, and if so which, categories of workers are prohibited from joining a trade union or restricted in doing so.

b) Please indicate whether and how the right of workers not to join a union is protected in law and in practice. Please indicate in particular whether examples exist practice of an obligation to belong to a trade union (closed shop clauses, etc.) and what are the measures taken in this regard.

In its conclusions to the last Report the Committee inquires whether there are any practices to protect trade unions in the Czech Republic.

The right of employees to join trade unions is guaranteed in Czech law by the Charter of Fundamental Rights and Freedoms (Constitutional Act No 2/1993 Coll.) in its Article 27, which stipulates in paragraph 1: 'Every person has the right to freely associate with others in order to protect their economic and social interests.' This right is further specified by Act No 83/1990 Coll., on citizens' association, which stipulates in Article 1: 'Citizens have the right to freely associate. No permission of any state body is necessary for the exercise of this right.' And Article 2 and Article 3 say: 'Citizens may set up associations, societies, unions, movements, clubs and other civic associations, including trade union organisations, and associate in them. Even legal entities may become members of such associations. Associations are legal entities. State bodies may intervene in their position and activities only to an extent specified by law. Nobody can be forced to associate, become a member of any association or participate in their activities. Anybody may leave any association at their will.' The Labour Code in its Article 1 (4) bans any form of discrimination for, inter alia, membership or activity in trade union organisations, and discriminatory treatment by an employer that does not discriminate directly but in its consequences. A provision in the same wording is also included in the Act on employment (Article 1 of Act No 1/1991 Coll.).

As far as the right to organise **in the positive sense of word** is concerned, this right may be enforced through civil procedure or criminal court proceedings (Act No 140/1961 Coll., the Penal Code, as amended, Article 238a (1): 'A person who restricts another's right of association or assembly by using violence, threat of violence or threat of serious detriment will be punished by a term of imprisonment of up to two years or by a pecuniary penalty.').

In practice, the authority of job centres that check compliance with labour law regulations is applied rather than court proceedings. It means also checking on compliance with the ban on discrimination at work, fulfilment of duties towards trade union bodies in the area of informing, negotiating, collective bargaining and creating conditions for due performance as employees' representatives.

In practice, the Czech and Moravian Confederation of Trade Unions (CMKOS) lodged a complaint with the OECD National Contact Point against employers who had breached the right to organise in a trade union; in the course of the proceedings a solution was agreed with which the CMKOS was satisfied and withdrew its complaint. These negotiations appeared to be effective and in similar cases this procedure could be applied again.

In its conclusions to the last Report the Committee further requests that the Report defines whether members of security and intelligence services may organise to protect their economic and social interests in some other forms.

Act No 153/1994 Coll. on the Intelligence Services of the Czech Republic, as amended, defines the status, areas of operation of the following intelligence services:

- a) Security Information Service, as an armed intelligence service of the Czech Republic,
- b) The Office for Foreign Relations and Information,
- c) Military Intelligence Service as part of the Ministry of Defence, including Army Intelligence and Military Defence Intelligence.

According to Article 7 of the above Act, the Government is responsible for the activities and co-ordination of intelligence services.

Intelligence services have therefore a specific position, they may not be confused with the police (according to case law it is impossible to completely withhold the right to organise from the police). Consequently, we assume that according to Article 5 of the Act, the right of this category of persons to organise may be limited or completely withheld from them (Article 49 of Act No 154/1994 Coll., on the Security Information Service, as amended, stipulates that BIS members may not be members of any political parties or movements or trade unions).

Members of the Police of the CR may organise in trade union organisations without any limitations.

Question C

a) Please furnish a complete description of any representativity criteria, i.e. any conditions which trade unions must fulfil in order to be considered representative.
b) If such criteria exist, please also give information on the existence and type of appeal against decisions by the authority or authorities responsible for determining whether a trade union is representative or not. Please indicate the functions which are reserved for representative unions in respect of the negotiation and conclusion of collective agreements, participation in the nomination of various types of representatives and participation in consultation bodies.
c) Please reply to the questions under a. and b. in respect of representativity of employers' organisations, except when negotiations at enterprise level are concerned.

No change.

Question D

Please indicate under what circumstances and on which conditions trade union representatives have access to the workplace. Please indicate also whether trade unions are entitled to hold meetings on the premises of the enterprise.

No change.

Question E

Please give information on the measures taken to ensure protection against reprisals on grounds of trade union activities.

No change.

ARTICLE 6: THE RIGHT TO BARGAIN COLLECTIVELY

ARTICLE 6 PARA. 1

*With a view to ensuring the effective exercise of the right to bargain collectively, the Contracting Parties undertake:
to promote joint consultation between workers and employers;*

Question

Please indicate the legislative or other steps taken to encourage joint consultation between workers and employers in your country. In what way do the public authorities encourage or participate in such consultation? Please give particulars on the bodies responsible for such consultation, at the national, regional, or local levels as the case may be, and on the procedures entailed, together with information on the issues covered (financial issues, social issues, working conditions, etc.) and on the sectors of the economy to which the procedures apply.

No change.

ARTICLE 6 PARA. 2

*With a view to ensuring the effective exercise of the right to bargain collectively, the Contracting Parties undertake:
to promote, where necessary and appropriate, machinery for voluntary negotiations between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements;*

Question A

Please give a description of the existing collective bargaining machinery and its results in both the private and public sector (indications of the number of negotiations and agreements concluded and other indicators or evaluation criteria).

In the conclusions to the last Report the Committee stated that in the case of public service collective agreements may not be concluded with the State as an employer. It inquires whether there is any specific machinery enabling employees' representatives to participate in determining the remuneration for work and work conditions.

A misunderstanding probably occurred at this point. A collective agreement may be concluded with any employer. Act No 2/1991 Coll., on collective bargaining, as amended, stipulates in Article 3 (2) that the State is also an employer organisation on behalf of which an organisational unit of the State is acting; the head of the state organisational unit or other authorised representative may conclude a collective agreement. Corporate collective agreements are thus concluded and performed.

Collective bargaining is also permitted by the Civil Service Act No 218/2002 Coll. (it will become fully effective on 1 January 2005), within a scope adequate to terms and conditions of the Service. The Service Act provides trade unions with adequate possibilities of integration in service relations by means of informing and negotiating. The relevant trade union body may conclude a collective agreement with a Service office on behalf of State employees.

In some areas there is no partner for bargaining at a higher level but the situation is gradually changing. For example, in the area of health service hospital associations have been established on the part of employers and collective bargaining begins also at this level.

As far as bargaining concerning wages and salaries level provided by legal regulations is concerned, e.g. in State administration, education, health service, bargaining takes place but not with the purpose of entering into any collective agreement. The Labour Code stipulates that bills and other legal regulations concerning important employee interests are negotiated between trade union bodies and employer organisations. Central bodies issuing labour-related legal regulations do that after discussing the issue with employer organisations and trade unions.

Question B

Please indicate whether and how the law encourages or obliges employers or their organisations to bargain with workers' organisations collectively, and whether and how it encourages or obliges workers' organisations to bargain with employers or their organisations. Please also indicate how the question of union recognition is dealt with.

No change.

Question C

Please indicate to what extent, under what conditions, according to which procedures and for which types of subject matter the State can intervene in the process of free collective bargaining. Please indicate where state intervention occurred during the reference period.

No change.

ARTICLE 6 PARA. 3

*With a view to ensuring the effective exercise of the right to bargain collectively, the Contracting Parties undertake:
to promote the establishment and use of appropriate machinery for conciliation and voluntary arbitration for the settlement of labour disputes;*

Question A

Please describe such machinery as exists by virtue either of law, collective agreements or practice for the settlement of disputes by:

- a. conciliation;*
- b. arbitration or court procedure;*
- c. other methods of dispute resolution.*

In the conclusions to the last Report the Committee inquires whether the nomination of an arbitrator in the collective bargaining (if the parties to the dispute do not agree about the person of an arbitrator) is connected with consultations with both parties and whether there is any machinery restricting the Ministry's decision, for example a list of arbitrators. It further inquires whether the Ministry may nominate an arbitrator who has already been refused by one of the parties.

The parties agree on the proceedings before the arbitrator. The request for dispute resolution is submitted in writing. The subject of the dispute is precisely defined in the request and previous steps to resolve the dispute supported by written documents are described; the other contracting party's written position is enclosed with the request. All

written materials are submitted to the arbitrator in two copies. The parties provide necessary co-operation in the course of the dispute resolution.

Arbitration proceedings may not commence without prior agreement. If the parties do not agree on an arbitrator and if the dispute is about the conclusion of a collective agreement concerning an organisation where striking is prohibited or a dispute concerning the fulfilment of the undertakings of a collective agreement, the arbitrator is appointed, at the proposal of either party, by the Ministry of Labour and Social Affairs. It may not appoint an arbitrator in any other disputes. As far as the choice of an arbitrator is concerned, the law stipulates that one and the same person may not be a mediator and an arbitrator assigned to decide the same collective dispute. The Ministry of Labour and Social Affairs will not appoint an arbitrator against the will of one of the parties to the dispute, even if this is not expressly banned by law.

The arbitrator may be a person registered in the list of arbitrators maintained by the Ministry of Labour and Social Affairs. He is an adult qualified for the legal act, of unimpeachable character, university education, usually in the field of law or economy, and personal qualities providing prerequisites for due performance of arbitrator's activities. An individual may be registered as an arbitrator only after he has proved his professional qualifications, especially in the area of labour law, wages and salaries, and the social area. Professional qualifications of individuals for arbitrator's activities are examined by the Ministry; for this purpose the minister establishes a committee as his advisory body. Following the committee's proposal the minister approves the registration in the arbitrators' list. A review of the professional qualifications is repeated every three years.

Question B

In so far as certain machinery may be compulsory, please describe
- the sanctions imposed by law or by collective agreements used for its;
- their significance in practice.

No change.

Question C

Please describe the procedures provided, whether by law, staff regulations or practice for settling disputes between public sector employees and the administration, and show whether existing procedures are open to them.

No change.

ARTICLE 6 PARA. 4

With a view to ensuring the effective exercise of the right to bargain collectively, the Contracting Parties recognise:
the right of workers and employers to collective action in cases of conflicts of interest, including the right to strike, subject to obligations that might arise out of collective agreements previously entered into.

The Appendix to the Charter stipulates that it is understood that each Contracting

Party may regulate the exercise of the right to strike by law, provided that any further restriction that this might place on the right can be justified under the terms of Article 31.

Question A

Please explain the meaning of collective action in your country specifying what forms of action are recognised (strike, lockout, other forms), what are the permitted objectives of collective action and how the right to collective action is guaranteed.

No change.

Question B

Please indicate who is entitled to take collective action (individuals, groups/coalitions of workers, trade unions, employers or employers' organisations, etc.).

According to Article 27 (4) the right to strike is guaranteed by the Charter of Fundamental Rights and Freedoms under conditions stipulated by law. This right is withdrawn from judges, state attorneys, members of the armed forces, and members of the police force. The only change made in this area rests in the fact that the previous Act No 335/1991 Coll. on courts and judges, as amended, says explicitly in its Article 54 (2) that judges may not strike or otherwise obstruct judicial proceedings. The new Act No 6/2002 Coll., on courts and judges, effective since 1 April 2002, does not include such a provision (nor is it included in the Act on prosecution). Only general restrictions laid down in the Charter of Fundamental Rights and Freedoms apply.

In its conclusions to the last Report the Committee requires that the information is supplemented on the interpretation of restriction of right to strike for employees of health care or social care institutions, and employees ensuring telecommunications operations, if the strike might pose a threat to life and health of citizens or property. As far as this question is concerned, courts have not so far had to apply the interpretation of the provisions of Article 20 of the Act on collective bargaining with regard to the above categories of persons. Therefore, it is impossible to provide any relevant information on the pertinent judicature and interpretation of the restriction of the right to strike.

Question C

If the right to collective action is restricted, please state what the content of these restrictions, and whether they are related to the purposes pursued or the methods employed by those taking action, or both, and by which authority they may be imposed. Please also state any procedural requirements pertaining to collective action (e.g. notice rules, cooling-off periods, conciliation/arbitration, ballot requirements, quorums, etc.).

In its conclusions to the last Report the Committee observes that the protection of employees' right to strike is not sufficiently ensured, since the law regulates just the right to strike in relation to collective bargaining.

In the internal rule of law the right to strike is stipulated in Article 27 of **the Charter of Fundamental Rights and Freedoms**. The right to strike and the lock-out are regulated in more detail in *Act No 2/1991 Coll., on collective bargaining*. However, the Charter of Fundamental Rights and Freedoms does not detail what strikes to protect economic and social interests are legal. It has however been observed in the practice of the courts (see

for example the Czech Supreme Court's decision from 14 November 2002 under reference number 21 Cdo 2104/2001) that it is possible to organise a strike even outside collective bargaining, should this be an action to protect economic and social interests and the exercise of this right is not restricted by anything which restricts the right to strike within the dispute concerning the conclusion of a collective agreement.

In mid-1990s a bill was prepared to regulate in more detail the right to strike; trade unions, however, feared that a more stringent regulation of this right might be a hindrance to the execution of trade union activities and rights, strictly refused the bill. The social partners consider the current situation satisfactory.

So far, no serious problems arose in practice. Practice of the courts has stabilised. Compared with other countries, strikes are rare, which results from the existence of a relatively detailed legal regulation of some questions that are subject to collective bargaining in other countries.

Compared with the situation described in the previous Report of 1 June 2002, a substantial change has taken place. The amendment to the Constitution (Constitutional Act No 395/2001 Coll., which amends Constitutional Act of the Czech National Council No 1/1993 Coll., the Constitution of the Czech Republic, as amended), stipulates that the concluded international treaties, the ratification of which was agreed by the Parliament, and by which the Czech Republic is bound (also the European Social Charter), are part of the rule of law. If an international treaty provides for anything else than the law, the international treaty prevails.

The right to strike is guaranteed also by the International Covenant on Economic, Social and Cultural Rights, published in the Ministry of Foreign Affairs Regulation No 120/1976 Coll., where in Article 8 (1) (d) the parties to the Covenant undertake to guarantee the right to strike providing it is executed in compliance with the relevant national law. The right to strike may also be derived from ILO Convention No 87 on the freedom of association and the protection of the right to organise adopted by ILO on 9 July and published in the Federal Ministry of Foreign Affairs Regulation No 489/1990 Coll., and ILO Convention on the Application of the Principles of the Right to Organise and to Bargain Collectively No 98, adopted on 1 July 1949, published in the Federal Ministry of Foreign Affairs Regulation 470/1990 Coll.

As far as strikes regulated by the Act on Collective Bargaining are concerned, Article 17 provides that the strike in the dispute to conclude an enterprise level collective agreement is declared and its opening is decided by the trade union body, if it is **agreed upon by at least one half of those employees to whom the agreement is to apply**. This regulation takes into account that strike, as an extreme form of bargaining, is the last resort of defence and can have economic implications and subsequent negative impacts on the employees (not only immediate but also those produced consequently by economic damage to the employer). Therefore, the condition that the strike must be **agreed upon by at least one half of those employees to whom the agreement, which is the reason for the strike, is to apply**, is considered democratic and the quote laid down adequate. The Czech Republic is aware of the problem notified by ILO bodies. The amendment to the Act on collective bargaining under preparation should bring new regulation of these issues.

Following the conclusions of the Committee for Social Rights to the previous Report we complete the information on proceedings before a mediator.

Proceedings before a mediator are regulated in Article 11 and subsequent of the Act on collective bargaining. Proceedings before a mediator is such a form of proceeding, when the mediator offers and recommends possible solutions, acts as a third, independent party that may lead the parties to a compromise which, for various reasons, they are unable to achieve on their own.

By mutual consent the parties may choose a mediator; there is no time limit for doing that. He must be an adult qualified for the legal act or a legal entity if it agrees to the execution of this function.

If the parties do not agree on a mediator, the arbitrator is appointed, at the proposal of either party, by the Ministry of Labour and Social Affairs. In the dispute on concluding a collective agreement such a proposal may be submitted only after the period of 60 days from the submission of a written proposal for entering into this agreement. In such a case, the mediator appoints a person registered in the mediators' list maintained by the Ministry of Labour and Social Affairs. Regulation No 16/1991 Coll., on mediators, arbitrators and higher level collective agreements specifies that only an individual meeting requirements stipulated by the Act on collective bargaining with unimpeachable character, university education, usually in the field of law or economy, and with personal qualities providing prerequisites for due performance of arbitrator's activities, may be entered in the list of mediators. A legal entity whose objects include research, consulting or organisation activities, especially in the labour law, wages and salaries and social area, and if it has staff qualified for working as a mediator who complies with the above conditions and agrees to performing the mediating activity. The registration is valid for the period of three years.

Each party defrays one half of the total costs of the proceedings before the mediator. The mediator's expenses include his remuneration. If the parties do not agree with the mediator on his remuneration, he is entitled to the remuneration according to a statutory instrument (Regulation No 114/1991 Coll., on the remuneration of mediators and arbitrators, fees for a copy of the higher level collective agreement, and the level and form of settlement for proceedings before an arbitrator).

The mediator submits to the parties **a written proposal for the settlement of the dispute** within 30 days following the day he was informed of the subject of the dispute, unless the parties agree otherwise. The proceedings before a mediator are considered failed if the dispute has not been settled within 30 days since the day the mediator was informed of the subject of the dispute, unless the parties agree otherwise. We would like to emphasise that **the mediator may not issue any final judgement concerning the dispute, he may only submit proposals for the dispute's settlement, and it only depends on the parties to the dispute whether they agree to the proposal and reach an agreement.**

If the proceedings before a mediator fail, the parties may, by agreement, **ask an arbitrator in writing to settle their dispute**. The proceedings before an arbitrator are initiated by the reception of the request by the arbitrator. If the parties do not agree on an arbitrator and if the dispute is about the conclusion of a collective agreement concerning an organisation where striking is prohibited or a dispute concerning the fulfilment of the undertakings of a collective agreement, the arbitrator is appointed, at the proposal of either party, by the Ministry of Labour and Social Affairs.

If a collective agreement is not concluded even after proceedings before a mediator and the parties do not ask an arbitrator to settle the dispute, a strike may be called as the last resort in a dispute to conclude the collective agreement. The term 'last resort' means that bargaining or proceedings before a mediator should be given preference to striking.

Following the above-mentioned provision, we believe that the condition requiring previous proceedings before a mediator prior to declaring a strike for concluding a collective agreement, does not unreasonably restrict the right for collective action and is an 'appropriate machinery for conciliation and voluntary arbitration for the settlement of labour disputes' (Article 6 (3) of the Charter). The period of 60 days from the submission of a written proposal for entering into this agreement has been provided only at the

proposal of one party to the Ministry of Labour and Social Affairs to appoint a mediator. The purpose of this provision is to motivate the parties to reach an agreement on the mediator, which will increase the probability of accepting the mediator's proposal for the settlement of the dispute. If the party is not interested in the agreement, it may agree on the mediator with the other party (because the mediator's proposal for settling the dispute is non-committal, there are no risks for the party), subsequently disagree with the mediator's proposal and call a strike.

We may assume that even if the legal regulation prefers an amicable settlement of the dispute by agreement of the parties, the right to strike is by no means prejudiced and more restrictive than the cooling-off period that is in compliance with the Charter as construed by the Committee for Social Rights.

In its conclusions to the Last Report the Committee further inquires the compliance with provisions of the Act on collective bargaining, according to which the trade union body which decided to go on a strike must co-operate with the employer, as necessary for the duration of the strike in order to protect the facilities and essential activities and the operation of the facilities, when it is required because of their nature or for reason of safety and protection of health, or because of damage which may occur to the facilities and threatening risks, when the parties do not reach an agreement on how to do the work.

Article 19 of the Act on collective bargaining stipulates that the trade union body which decided to call a strike must co-operate with the employer, as necessary, for the duration of the strike in order to protect the facilities and essential activities and operation of the facilities, when it is required because of their nature or for reason of safety and protection of health, or because of damage which may occur to the facilities. Employees who do work in order to carry out these activities must follow the employer's instructions.

According to the Labour Code (Article 170 and subsequent) strikers are liable to the employer or the employer to the strikers for any damage caused during the activity according to Article 19. According to the Civil Code, the trade union organisation which has decided to call a strike is responsible for any damage caused by the lack of commitment to co-operate as necessary according to Article 19 (1).

We are not aware of any case when trade unions or strikers did not recognise the necessity to protect certain facilities or ensure vital operations and refused co-operation.

In its conclusions to the last Report the Committee further inquires whether only a pecuniary allowance or also another form of a service or aid may be refused.

For the time of participation in a strike the strikers are not entitled to the salary or any salary compensation. During the strike the strikers are not entitled to sickness benefit or family members' benefit if the conditions set by the regulations on sickness benefit for the granting of these benefits were fulfilled during the participation in the strike. The provision of Article 24 of the Act on collective bargaining explicitly says that during a strike the strikers are not entitled to sickness benefit or family members' benefit (this is not loss of entitlement to these benefits but it means that the strikers are not given the two benefits for the period of the strike). It applies only to these pecuniary claims explicitly defined by law. There are no legal grounds to refuse any forms of service or aid for strike reasons.

In its conclusions to the last Report the Committee assumes that the Czech legal regulation is not in harmony with the Charter's requirements since a protest expressed in the form of a strike may be used by a trade union organisation in the context of

collective bargaining only as part of a dispute on the conclusion of a collective agreement.

According to Act No 2/1991 Coll., on collective bargaining, a strike may be staged only by a trade union body (Article 17 (1)).

The establishment of trade union organisations is based on **registration principle**, i.e., compared with the establishment of other associations according to Act No 83/1990 Coll., on civic associations, on a less formal principle. A trade union organisation is established (automatically) on the day following the delivery of the application for registration to the Ministry of the Interior. The application for registration has the same content as the application for registration of other associations established according to the above law (see Article 9a (2) of the Act).

With regard to the fact that a trade union organisation can be easily established without any unnecessary formalities, we assume that the requirement for calling a strike by a trade union organisation does not represent any restriction of law and is in compliance with case law of the Committee for Social Rights.

The provisions of Article 1 of the Act on collective bargaining stipulate that the Act on collective bargaining **regulates collective bargaining** between the competent bodies of the trade union organisation concerned and the employer, assisted by the State if necessary, **where the collective bargaining is aimed at the conclusion of a collective bargaining agreement**. Protest expressed in the form of a strike **not focused on the conclusion of a collective agreement**, is not subject to the regulation by the Act on collective bargaining and the above general regulations apply to it.

Finally, to complete the information concerning collective bargaining, we would like to say that the Constitutional Court has pursued the proposal for the repeal of the provision of Article 7 of the Act on collective bargaining (PI.US 40/02). This provision enables the Ministry of Labour and Social Affairs to determine in a decree that a higher level collective agreement will also be binding upon employers who are not members of the employers' association which concluded the agreement. By the rule of the Constitutional Court dated 11 June 2003 (issued under number 199/2003 Coll.), the provisions of Article 7 of the Act on collective bargaining were repealed as of 1 April 2004 for conflict with Article 11 (1) Article 26 in connection with Article 4 (4) of the Charter of Fundamental Rights and Freedoms and Article 1, Article 81 and Article 90 of the Constitution.

Question D

Please indicate whether any existing restrictions to the right to collective action are prescribed by law and are necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security public health, or morals (Article 31 of the Charter).

No change.

Question E

Please state the effect of strikes or lockouts on the continuation of the employment contract and any other consequences, e.g. deduction from wages, liability, etc.

No change.

Question F

Please supply available statistics on strikes and lockouts.

Please supply the following additional information

- *Acceptable goals of the collective action; the time and scope of the collective action,*
- *Consequences of collective actions.*

Strike and lockout statistics are not officially kept. Strikes and lockouts are used only exceptionally.

ARTICLE 12: THE RIGHT TO SOCIAL SECURITY

ARTICLE 12 PARA. 1

*With a view to ensuring the effective exercise of the right to social security, the Contracting Parties undertake:
to establish or maintain a system of social security.*

Please indicate the measures taken to give effect to this undertaking, specifying the nature of the existing system, in particular funding arrangements, giving information allowing the percentage of the population covered and the level of benefits to be determined.

Since 2001 there have been no principal changes to the legal regulation of health insurance and social security benefits. There were changes in pension insurance concerning old-age pension valorisation regulated by Act No 264/2002 Coll., by which Act No 155/1995 Coll., on pension insurance, was amended.

According to Article 67 of Act No 155/1995 Coll., on pension insurance, as amended, the Government will increase by a decree pension benefits which are paid in regular terms, i.e. in January of the relevant year, if the pension benefits according to the law increase by at least 2%. The increase will be determined so that, with regard to an average old-age pension benefits, it corresponds to at least 100% of the increase in prices for the reference period, and further an amount corresponding to at least one-third of the real wage growth for the reference period. This legal regulation was adopted by Act No 264/2002 Coll., by which the Act on pension insurance has been amended as of 1 July 2002. The increase as of January 2003 (i.e. outside the reference period) is therefore the first increase according to the new legal regulation. The condition of an increase in prices is taken into account as of December 2001, the calendar month in which pension benefits were last increased prior to the effective date of Act No 264/2002 Coll. The last month of the definite period taken into account with regard to an increase in prices at the increase of old-age pension benefits is always July of the relevant year.

In comparison with the situation described in the previous Report, a change in the valorisation machinery of the subsistence level (Article 7 of Act No 463/1991 Coll., on the subsistence level) and the change in the subsistence level allowance (Article 3 of Act No 463/1991 Coll., on the minimum subsistence level) was made.

The minimum subsistence level structure is based on a composition principle applicable to all types of household. The total subsistence is equal to the sum of all personal need amounts of all members of the household and one amount for the joint needs of the household. The amounts of subsistence are uniform throughout the country. The subsistence level is updated by a Government decree regularly as of 1 January in accordance with the actual growth of expenses covering sustenance and other basic

personal needs and household expenses, expressed by the growth in the relevant overall consumer price indices in respect of households in the decisive period; the Government will not increase the minimum subsistence amount on the determined date, if the overall consumer price index of households in total rises by less than 2 % since the first month of the decisive period. The Government may increase the minimum subsistence amounts also as of a date other than the determined date, if the overall price index of households in total increases by at least 10 % since the beginning of the decisive period. The growth of the overall consumer price index in respect of households in total and the growth of the relevant consumer price indices for households in total, expressing the increase of expenses on food and other fundamental personal needs and household expenses, will be ascertained from data compiled by the Czech Statistical Office.

The amount necessary for food and essential personal needs is set at:

- a) CZK 1,690 per month in the case of a child up to the age of 6 years,
- b) CZK 1,890 per month in the case of a child aged from 6 to 10 years,
- c) CZK 2,230 per month in the case of a child aged from 10 to 15 years,
- d) The subsistence level is updated by government decree in the amount of CZK 2,450 per month, in the case of a dependent child from the age of 15 to 26 years,
- e) CZK 2,320 per month in the case of other citizens.

The amount for meeting necessary household expenses is set at:

- a) CZK 1,780 per month in the case of a single person household,
- b) CZK 2,320 per month in the case of a two-person household,
- c) CZK 2,880 per month in the case of a three or four-person household,
- d) CZK 3,230 per month in the case of a five or more person household.

These amounts are valid since 1 October 2001.

In its conclusions to Article 12 (1) the Committee inquires what measures have been taken to prevent employers from delayed payments of contributions or non-payments of social security contributions. It further requires information on illegal work and measures taken to fight this form of work.

Act No 589/1992 Coll., on social security and State Employment Policy contributions, as amended, which inter alia regulates the amount of, where and when social security contributions are paid and regulates also sanctions imposed on employers who do not fulfil their obligation to pay social security contributions. District social security administration bodies (i.e. state bodies collecting contributions for social security and checking the correctness and timeliness of the payment) have legal instruments to enforce the contributions by means of administration or impoundment. Anybody who defaults substantially in payment of social security contributions takes a risk of a recourse according to the criminal law (Article 148 of Act No 140/1961 Coll., as amended). Consequently, in this case this provision undoubtedly fulfils its preventative function.

Measures taken to fight against delayed payments of social security contributions and against illegal work can be summarised as follows:

- fines (up to the amount of CZK 20,000 for each unregistered employee),
- penalty (0.1 % of the outstanding social security contribution amount for each day of the delay),
- recourse; in specific cases, non-registration for payment of a social security contribution may be considered a criminal act (e.g. if the payment of the social security contribution due is evaded).

Illegal employment with evasion of payment of social security contributions is detected only sporadically as it is difficult to prove. There are no statistical data on the scope of illegal employment subject to the payment of social security contributions.

In their control activities job centres impose sanctions in cases when people are employed by their employer without having concluded a proper work contract. However, it is impossible to directly derive from this fact that the employer does not pay any social security contributions from the wage paid to the employee. Job centres have not been empowered with the right to check on employer's compliance with their obligation to deduct relevant amounts from the wage paid to their employees for the work done – income tax and social security contributions.

According to the report of the Czech Social Security Administration the ratio of successful collection of social security contributions and prescribed amounts of social security contributions has a rising tendency; in 2001 the proportion of amounts paid to the prescribed contributions reached 99.4%.

Statistical data on successful collection of social security contributions have been set out in the following table.

Year	2000	2001	2002
Proportion of paid amounts to prescribed amounts (incl. fines and penalties)	97.1	98.4	99.6
Proportion of amounts paid to amounts prescribed	99.7	100.5	100.7

Illegal employment of foreign nationals:

Measures taken to prevent illegal employment of foreign nationals are divided into several groups:

- 1/ preventative measures – the widest possible information for foreign nationals about the risks of illegal work and opportunities of legal employment in the Czech Republic, both via the mass media (including the Internet) and information brochures sent to countries with high migration potential in relation to the CR.
- 2/ control and sanctions measures – checking of work and residence permits of foreign nationals, co-operation with the Aliens' and Border Police Department (ABPD), in 2003 a project of intensive co-operation with ABPD on the district level and a project of mass control actions with the participation of other bodies (JC, CPP, Trade Supervisory Office, Tax Office, Customs Office) to monitor the possibility of imposing sanctions in co-operation with the above bodies.
- 3/ legislative measures – the draft Act on employment defines illegal work – one of its forms includes work performed by a foreign national without a work permit or at variance with it. It is possible to impose a fine on the foreign national for his illegal work.

ARTICLE 12 PARA. 2

With a view to ensuring the effective exercise of the right to social security, the Contracting Parties undertake: to maintain the social security system at a satisfactory level at least equal to that required for ratification of International Labour Convention (No 102) concerning Minimum Standards of Social Security.

Question A

Please indicate the branches of social security in which the social security system in force in your country fulfils or goes beyond the requirements of International Labour Convention No 102.

Sickness benefits

Update:

Proportion of the benefit to previous income

Compliance with the European Social Security Code (the "Code") is assessed for a typical beneficiary according to the proportion of the sickness benefit increased by child allowances to net income plus child allowances.

In the Czech Republic the proportion was as follows:

- (a)** *81.7% for a turner in mechanical engineering. It means that the benefit was 36.7% higher than a minimum level stipulated by the Code.*
- (b)** *78.2% for a person with a salary equal to 1.25 times the average wage in the national economy. It means that the benefit was 33.2% higher than the minimum level stipulated by the Code.*

The calculation was performed under the following assumptions:

- ◆ *The sickness benefit was determined according to regulations in force as of 1 January 2002 (for the first month of sickness).*
- ◆ *A typical beneficiary of the sickness benefit may be considered:*
 - (a)** *A turner in mechanical engineering,*
 - (b)** *A person with an income equalling to 125% of the average wage in the national economy ("NE").*
- ◆ *The gross income of a lathe operator (Class 7) has been assessed following a survey by the agency TREXIMA, s.r.o. for the year 2001.*
- ◆ *The beneficiary is a man with a dependant wife and two children. Child allowances were assessed for children aged 9 and 14. Child allowance depends on the family income, therefore allowances are lower for a person with an income equal to 1.25 times the average salary.*

The following table includes basic information on calculations

a) Turner's benefit assessment (CZK/month)

Monthly wage		Level of sickness benefit	Allowances for 2 children	Previous income ³⁾	Income after granting sickness benefits ⁴⁾	Proportion of benefits/previous income (%)
Gross	Net ¹⁾	Net ²⁾		Net	Net	Net
14,881	12,390	9,888	1,319	13,709	11,207	81.7

b) Benefit assessment for a person with an income equal to 125% the average salary in the NE (CZK/month)

Monthly wage		Level of sickness benefit	Allowances for 2 children (in addition to sickness benefits)	Previous income ³⁾	Income after granting sickness benefits ⁴⁾	Proportion of benefits/previous income (%)
Gross	Net ¹⁾	Net ²⁾		Net	Net	Net
18,300	14,932	11,259	1,155	16,087	12,578	78.2

- 1) Deductible items of the taxpayer, dependent wife and two children are taken into account for the calculation of net wage.
- 2) Benefits are not subject to taxation.
- 3) Wage & child allowances (in force since 1 October 2001, in the amount of CZK 1,319 for the turner, in the amount of CZK 1,155 for a person with an income equal to 1.25 times the average salary in the NE) .
- 4) Benefit & child allowances

Note: For comparison, in 2001 the average salary was CZK 14,640.

Maternity benefits

Proportion of the benefit to previous income

(the calculation is performed in accordance with the provisions of Article 65 of the European Code)

Compliance with the Convention is assessed according to the proportion of a maternity benefit to net income of a typical beneficiary.

In the CR the proportion was as follows:

- (a) 88.5% for turner in mechanical engineering. It means that the benefit was approximately 43.5% higher than the minimum level set by the Convention.
- (b) 83.4% for a person with an income equal to 1.25 times the average salary in the national economy. It means that the benefit was approximately 38.4% higher than the minimum level set by the Convention.

The calculation was done under the following assumptions:

- ◆ maternity benefit was determined according to the regulations in force as of 1 January 2002.
- ◆ A typical beneficiary of the maternity benefit is:
 - ◆ A turner in mechanical engineering,
 - ◆ A person with an income equal to 125% of the average salary in the national economy ("NE").
- ◆ Gross income of a turner (Class 7 KZAM-R) assessed following a survey by the agency TREXIMA, s.r.o. for the year 2001.
- ◆ The beneficiary is a woman (exceptionally man) without any dependants.

The following table includes basic information on calculations

a) The turner's benefit assessment

Monthly wage		Maternity benefit²⁾	Proportion of benefits/net wages (%)
Gross	Net ¹		
14,881	11,495	11,170	88.5

b) *Benefit assessment for a person with an income equal to 1.25 times the average salary in the NE*

Monthly wage		benefit²⁾	Proportion of benefits/net wages (%)
Gross	Net ¹		
18,300	13,887	11,580	83.4

- ◆ *For tax purposes only the taxpayer's deductible items are considered. Benefits are not subject to taxation.*
- ◆ *Note: For comparison, in 2001 the average salary was CZK 14, 640.*

Unemployment benefits

In case of unemployment, all persons that fulfil the qualifying period (see below) and did not cause the unemployment themselves (i.e. did not leave a job repeatedly in the last 6 months without a serious reason, or were not made redundant due to unsatisfactory performance or a breach of work commitments) are covered.

The law specifies a qualifying period amounting to 12 months of employment in the last three years or at least 12 months of substitute periods. The period during which the benefits are provided is fixed by the Act on employment to a maximum of 6 months. If a job-seeker undergoes retraining, he/she receives the benefits during the whole period of retraining corresponding to the minimum periods as defined in paragraph 1a). The Act does not explicitly set a waiting period (i.e. a period after the start of entitlement to benefits, for which the benefits are not paid) for the benefits. In real life, a job centre has 7 calendar days to find a suitable job for the job-seeker. In case no job is found within this period, the benefits are paid also for these first 7 days

The provisions of Article 17 of Act No 1/1991 Coll., on Employment, as amended, stipulate that the amount of unemployment benefit is determined on the basis of the average monthly income achieved by the job seeker in his last job. In the first three months, the benefit amounts to 50% of the previous income and in the following three months to 40% of the previous income of the beneficiary. A job-seeker who has joined retraining receives 60% of the average monthly net income that he had in the last job for the whole period of retraining.

If a job-seeker who is not entitled to receive unemployment benefits (Article 14 (1) (f)) has joined retraining, he receives 60% of the average monthly net income that he had in the last job for the whole period of retraining.

The determination of the amount of the unemployment benefit is based on the average monthly net income of the job seeker agreed with him and last used for labour-law purposes in his last job according to labour-law regulations on the calculation and use of the average income.

For the amount of sickness benefits there is a maximum limit that amounts to 2.5 times the subsistence minimum valid for individual citizens older than 26 years by the day the

entitlement for the unemployment benefit arises. At present this maximum amounts to CZK 10,250 per month.

Amount of the benefit of a typical qualified worker during the first three months of unemployment (qualified worker salary in the amount of CZK 15,989) during the first three months of unemployment

Amount of the benefit (50% of average previous income)	Child allowances	Total income	% of the original income increased by child allowances
6,612	1,319	7,931	54.53%

The unemployment benefit of a typical qualified worker in the subsequent three months of unemployment

Amount of the benefit (40% of the average previous income)	Child allowances	Total income	% of the original income increased by child allowances
5,290	1,319	6,609	45.44%

Family allowances

In the Czech Republic child-care is mainly supported through the social security system. It consists of a system of benefits that the State uses to help to cover subsistence costs, mainly of families with children. The benefits are not paid from an insurance scheme; they are paid from the state budget contributions. The basic legal provision is Act No 117/1995 Coll., on social security, as amended. This Act lays down the conditions for payments of social security benefits.

The basic family allowance is the child allowance which approximately 84% of dependent children are entitled to receive. In 2001 expenditure on child allowances within the state social security system was CZK 12,799m. According to the census taken in 2001 there were 2,431,000 dependent children living in the Czech Republic.

Old-age pensions

The retirement age does not exceed 65 years; in 2002 the retirement age of men was 61 years and 4 months. The retirement age of women is dependent on the number of children brought up, ranging from 55 years and 4 months to 59 years and 4 months. The retirement age is gradually increased every year by 2 months in the case of men and by 4 months in the case of women, so that after 31 December 2006 it will be 62 years for men and 57-61 years for women depending on the number of children brought up.

A domestic regulation withdraws old-age pension payments from persons in those months when their income from paid employment has exceeded the double of the subsistence minimum, however, just for the period of two years after the person became eligible for the old-age pension. Old-age pensions are granted to individuals economically

active at work if the employment is for a definite period. Exceptions are stipulated by the law.

Protected persons are persons who participate or have participated in a pension scheme. The participation in a pension scheme is compulsory. Economically active persons, both employees and self-employed individuals, are insured compulsorily. The law specifies that other groups of people are insured without paying contributions, i.e. they are protected. They include students, soldiers doing their military service, and women taking care of a child under the age of 4.

Proportion of the old-age pension to previous income

Compliance with the Convention is assessed according to the proportion of the old-age pension to previous net income of a typical beneficiary.

In 2002 this proportion amounted to 47.1% in the Czech Republic. It means that the level of this allowance was 7.1% higher than the minimum required by the ILO Convention No 102 MOP and the European Code.

The calculation was done under the following assumptions:

- ◆ *The old-age pension was calculated according to the regulations in force as of 1 January 2002.*
- ◆ *A typical beneficiary of the old-age pension is a turner with a dependant wife.*
- ◆ *The assessment base of a turner (Class 7 KZAM-R) was assessed following a survey by the agency TREXIMA, s.r.o. for the year 2001.*
- ◆ *According to ILO Convention No 102 and the European Code, the calculation of the old-age pension considers a policy period of 30 years (the average policy period for old-age pension is approximately 40 years in the Czech Republic).*

For insured persons with an income lower than the reference person's income and with the same policy period, the examined proportion of old-age pension/wage is always higher in the CR, which is ensured by the structure of the old-age pension.

The following table shows basic information on the calculation

Monthly wage		Old age pension²⁾	Proportion of benefits/net wages (%)	
Gross	Net ¹		Gross	Net
14,881	11,805	5,556	37.3	47.1

- 1) *Deductible items of the taxpayer and dependant wife are taken into account for the calculation of the net wage.*
- 2) *Old-age pension allowances up to CZK 12,000 are not subject to taxation.*

Note: For comparison, in 2001 the average salary was CZK 14,640 and the average old-age pension paid as at 31 December 2002 was CZK 6,841.

Disability pensions

The term of the insurance policy for claiming the disability pension includes the period from the start of eligibility to reaching the retirement age. Therefore, disability pension is

not reduced due to a shorter contribution period. If full disability is caused by a self-afflicted injury or an intentional crime, the invalidity pension is reduced.

Calculation according to Article 65 of the European Code and ILO Convention No 102:

The fulfilment of the Convention is assessed on the basis of the proportion of disability pension increased by child allowance to previous net income increased by child allowance of a typical beneficiary.

In CR this proportion is 50.1%. It means that the level of the benefit is 10.1% higher than the minimum level required by the ILO Convention 102 and the European Code.

The calculation was done under the following assumptions:

- ◆ Full disability pension has been assessed according to the regulations in force as at 1 January 2002.
- ◆ A turner with a dependant wife and two children under the age of 15 is a typical beneficiary. The gross wage of a turner (7th class of occupations according to the classification system KZAM-R) was determined on the basis of a survey conducted by the agency TREXIMA s.r.o. for the year 2001.
- ◆ According to the provisions of the ILO Convention and the European Code, the granted pension is increased by child allowance to assess the income level of the person in question. For the purposes of the calculation, child allowance for children of 9 and 14 years of age is considered (the amount of child allowance differs according to the child's age and the household income).
- ◆ In compliance with the ILO Convention and the European Code, invalidity pension calculation should consider a 15-year insured period. According to the Czech legal provisions the term of the insurance policy for claiming disability pension includes the period from the start of eligibility to reaching the retirement age. Therefore, disability pension is not reduced due to a shorter contribution period and the calculation takes into account an insured period of 30 years (the average insurance period in the CR amounts to roughly 40 years).

The following table includes basic information on calculations (CZK/month)

Monthly wage		Disability pension	Allowances for 2 children	Previous income³⁾		Income after disability pension⁴⁾	Proportion of benefits/previous income (%)	
Gross	Net¹⁾	Net²⁾		Gross	Net¹⁾	Net	Gross	Net
14,881	12,390	5,556	1,319	16,200	13,709	6,875	42.4	50.1

1) The calculation of net salary considers deductible amounts for the payer, dependant wife, and two children.

2) Pensions up to CZK 12,000 are not taxed.

3) Salary in 2001 & child allowance in force since 1 October 2001.

4) Pension granted in 2002 & child allowances (in force since 1 October 2001).

Note: For comparison, the average wage in the national economy in 2001 amounted to CZK 14,640 and the average disability pension paid out as of 31 December 2001 amounted to CZK 6,666.

Survivors' pensions

The death of a provider is considered a covered social event. Survivors' benefits are not reduced or discontinued in case of their concurrence with gainful activities.

The scope of covered individuals is similar to that of the old-age pension. The benefit is a repetitive payment. Survivors' benefit is granted to a person whose provider was a recipient of an old-age or full invalidity pension, or the deceased person achieved the required insurance period for entitlement to full invalidity or old-age pension, or the deceased person died of an occupational injury.

Widow's or widower's pension is granted for one year after the death of a provider, and then according to the conditions set out in Article 50 of Act 155/1995 Coll., on pension insurance, as amended. Having a dependent child is a precondition for granting an orphan's pension. The 'dependant' status is defined in Article 20 (3) of the Act on pension insurance, and it can be claimed only up to 26 years of age. Entitlement to widow's or widower's pension expires when a court decision on intentional death caused by the widow or widower, who acted as the perpetrator, accomplice or participant in the crime, comes into effect. A new marriage ends entitlement to widow's or widower's pension. Child adoption ends entitlement to orphan's pension.

Proportion of the benefit to previous income:

(calculation according to Article 65 of the European Code and ILO Convention No 102)

The fulfilment of the Convention is assessed on the basis of a proportion of widow's (widower's) pension, two orphan's pensions, and child allowance to previous net income increased by the child allowance of a typical beneficiary.

In the CR, this ratio amounts to 78.6%. It means that the level of the benefit is 38.6% higher than the minimum level required by ILO Convention No 102 and the European Code.

The calculation was done according to the following assumptions:

- ◆ The survivors' pension (a widow's pension and two pensions of orphans with one deceased parent) was determined in compliance with regulations in force as of Jan 1 2001. According to the European Code and ILO Convention, the invalidity pension of the deceased was used as the calculation base for the survivors' pensions. The deceased person accumulated an insurance period of 15 years (another additional 15 years have been considered for the calculation). A family of a deceased turner (a dependant wife and two children up to 15 years of age) is considered a typical beneficiary. The gross wage of a turner (7th Class of occupations according to the classification system KZAM-R) was determined on the basis of a survey conducted by the agency TREXIMA s.r.o. for the year 2001.
- ◆ According to the provisions of the ILO Convention and the European Code, the granted pension is increased by the child allowance to assess the income level of the covered individual. For the purposes of the calculation, child allowances for children of 9 and 14 years of age were considered (the amount of child allowance differs according to the child's age and the household income).

The following table shows basic information on the calculations (CZK/month)

Monthly wage		Pension	Allowances for 2 children	Previous income³⁾		Income after pension³⁾	Proportion of benefits/previous income (%)	
Gross	Net¹⁾	Net²⁾		Gross	Net¹⁾	Net	Gross	Net
14,881	12,390	9,451	1,319	16,200	13,709	10,770	66.5	78.6

- 1) The calculation of net salary considers deductible amounts for the payer, dependant wife, and two children.
- 2) Pensions up to CZK 12,000 are not taxed.
- 3) Salary in 2001 & children allowance in force since 1 October 2001
- 4) Pension granted in 2002 & allowance for 2 children.
- 5) Note: For comparison, the average wage in the national economy in 2001 amounted to CZK 14,640, the average widow's/widower's pension paid out as of 31 December 2002 was CZK 4,739 and orphan's pension CZK 3,327.

Question B

With regard to the branches of the social security system in force in your country which do not reach the level provided for in that Convention, please indicate the differences between your established standards and those of the Convention.

No change.

ARTICLE 12 PARA. 3

With a view to ensuring the effective exercise of the right to social security, the Contracting Parties undertake:

to endeavour to raise progressively the system of social security to a higher level.

Question A

Please describe any measures taken with a view to fix the social security standards at a higher level and in particular any measures taking the system to a level higher than that of the International Labour Convention No 102 (Social Security – Minimum Standards). Please also provide information in relation to the standards of the European Code of Social Security and its Protocol.

Please send copies of reports concerning the application of the International Labour Convention No 102, further ILO conventions concerning the social security and also the report on the application of the Code of Social Security.

In the reference period the minimum subsistence level (which is the basis for the calculation of social security benefit) was adjusted. According to Article 7 of Act No 463/1991 Coll., on the subsistence level, as amended, the minimum subsistence amounts will be increased by the Government's Decree regularly as of 1 January in accordance with the actual growth in the costs of food and other fundamental personal needs and household expenses, expressed by the growth in the overall consumer price indices in respect of households in the decisive period. The Government will not increase the minimum subsistence levels on the set date if the overall consumer price index of households in total rises by less than 2% since the first month of the decisive period. The Government may increase the minimum subsistence levels on a date different from the determined date if the overall consumer price index of households in total increases

by at least 10% since the beginning of the decisive period. The total growth in the overall consumer price index in respect of households and the total growth in the consumer price indices for households, expressing the increase of expenses on food and other fundamental personal needs and household expenses, will be ascertained from data compiled by the Czech Statistical Office.

Amendments to the Act on social security have also been made in the reference period. For example, the prolongation of the period for which a dependent child may be placed in a pre-school children's facility with entitlement to family allowance. Further amendments have been adopted as a result of the public administration reform that brought transposition of powers of individual offices.

In the area of social security benefits the allowance concerning the care for a relative or another person (for more details see Article 13). Generally, the benefit amount will increase the benefit may overlap with limited gainful activity and the number of situations in which the condition of a personal, day-long and due care is fulfilled, has increased.

Question B

As far as any other changes in the social security field are concerned, especially in so far as they are not aimed at bringing the system to a higher level, please include the following elements:

- *the nature of the changes (field of application, conditions for granting allowances, amounts of allowance, lengths, etc.);*
- *the reasons given for the changes, the framework of social and economic policy they come within and their adequacy in the situation which gave rise to them*
- *the extent of the changes introduced (categories and numbers of people concerned, levels of allowances before and after alteration);*
- *the existence of measures for those who find themselves in a situation of needs a result of the changes made (this information can be submitted under Article 13);*
- *the results obtained by such changes.*

In its conclusions to the last Report the Committee requires more detailed information on changes in social security benefits: the actual amount of the increase as related to the increased consumer prices index and the growth in wages and salaries.

The increase will be determined so that, with regard to the average old-age pension, it corresponds to at least 100% of the increase in prices for the relevant period examined and an amount corresponding to at least one-third of the real wage growth for the relevant period. This legal provision was introduced by Act No 264/2002 Coll., by which the Pension Insurance Act was amended as of 1 July 2002. The increase as of January 2003 is therefore the first increase according to the new provision. As the first month, when the examination of an increase in prices will taken into account, will be regarded December 2001, the calendar month in which pension benefits were last increased prior to the effective date of Act No 264/2002 Coll. The last month of the definite period taken into account with regard to an increase in prices at the increase of old-age pension benefits is always July of the relevant year.

The decisive period for increasing pensions as of January 2003 in which the increase in prices was examined, was the period from December 2001 to July 2002. The increase in prices in this period reached 1.7%; therefore, pensions should be increased by 1.7% at minimum. Since last time the real wages growth was considered in relation to the pension increase as of December 2001, when the increase by the year 2000 was taken into account, the pension valorisation in 2003 had to consider the growth of real wages for the year 2001. In this year the growth of real wages calculated according to Article 67

(9) of the Act on Pension Insurance reached 3.8%. One third of this growth had to be taken into account for valorisation, i.e. 1.3% ($3.8 \div 3 = 1.2667$). The increase of an average old-age pension paid individually should therefore reach at least 3.1% ($1.017 \times 1.013 = 1.030221$).

The Pension Insurance Act stipulates only the minimum increase and enables therefore the Government to consider a number of other circumstances and economic opportunities when deciding on the increase of pensions. The original intention was to valorise pensions so that in 2003 the real value of the average old-age pension reached the real value of the year 1989 and the difference between the pension level of *old pensioners*⁵⁾ and *new pensioners* is eliminated.

However, due to the floods in August 2002, the original plan concerning the level of pensions valorisation had to be reviewed. The result of the careful review was the decision to valorise pensions of *old pensioners* due in January 2003 by 4% and pensions of *new pensioners* by 3.8% of the pension assessment (the base pension assessment of CZK 1,310 a month remains unchanged). Even though the increase is less than originally intended, it fully complies with the legal provision in force because the minimum increase of pensions stipulated by the Pension Insurance Act would reach 3.1%, whereas on the basis of the approved Government Decree it will reach 3.2%. In 2003 the real value of the average old-age pension will reach 99.5% of the pension's real value of the year 1989.

In relation to the pension valorisation as of January 2003 it is necessary to further state that if it had not been for the change in the legal regulation concerning pensions valorisation adopted this year, it would not yet have been possible to decide on pensions valorisation, since the conditions stipulated by the previous legal provision have not been fulfilled yet. They stipulated that the paid pensions would increase, if as of the month preceding the last increase in pensions the prices would have increased by at least 5%. By September 2002, when the Government decided on the increase, the index of consumer prices had increased only by 1% and by January 2003, when pensions will be increased, only a 1.6% index increase is expected. It is expected that the 5% limit of the price growth enabling the increase in pensions according to the previous conditions will be reached only in January 2004. The previous legal provision stipulated that the minimum increase would be only 70% of this growth, whereas the current legal provision requires that at least 100% price increase is considered.

For the year 2003 (i.e. outside the reference period) there is a change in the legal regulation of health insurance.

The observed daily gross income for the calculation of sickness benefits is subject to reduction. For purposes of this reduction two reduction limits have been laid down whose level – in dependency on the growth of an average monthly wage – was regularly increased following a Government Decree as of 1 January of the relevant year (by Article

5) The term *new pensioners* is used for pensions granted according to the *new regulations*, i.e. according to Act No 155/1995 Coll., on pension insurance, in force since 1 January 1996. The term of *old pensioners* is used for general definition of pensions granted according to *old regulations*, i.e. according to regulations in force prior to 1 January 1996 and it does not relate to the age of pensioners.

Differences between old and new pensioners pensions resulted from the different way of calculation of pensions granted after the year 1995 according to Act No. 155/1995 Coll., on pension insurance. The new Act has brought a number of changes in assessment of the insurance period, the length of period for determination of final income, in indexation of these incomes according to the development of average wages and salaries, and their reduction. It removed the maximum level of pensions. It has responded to rapid changes in remunerating and job opportunities and the need to enable consideration of these changes in pension claims. These changes have resulted in a situation where pensions granted according to the new Act (new pensioners pensions) are mostly higher. It was expected at the adoption of this Act that the removal of these differences would be gradual, implemented during the valorisation of pensions paid. With regard to the economic situation the differentiated valorisation started only in July 1998 and the economic situation limited the rate of the difference decrease. Currently, the difference between the average level of new and old pensioners' old-age pension is approximately 2%.

40 of Act No 54/1956 Coll., on employees' health insurance, as amended). According to Government Decree No 413/2000 Coll., the amounts for determining the daily assessment base (for the year 2001) have been changed as follows:

- a) the amount of CZK 400 is increased to CZK 430,
- b) the amount of CZK 590 is increased to CZK 630.

According to Government Decree No 347/2001 Coll. the amounts for determining the daily assessment basis (for the year 2002) have been changed as follows:

- a) the amount of CZK 430 is increased to CZK 480,
- b) the amount of CZK 630 is increased to CZK 690.

Due to the urgent need for financial saving in relation to floods 2002 the freezing of these reduction limits for the year 2003 has been applied as stipulated by Act No 420/2002 Coll., it means that as of 1 January 2003 there was no increase of these limits.

ARTICLE 12 PARA. 4

With a view to ensuring the effective exercise of the right to social security, the

Contracting Parties undertake:

to take steps, by the conclusion of appropriate bilateral and multilateral agreements, or by other means, and subject to the conditions laid down in such agreements, in order to ensure:

a. equal treatment with their own nationals of the nationals of other Contracting Parties in respect of social security rights, including the retention of benefits arising out of social security legislation, whatever movements the persons protected may undertake between the territories of the Contracting Parties;

b. the granting, maintenance and resumption of social security rights by such means as the accumulation of insurance or employment periods completed under the legislation of each of the Contracting Parties.

These words in the Appendix to the Charter: "... and subject to the conditions laid down in such agreements ..." in the introduction to this paragraph are taken to imply inter alia that with regard to benefits which are available independently of any insurance contribution a Contracting Party may require the completion of a prescribed period of residence before granting such benefits to nations of other Contracting Parties.

Question A

Please give the list of bilateral and multilateral agreements as provided for in this provision and indicate how they allow, for the various social security benefits, the implementation of principles provided for in sub-paragraphs a) and b).

Compared with the situation described in the last Report the number of bilateral agreements in force with Contracting States has changed. The following new agreements have been concluded:

Social Security Agreement between the Czech Republic and the Federal Republic of Germany

(effective since 1 September 2002)

The Agreement applies to the following areas of social security:

- Sickness benefits and health insurance (sickness and maternity benefits, necessary and urgent care),
- Benefits in kind as well as cash benefits granted in case of work injuries and occupational diseases,
- Old-age pension insurance.

The Agreement applies directly to individuals who are or have been subject to the Contracting Parties' regulations, and indirectly to members of their families. The Agreement provides for equal treatment of citizens in relation to the application of social security provisions (Article 4). The principle of benefit export is laid down in Article 5. The principle of period calculation is included in Article 24 and 12.

Social Security Agreement with the Grand Duchy of Luxembourg

(effective since 1 March 2002)

The Agreement applies to the following areas of social security:

- Health care, sickness and maternity benefits in kind,
- Sickness and maternity benefits,
- Disability, old-age and survivor pensions,
- Child allowances,
- Benefits in kind as well as the cash benefits granted in cases of work accident or occupational disease,
- Death allowance,
- Unemployment benefits.

The Agreement applies to citizens who are or have been subject to legal regulations of the Contracting Parties and to their family members and survivors.

The Agreement provides for equal treatment of citizens in relation to the use of social security regulations (Article 4). The principle of benefit export is laid down in Article 6. The principle of period calculation is included in the provisions concerning individual social events.

Agreement on export of social insurance benefits between the Kingdom of the Netherlands and the Czech Republic

(effective since 1 September 2002)

The Agreement applies only to the benefit export principle and regulates the regime of the verification of further necessary information in relation to the benefit.

The Agreement applies to beneficiaries and their family members.

Social security agreement between the Czech Republic and the Ukraine

(effective since 1 April 2003)

The Agreement applies to the following areas of social security:

- Sickness and maternity benefits,
- Disability, old-age and survivor pensions,
- Benefits granted in case of work accident or occupational diseases,
- Death allowance,
- Unemployment benefits,
- Children allowances.

The Agreement applies to citizens who are or have been subject to legal regulations of the Contracting Parties and to their family members.

The Agreement provides for equal treatment of citizens in relation to the application of social security regulations (Article 4). The principle of benefit export is laid down in Article 5, with exceptions stipulated by the Agreement (e.g. unemployment benefits). The principle of period calculation is included in the provisions concerning individual social events.

In comparison with the previous Report, the number of Contracting States has changed. Further steps have been taken towards the enlargement of the contractual basis in the area of social security co-ordination:

- ◆ The Federal Republic of Germany, The Grand Duchy of Luxembourg, The Kingdom of Netherlands – the Agreement has become effective,
- ◆ The Kingdom of Spain – completion of the ratification procedure is expected in the nearest future; the Agreement should become effective by the end of the year 2003
- ◆ The Republic of Italy – the agreement was signed on 11 November 2001, the Contracting Party's ratification procedure is in progress
- ◆ The Republic of Romania – a new Agreement was signed on 24 September 2002, the ratification procedure and administrative agreement negotiations are in progress, the effectiveness of the Agreement is expected by the end of the year 2003
- ◆ Turkey, Macedonia - negotiations are in progress.

Question B

Please indicate whether, in the absence of any bilateral or multilateral agreements, the nationals of other Contracting Parties concerned are granted the implementation of the principles provided for in sub-paragraphs a) and b) for the various social security benefits.

In its conclusions to the last Report the Committee requires an explanation of whether there exist any qualification periods in relation to granting sickness benefits.

To provide more detailed information on this question we comment that that the qualification period does not apply to health insurance. On the contrary, in the case of maternity benefits, the qualification period for eligibility for benefits applies.

The provisions of Article 6 of Act No 88/1968 Coll., on prolongation of maternity leave, maternity benefits and child allowances from the health insurance scheme. Maternity

benefits are granted to an employee if she participated in health insurance for at least 270 days in the previous two years before the delivery (according to Act No 54/1956 Coll., on health insurance of employees, as amended).

This period of 270 days includes periods in which the employee in the two years before the delivery:

- a) participated in health care in the armed forces,
- b) received a pension from the social security system,
- c) participated in farmers' health insurance scheme or a system of social security for mothers and children or in a health insurance system for self-employed people,
- d) after the termination of an insurance or another security system (care) received maternity benefits,
- e) was registered as a job-seeker.

Maternity benefits are granted to an employee if she participated in health insurance for at least 270 days in the previous two years before the delivery (care, insurance), if the protection period from her last health insurance lasts at the beginning of the sixth week before the actual or expected delivery, or if she takes sickness benefits from the previous health insurance by the beginning of this week.

The provisions of Article 42 of Act No 54/1956 Coll., on health insurance of employees, stipulate that the protection period is 42 days after the last day of employment. However, if an employee was last employed for a shorter period of time than the protection period, his protection period corresponds to the number of days of his last employment. In the case of women whose employment ended during pregnancy, the protection period is always six months. If insurance is taken out within the protection period, the protection period does not run during the cover. The protection period acquired through the new cover is added to the number of unused days under the former protection period up to a maximum of 42 days.

In its conclusions to the last Report the Committee inquires whether – in the case of eligibility for family benefits (child allowances) – the requirement of permanent stay relates to dependant children to whom the benefits are paid.

The provisions of Article 3 of Act No 117/1995 Coll., on social security, as amended, stipulate that for eligibility for state social support benefits, the applicant - and, for income-tested benefits, persons assessed together with the applicant - must be registered as permanent residents in the Czech Republic. For the purposes of social security benefits, permanent residence includes residence by a foreign national in the Czech Republic, registered in accordance with the regulations governing the residence of foreign nationals in the Czech Republic from the day on which 365 days elapsed from the day of registration for social security benefits. The condition of 365 days elapsing from the day of registration is not examined in the case of children of foreign nationals registered as residents in the territory of the Czech Republic and born in the Czech Republic up to the age of one of these children.

For minors taken into care in the Czech Republic replacing the care of parents, or into institutional care, the condition of registration for permanent residence does not apply to eligibility for benefits.

A district body according to the place of residency of the claimant may within its transferred powers release the condition of a permanent residence in some warranted cases.

Child allowances are regulated by Article 17 and subsequent of the above Act. The benefit is a claim for a dependent child, it is paid directly (to the major) dependent child. In the case of a minor the benefit is paid to a person directly taking care of the child by the end of the month in which the dependent child reaches majority.

In its conclusions to the last Report the Committee inquires the range of limitations of the old-age, disability and survivors' pension export. We comment that in the case of pensions, their beneficiaries may fully export the benefits to which they are entitled, i.e. there are neither limits, nor reductions, nor is export conditioned by residency or citizenship of the beneficiary.

Limitations relate only to cases, when the claims for pensions and their level were decided prior to the effectiveness of the Act No 155/1995 Coll., on pension insurance, as amended. According to the previous regulations the period of employment in abroad was also considered, even though no insurance was paid in the Czech Republic. Therefore the pension just at the level corresponding to the insurance period and substitute insurance period in the Czech Republic is considered. An international treaty may however stipulate something else, if a claim arose for the old-age pension with regard to this agreement.

In its conclusions to the last Report the Committee arrived at the conclusion that the situation in the Czech Republic is not in harmony with Article 12 (4) of the Charter, because due to the non-existence of bilateral agreements that might be applied, citizens of the Contracting Parties to the Charter or Contracting Parties to the Revised Charter cannot export their rights acquired within the Czech system of social security and are not entitled to add periods of their insurance or employment.

Adding of insurance periods is (in addition to the principle of one insurance, equality of treatment and benefits export) one of the key principles of the international co-ordination of social security – implemented on principle and exclusively by means of a bilateral or multilateral agreement between particular states. With regard to differences and specific features of individual systems it is often necessary to develop a conversion mechanism enabling to add periods of insurance, employment, or living in the same units (days, months, years, etc.).

Unilateral provisions (adding of periods for the rise of the claim and e.g. for the determination of a theoretical level of an old-age pension) could be implemented only supposing all Member States use the same system for calculating insurance periods in their schemes. This would nevertheless go beyond the sense of co-ordination (which is an objective of the provision of Article 12 (4)), and it would rather indicate the direction towards the harmonisation of individual social systems which is not at present the EU approach.

Without any prejudice to the above-mentioned facts we comment that from the point of view of adding insurance (employment) periods, the CR tries to provide citizens of the Charter (Revised Charter Member States with this facility by means of permanent emphasis placed on concluding bilateral agreements and a pro-active approach to multilateral instruments.

The Czech Republic has concluded bilateral international agreements with a number of countries that have signed the Charter (Austria, Bulgaria, Cyprus, France, Germany, Hungary, Lithuania, Luxembourg, Moldavia, Poland, Romania, Slovakia, Slovenia,

negotiations are in progress with Turkey). In the past there were attempts to initiate negotiations on concluding international agreements also with some other States (northern states), EU members that however had not been accepted by these States (with regard to the expected CR accession to the EU that will automatically mean the application of EC law (Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community, and implementing provision EEC 574/72). The CR accession to the EU will ensure equal treatment in relation to the 24 Member States of the European Union.

In recent years bilateral agreements were concluded on social security ensuring equality of treatment, benefit export and adding of periods with the following countries: Austria, Bulgaria, Croatia, Cyprus, Germany, Israel, Lithuania, Luxembourg, Slovakia, Switzerland (ten altogether). A number of further expert negotiations has been concluded and their ratification is in progress (Canada, Italy, Québec, Spain, Turkey, the Ukraine).

Question C

Please indicate the length of the prescribed period of residence before nationals of Contracting Parties become eligible for benefits which are available independently of any contribution.

No change.

ARTICLE 13: THE RIGHT TO SOCIAL AND MEDICAL ASSISTANCE

ARTICLE 13 PARA. 1

With a view to ensuring the effective exercise of the right to social and medical assistance, the Contracting Parties undertake:

To ensure that any person who is without adequate resources and who is unable to secure such resources either by his own efforts or from other sources, in particular by benefits under a social security scheme, be granted adequate assistance, and, in case of sickness, the care necessitated by his condition

Question A

Please describe the general organisation of the current public social and medical assistance schemes

Czech citizens are assisted, in case of need, by three social assistance schemes: social insurance, national social support and social care. The **social insurance scheme** addresses social circumstances that one may prepare for in advance by laying aside a certain proportion of financial resources to deal with future social circumstances. The scheme includes unemployment insurance, sickness insurance and pension insurance. Social insurance is funded from contributions paid by employees, employers and from allowances by the State. The system is supplemented with health insurance. Through **national social support**, the Government makes allowances mainly to families with dependent children in case of a qualified social situation that a family is unable to resolve by its own efforts and means. The scheme applies the solidarity principle of high-income families with low-income families, as well as solidarity of childless people with families with children. In considering claims for the benefits, the family property (resources) is not tested, while the income is examined for the purpose of certain benefits. Currently, the income is examined for the purposes of claims for the child allowance, social allowance, housing benefit and transport benefit. The income is not identified for the purposes of the parental benefit, maintenance and support allowance, foster care benefits, birth grant and funeral grant. **Social care** (the term "social assistance" is not used in the Czech legal system) represents assistance provided by the Government to citizens whose living needs have been insufficiently covered by the income from their work, pension or sickness insurance benefits, or by other sources of income, as well as to citizens who are in need of such assistance due to their health condition or age, or who cannot cope with an adverse life situation or circumstances without assistance from the community. Social care includes social services and social care benefits. The goal of providing all types of social care is promotion, or, restoration of social independence of an individual, protection of individuals in need, provision for the basic necessities of life, prevention of and protection from social pathology. Further, the goal includes also elimination of social exclusion and provision of support to the socially handicapped.

A separate approach addresses the social and legal protection of children. Following the adoption of a separate Act No 359/1999 Coll., on social and legal protection of children, protection of children was separated from the social care framework, in accordance with Act No 100/1988 Coll., effective since 1 April 2000. Social and legal protection may be defined as a Government-guaranteed protection of the child's right to favourable development, proper upbringing, and protection of legitimate interests of the child.

Social care (or, social care benefits) is funded from the state budget, even where paid out by the self-governing bodies of municipalities to whom the activity has been mostly delegated. The Government makes contributions to the municipalities to defray the

expenses related to administration of the benefits, including personnel costs of the staff. Entities providing social care differ according to the benefit type. The benefits serving to address destitution are paid out by the authorities of self-government municipalities that carry out these activities on behalf of the Government (which has delegated it to them) – i.e. authorised municipal authorities. The benefits intended to cover specific problems to which the disabled are exposed were paid out by district authorities until 31 December 2002, and since 1 January 2003 they are paid out by self-government bodies: municipal authorities of municipalities with extended jurisdiction.

This area of social security (specifically with regard to social services) is characterised by the involvement of numerous non-governmental organisations (foundations, charities, the Salvation Army, civic initiatives, funds, church organisations).

In 2000, a **territorial public administration reform** was started in the Czech Republic in three stages. Stage One consisted in establishing regions as higher territorial self-government units, based on the election to the regional governments that took place on 12 November 2000. During Stage One of the public administration reform new laws were adopted on the territorial administration structure, including an Act on municipalities, Act on the regions, Act on district authorities, and an Act on the capital city of Prague. Concurrently, legislation was adopted stipulating property and financial relationships (budget rules) both on the national and municipal and regional levels.

Regions and regional authorities assumed, with effect since 1 January 2001, certain powers of the state administration and acquired newly self-government powers also in the social care area. Under this delegated jurisdiction, a regional authority manages and controls the exercise of state administration with regard to social security, performs a supervisory function over the provision of social services by organisations and individuals and imposes measures to remedy identified shortcomings. A regional authority may grant exemptions from the permanent residence requirement in relation to the provision of social services. A region, under its independent jurisdiction (self-administration):

- a) establishes and administers social care facilities and social care institutions that provide diagnostic services,
- b) takes decisions on admission to social care institutions administered by it, on termination of stays in them, on relocation to other institutions administered by it, on the charges for the services rendered by such institutions and on payment for services provided by other social care facilities administered by it,
- c) takes decisions on provision of the care services it provides and on payment for them.

In 2002, Stage Two of the territorial public administration reform was under way. Its purpose was to wind up the district authorities in their position of state administration agencies and territorial administration interlink between municipalities and regions, transfer their powers to the other public administration authorities, mainly to municipalities and municipal authorities, and to regions and regional authorities. The objective of Stage Two of the public administration reform, the implementation of which was commenced on 1 January 2003, is to bring the public administration closer to the citizens.

Legislation:

- Act No 2/1993 Coll., **Charter of Fundamental Rights and Freedoms**, as amended, stipulates in Article 30 (2) the right of anyone in destitution for such help as may be necessary to provide for the basic living conditions,
- Act No 100/1988 Coll., **on social security**, as amended (includes the core provisions on social care – stipulates its scope and forms, provision on procedures in social care

matters, and sets down also certain benefits, such as the closely related or other person care allowance),

- Act No 359/1999 Coll., **on social and legal protection of children**, as amended,
- Act No 114/1988 Coll., **on jurisdiction of the Czech authorities in social security**, as amended (defines the organisation and jurisdiction of separate bodies of the state administration and self-government in provision of social care),
- Act No 582/1991 Coll., **on organisation and provision of social security**, as amended,
- Act No 463/1991 Coll., **on the subsistence level**, as amended (this defines the subsistence level as the socially recognised minimum income threshold, under which an individual is destitute. The subsistence level has been designed as twofold, with its amount subject first to the person's age and second to the number of members of the household in which the person lives. In case the income fails to reach the subsistence level, while the person concurrently meets the social need requirements, the person are paid social care benefits on the social need grounds ("social need benefits"). Specific amounts of the subsistence level are stipulated by the Government, taking into account selected macroeconomic indicators. The most recent modification in this respect was carried out by the Government Ordinance No 333/2001 Coll., increasing the subsistence level.
- Act No 482/1991 Coll., **on social need**, as amended (stipulates provision of the social care benefits to the individuals whose incomes as a rule do not reach the subsistence level and are unable to increase their income by their own efforts – i.e. to socially needy individuals),
- Decree No 182/1991 Coll., **implementing the social security act** and the Act on jurisdiction of the Czech authorities in social security, as amended (lays down requirements applicable to separate categories of eligible persons for claiming social security and its separate forms),
- Decree No 82/1993 Coll., **on charges for stay in social care facilities**, as amended,
- Decree No 83/1993 Coll., **on catering in social care facilities**, as amended,
- Act No 117/1995 Coll., **on national social support, as amended, and**
- Act No 71/1967 Coll., **on administrative procedure**, as amended.

Question B

Please provide detailed information on different types of social and medical assistance, specifying each one:

- *its form (benefits in cash and /or in kind),*
- *the categories of persons covered and the number of persons who were in receipt of assistance during the reference period,*
- *the conditions for the granting of assistance, the criteria used to assess need, the procedure for determining whether a person is without adequate resources, and the body which decides when assistance is to be granted,*
- *as far as possible, information demonstrating the adequacy of the assistance with respect to the cost of living.*

Social care

Benefit types:

Social care benefits (benefits addressing destitution, i.e. social need benefits)

In its conclusions, the Committee requires additional information on social need. Social need benefits are provided by an authorised municipality to persons who meet the requirements as defined by the Act No 482/1991 Coll., on social neediness, i.e. socially needy persons. A person is deemed socially needy if his or her income (and income of members of the household who qualify for being considered jointly – "jointly considered

individuals”) fails to reach the subsistence level and is unable to increase the income through his or her own efforts, namely through own work, due to the person’s age, condition of health, or other material reasons. A person is deemed socially needy providing the social need requirement is met by all jointly considered individuals. The possibility to increase the income through one’s own efforts is not taken into account in certain groups of individuals (old age pensioners, full disability pensioners, senior citizens over 65 years, a parent providing all-day personal and due care for at least one child aged four or older that cannot be admitted to a pre-school facility, a dependent child).

Persons not falling in the group of persons that do not need to increase the income through their own work are not deemed socially needy (even if their income does not reach the subsistence level) in these cases.

- If they have no employment or a similar relationship, perform no self-employed activity or are not registered as job-seekers with a job centre (Note: registration with a job centre does not provide sufficient evidence and the citizen should prove his or her own active efforts to find a job),
- During the period over which such a person, on penalty grounds, has no title to the unemployment benefits otherwise granted to job-seekers,
- During the period of their compulsory service, alternative service, alternative civil service, term of imprisonment or custody, and
- If the case involves a self-employed person whose income is below the subsistence level because the person failed to register for health insurance applicable to this category of persons and, consequently, failed to qualify for health insurance benefits.

The requirement of an income below the subsistence level does not mean automatically recognising such a person as socially needy. An individual whose income fails to reach the subsistence level is not deemed socially needy if his or her overall social and property circumstances fully guarantee the person’s sufficient sustenance and other basic personal needs, as well as the necessary costs of household, while provision in this sense may be reasonably required of the person. An individual may be not required to sell or let a property or flat used as a reasonable permanent dwelling. In assessing the utilizable potential “social and property circumstances”, an account is taken of the value of the property and, even more importantly, of the value that could be obtained from its sale or lease and of the impact that its use would have on any continued “receipt of benefits”. On the other hand, a person may be recognised socially needy even if his or her income exceeds the subsistence level, where, considering the person’s overall social and property circumstances, the necessary costs of providing for sustenance and other basic personal needs and necessary costs of household are justifiably higher, while the person is unable to cover the costs through his or her own effort (e.g. a higher rent, while the flat cannot be exchanged or sold, or increased electricity consumption in case of oxygen concentrator users).

The minimum of subsistence, serving as a yardstick to compare with the citizen’s income and impacting also the benefit amount, is increased for certain persons. If the condition of health of the individual, according to the recommendation by a specialist physician, requires increased costs of dietetic food, the amount of the minimum of subsistence for sustenance and other personal needs is increased by CZK 600.

Example: minimum subsistence of a person living in a single household: CZK 2,320 + 600 + 1,780 = CZK 4,700 (EUR 150).

In case of individuals accorded special favours pertaining to the most severely handicapped, Category III (bearers of the “ZTP/P” certificate in the Czech Republic), the minimum of subsistence amount required to cover the necessary household costs is increased by CZK 600.

Example of determining the subsistence level for a person living in a single household to whom Category III special favours have been accorded and whose condition of health, according to specialist physician opinion, requires costly dietetic nutrition: CZK 2,320 + 600 + 1,780 + 600 = CZK 5,300 (EUR 169). In case of jointly considered individuals, a pair of increases may be granted at the maximum on the grounds of accorded Category III special favours.

The persons who have met the requirements laid down in the Act on social need are provided one-off or repetitive cash or in-kind social care benefits (Article 4 of Act on social need). The benefit is provided to only one of the jointly considered individuals. In deciding on the benefit amount, account is taken of the minimum subsistence amounts (the total amount in case of jointly considered individuals), incomes of jointly considered individuals, property circumstances, amount of the justified costs, or, the fact whether or not the person has claimed any pension or sickness insurance benefits, repetitive national social support benefits, alimony and maintenance benefit in accordance with the Act on the family.

The Committee, in its conclusions to the last Report, raised the question as to how (in case where more than one member of a household qualifies for social assistance, while the benefit is paid out to only one applicant) the Czech authorities guarantee, in line with the assistance objective, that a social assistance allowance is adequate to cover the full family needs and enable all its members to lead a dignified life.

Our answer is that the adequacy of a benefit to the family needs is defined by the combined system of the family minimum of subsistence (jointly considered individuals), as well as by taking into account actual justified costs. In assessing the benefit amount account is taken of the minimum subsistence amounts of all jointly considered individuals, actual justified costs of satisfying the core necessities of life and of the overall property and social circumstances of the considered individuals. Further, account is taken of whether or not the citizen has claimed his or her legal title to sickness and pension benefits, parental benefit, or, to other national social support benefits (Article 4, Act No 482/1991 Coll., on social neediness).

The question of adequacy to all the family needs can therefore be perceived at two levels. The first one has been stipulated by Article 3 (1) of the Act on social need. In accordance with the foregoing provision a citizen whose income exceeds the minimum of subsistence amounts as defined by the subsistence minimum Act is deemed socially needy with regard to his or her overall social and property circumstances, providing the necessary costs of ensuring the person's sustenance and other basic reasonable needs and necessary costs of household are justifiably higher, while the citizen is unable to cover the costs with his or her own efforts. With the view of the jointly considered individual principle, the "costs" of all such individuals (all "family" members) are identified. In deciding on the social care benefit amount, the basis is the minimum of subsistence for the family (total subsistence levels for separate jointly considered individuals), the incomes of the persons and their actual justified costs. By that, adequacy of the assistance is ensured as the matter is not that of a simple pay-up so that the income meets a certain, socially agreed level. It involves also individual calculation of actual justified needs, in order to enable the family a dignified life. The assistance adequacy is further supported by the structure of the subsistence level.

Hence, the assistance adequacy is secured both by the option to award the assistance even to the individuals with the income exceeding the minimum of subsistence, yet with increased justified costs that such individuals are unable to cover through their own efforts, as well as by the very structure of the benefit. The fact that the benefit is made to only one out of the jointly considered individuals does not mean that only the needs of that sole person are secured as the benefit secures the whole family needs. The fact that only one member of the family (one of the jointly considered individuals) is the benefit

recipient represents an administrative fact (it would be both very costly and problematic to provide such benefit separately to each family member).

The Committee, in its conclusions to the last Report, has also raised the question if long-term residence cases are deemed an equivalent to permanent residence.

The above rule applies in case of the Act on national social support (Act No 117/1995 Coll.). Article 3 of the Act stipulates that the national social support benefits pertain to a natural person, providing the person or persons considered jointly with her or him have been registered for permanent residence on the territory of the Czech Republic. Under the Act, permanent residence is deemed to include residence on the territory of the Czech Republic of a foreign national registered for residence in accordance with special legal regulations governing stays of foreign nationals on the territory of the Czech Republic, as of the date of 365 days elapsed after the registration date. The requirement of 365 days elapsed after the registration date is not examined in case of children of foreign nationals registered for residence on the territory of the Czech Republic and born on the territory of the Czech Republic up to the age of one. The requirement of registration for permanent residence or long-term residence is not a precondition to the origination of the title to the benefit in case of minor children who have been placed in custody substituting parental care or in institutional care. A regional body may, in justified cases, waive the permanent residence requirement.

On the contrary, Act No 100/1988 Coll., in the provisions of Article 103, lays down that citizens without permanent residence on the territory of the Czech Republic have no title to the benefits and services. However, Article 3 of Act No 114/1988 Coll. stipulates that a regional authority may award exceptions from the permanent residence requirement where the case involves a provision of social services.

Socially needy citizens and families with dependent children in the CR

	1999	2000	2001
Families with dependent children x)	154,532	161,226	158,405
Single families x)	336,036	359,488	311,574
Total:	490,598	520,714	469,979

x) Number of families with dependent children or citizens who have been granted a social care benefit in accordance with Act No 482/1991 Coll., on social need (a family or citizen who have received more benefits are set out only once).

Social care benefits for severely handicapped and senior citizens

Individual transport allowance

This allowance is paid by the municipality to people with severe handicaps of organs of support or motion and those totally or practically blind or to the parents of a dependent child with a tumour disease or haemoblastosis (during the treatment period of the acute stage of the disease in a teaching hospital) who are neither holders of a motor vehicle, recipients of an allowance for motor vehicle operation, nor are they transported by a vehicle for operation of which a closely related person receives the allowance for motor vehicle operation. The individual transport allowance is provided for a year period in the amount of CZK 6,000 (EUR 192). A proportionate amount is paid if the above requirements are met only over a part of one year.

One-off cash and in-kind benefits

Municipalities can grant one-off cash benefits to the severely handicapped and senior (elderly) citizens for covering extraordinary expenses that such citizens are unable to pay from their regular income. Municipalities provide in-kind benefits to satisfy normal necessities of life that such citizens are unable to secure by themselves due to their age or condition of health. In-kind benefits include provision of more demanding work required for operation and maintenance of a household or payment for the works, or, provision of goods serving to satisfy necessities of life of such citizens.

Increased living costs allowance

Authorised municipal authorities may provide the increased living costs allowance to the persons who permanently use orthopaedic, compensation or other aids, in relation to the use of such aids, up to the monthly amount of CZK 200. Authorised municipal authorities may provide the increased costs allowance in the monthly amount of CZK 200 to blind citizens who continuously work, prepare for their future vocation through continuous training or study, or to recipients of orphan's pension. The allowance is not granted to disability pension recipients.

Allowance to totally or practically blind persons

Authorised municipal authorities may provide the allowance to totally or practically blind persons, specifically to blind owners of a guide dog in order to pay for the food for the dog. The monthly allowance is CZK 800.

Allowance for use of a barrier-free flat

Authorised municipal authorities provide the allowance for use of a barrier-free flat to persons with severe handicaps of organs of support or motion or to blind persons who use a barrier-free flat. The monthly allowance is CZK 400.

Allowance for use of a garage

Authorised municipal authorities may provide the allowance for covering the use of a garage to persons with severe handicaps of organs of support or motion or to blind persons. The monthly amount allowance is up to CZK 200.

Allowance for installation of subscriber line and allowance for change of connection of subscriber line

Municipalities may grant the allowance for installation/change of connection of a subscriber line to socially needy severely handicapped persons who have been accorded special favours under Category III and to recipients of an increased pension on helplessness grounds up to the amount of CZK 1,000.

Allowance for subscriber line operation

Authorised municipal authorities may provide the allowance to socially needy severely handicapped persons or to persons aged over 70 living alone, up to the full amount of the monthly basic charge for the subscriber line use.

Allowance upon leaving institution

Municipalities (within whose district the relevant institution is located) may provide, to wards of institutions for physically handicapped young people, institutions for physically handicapped young people with mental handicaps and institutions for physically handicapped young people with multiple handicaps, upon their leaving the institution, as well as to persons with impaired capacity for work, one-off cash allowances and in-kind benefits to acquire articles of everyday use and household furnishings. The allowance upon leaving an institution is provided on the condition that the ward's savings do not exceed CZK 7,000 and that no person has or performs the maintenance obligation towards the ward. The lump-sum allowance is paid in the amount of CZK 7,000 and it may amount to CZK 15,000 in special cases.

Allowance for heating oil and allowance for purchase of heaters

Municipalities may grant an allowance for heating oil to socially needy severely handicapped persons and socially needy senior citizens who use an oil-fuelled heating system at their home and, due to their old age or state of health, cannot be reasonably required to change to a different method of heating the flat. The allowance is provided up to CZK 3,000 per annum. If the citizen's age and condition of health enables him or her to procure a different system of heating for his or her home, the municipality may provide a one-off cash allowance for purchase of the heaters up to CZK 2,500.

Allowance for motor vehicle purchase

The allowance for a motor vehicle purchase used to be made by former district authorities (and is provided by municipal authorities of municipalities with extended jurisdiction starting from 1 January 2003) to citizens with severe handicaps of organs of support or motion who are dependent on individual transport, while they have not been placed, on a year-round basis, in a social care institution, or, health-care or similar facility (Article 35 of Decree No 182/1991 Coll., implementing the Act on social security and the Czech National Council Act on jurisdiction of the Czech authorities in social security). The allowance is made also to the parents of a dependent child aged over three years, with severe handicaps of the organs of support or motion, totally or practically blind or with a mental handicap, which are the instances justifying according of special favours under Category III. The allowance amount is assessed taking account primarily of the property circumstances of the applicant and persons deemed his or her closely related persons living in the same household, in accordance with the Act on Pension Insurance (155/1995 Coll.). The maximum amount of the allowance is CZK 100,000 (EUR 3,200). But for certain exceptions, the allowance for motor vehicle purchase may be not granted anew prior to elapsed 5 years. A prerequisite to granting such allowance is that the applicant undertakes in writing in advance to return the paid-out allowance or its proportionate amount in defined cases (e.g. in case she or he sells the vehicle or ceases to use it for regular transport etc. before the five years have elapsed as of the date of payout of the allowance).

Allowance for general overhaul of motor vehicle

Former district authorities could (and municipal authorities of municipalities with extended jurisdiction may, as of 1 January 2003) provide the allowance for general overhaul of a motor vehicle to the same range of persons as those qualifying for the allowance for a motor vehicle purchase, instead of actually granting the allowance for a motor vehicle purchase. The above on the condition that more than 5 years have elapsed as of the date of provision of the allowance for a motor vehicle purchase. The maximum allowance amount is CZK 60,000 (EUR 1,920). The total of allowances for purchase, general overhaul and special modification of a motor vehicle shall not exceed 200,000 (EUR 6,400) over the period of 10 years. Accordingly to the allowance for a motor vehicle purchase, a written undertaking is required of returning the allowance in defined cases.

Allowance for special modification of motor vehicle

The allowance for special modification of a motor vehicle used to be granted by district authorities (and continues to be granted by municipal authorities of municipalities with extended jurisdiction as of 1 January 2003) to the citizens with severe handicaps of the organs of support or motion, providing they themselves drive the car and need to have its special modification done due to their permanent handicap. The allowance is provided at the full amount of such modification price, while the principle continues to hold that the total of all relevant allowances, i.e. for purchase, general overhaul and special modification of a motor vehicle, does not exceed CZK 200,000 over the period of 10 years.

Allowance for motor vehicle operation

The allowance for a motor vehicle operation used to be granted by district authorities (and continues to be granted by municipal authorities of municipalities with extended jurisdiction, as of 1 January 2003) to the holder of a motor vehicle whose handicap justifies according special favours under Categories II or III (except for those with total or practically total deafness) and who uses the vehicle for his or her regular transport. The allowance is made also to the holders of a motor vehicle who regularly transport their spouse, child or other *closely related person*, providing their disability justifies awarding of special favours reserved to the handicapped persons of Category II (except for those with total or practically total deafness) or Category III. The last group of eligible persons includes parents of a dependent child with a tumour disease or haemoblastosis (necessary treatment within the acute stage). The allowance amount differs subject to the extent of materiality of the handicap and type of the motor vehicle (a four- or two-wheeled vehicle). The maximum amount is CZK 9,124 per annum (a four-wheeled vehicle in case of citizens whose handicap justifies according special favours under Category III or children with a tumour disease). In case more than 9,000 km are travelled in a calendar year for serious reasons, the allowance amount is increased, once again depending on the condition of health, by CZK 400, or, by CZK 200 for each commenced 500 km of travel. *Closely related persons* – are deemed to include spouses; relatives in direct line; children as per Article 20(1) of the Pension Insurance Act; siblings; and sons and daughters-in-law of either spouse.

Allowance for flat alterations

The allowance for flat alterations used to be granted by district authorities (and continues to be granted by municipal authorities of municipalities with extended jurisdiction as of 1 January 2003) to the citizens with severe handicaps of the organs of support or motion and blind citizens who use the flat for permanent dwelling. The allowance is further granted to the parents of a dependent child aged over 3 years with severe handicaps of the organs of support or motion or totally or practically blind; in case of an alteration including the installation of a signalling system, the allowance is made also to the deaf citizens. The allowance for flat alterations may be granted e.g. for the purposes of modifying the access into the house, widening and modification of doors, removal of thresholds, adjustments of the bathroom, furnishing with the suitable sanitary equipment, installation of a suitable heating system etc. The amount of the allowance for flat alterations is assessed with account of the property circumstances of the citizen and his or her family and is provided up to 70% of documented costs, however up to the maximum of CZK 50,000 (EUR 1,600) or CZK 100,000 (EUR 3,200) in case of alterations including the installation of a lift. A prerequisite to granting the allowance is a written undertaking by the respective individual of returning the allowance or its proportionate amount in certain cases.

One-off allowance for acquisition of special aids

The one-off allowance for acquisition of special aids may be accorded to the severely handicapped persons to acquire aids they need in order to remove, alleviate or overcome consequences of their handicap. The allowance is granted only providing that the relevant aid is neither lent nor fully covered by the health insurance company. The allowance is made at the amount enabling acquisition of the aid's entry model. The list of rehabilitation and compensation aids for which the allowance may be granted is set out in Appendix 4 of Decree No182/1991 Coll. Further, the allowance may be granted for an aid that is equivalent to the aids listed in Appendix 4. A district authority used to be the body of relevant jurisdiction (its powers having been now assumed by municipal authorities of municipalities with extended jurisdiction as of 1 January 2003).

Allowance for covering expenses relating to training and handover of a guide dog

Former district authorities (and municipal authorities of municipalities with extended jurisdiction as of 1 January 2003) may grant the allowance for covering expenses relating to training and handover of a guide dog, up to the amount of the costs normally related to training and handover of a guide dog.

Allowance for recreation and allowance for treatment in spa

Authorised municipal authorities may provide the allowance for recreation and allowance for treatment in spa to the pensioners who are not gainfully employed and who pay with their own means for the vouchers for recreation and spa treatment. The allowance may be granted to the pensioners whose pension does not exceed the amount of CZK 2,720 per individual or CZK 4,880 per married couple, up to the full value of the voucher. The allowance may further be granted to the other pensioners, providing their pension does not exceed the amount of CZK 4,000 per individual or CZK 6,000 per married couple, up to 60% of the voucher value. Socially needy participants of the recreation and spa treatment may be accorded the allowance for expenses relating to travel by the mass means of transport, up to the amount of the actual costs.

Allowance for communal catering

Municipalities may grant the allowance for communal catering to the socially needy severely handicapped citizens and socially needy senior citizens up to CZK 12 per lunch. The allowance may be increased by as much as 15% in extraordinary cases.

Other benefits

Closely related or other person care allowance

As of 1 July 2002, changes were implemented as to awarding of the closely related or other person care allowance. Authorised municipal authorities survive as the bodies of relevant jurisdiction. The person eligible for being provided the closely related or other person care allowance must be a citizen who cares personally, all day and duly for a closely related person (in case of care for other than a closely related person, the common household condition must be met) who is prevalingly or totally helpless or aged over 80 and partly helpless. In case of the closely related or other person care allowance granted prior to 1 July 2002 on the grounds of care for a person aged over 80 who, according to the attending physician's statement, needs care by other person, the title shall survive. Eligible persons continue to include a parent, grandparent, or, a citizen who has assumed a child into care substituting parental care based upon a decision by relevant authority, who cares for a child above one year of age, such child being long-term severely handicapped and in need of extraordinary care. Excluded from the range of eligible persons shall be the recipients of the full disability pension, old-age pension and widow's or widower's pension (except where the income on such pensions would be lower than the allowance amount). By granting the allowance, the title shall terminate for provision of the parental benefit and foster allowance (these are the national social support benefits). The requirement of personal, all-day and due care is deemed complied with in many circumstances. The instances include e.g, the period of time not exceeding 4 hours a day if the child has been placed in the kindergarten or a similar facility, performs the compulsory school attendance etc. Furthermore, the requirement of personal, all-day and due care is deemed complied with also over the time during which an eligible person (caring person) attends to its necessary personal matters or performs a defined gainful activity; during such time, the care must be ensured by another major person. The Social Security Act allows for the concurrence of receipt of the allowance and a gainful activity at the limited amount of earnings. The allowance shall pertain, providing the (net) income on the gainful activity establishing participation in the sickness insurance does not exceed the multiple of 1.5 of the minimum of subsistence amount for the personal needs of the citizen, i.e. CZK 3,480 (EUR 111). Where the gainful activity is carried out by a self-employed person, the same multiple shall apply, while the allowance will be as a rule paid out as a prepayment. No concurrence is admissible of the gainful activity establishing the participation in the sickness insurance (a dependent gainful activity) and self-employed gainful activity. All the same, no concurrence is admissible of a gainful activity (whether dependent or self-employed) and payouts of a pension based on the pension insurance (old-age insurance, full or partial disability insurance, widow's, widower's or orphan's pension).

The allowance amount is the multiple of 1.6 of the amount of the minimum subsistence for securing sustenance and basic personal needs in case of care for one person, i.e. CZK 3,712 (EUR 119); and the multiple of 2.75 of this amount in case of care for two or more persons, i.e. CZK 6,380 (EUR 204). In case of recipients of the full disability pension, old-age pension, widow's or widower's pension, whose pension (concurrent pensions) is (are) below the above amount of the allowance, the allowance amount shall be the difference between their amount of pension (concurrent pensions) and the amount determined using the ratios, subject to the care type.

Cash and in-kind benefits to parents of dependant children, pregnant women and dependant children

Authorised municipal authorities may provide one-off cash or in-kind benefits to the above persons for the purposes of covering one-off extraordinary expenses (which such persons are unable to pay for from their own incomes). The cash benefit amount may be up to CZK 15,000 (EUR 480). The in-kind benefit amount may be up to CZK 8,000 (EUR 256); and as much as CZK 15,000 in extraordinary cases).

Benefits to citizens who have temporarily encountered extremely difficult circumstances

The benefits may be provided to the citizens who have temporarily encountered extremely difficult circumstances or who live in such circumstances, in order to overcome their adverse situation, providing they meet the social neediness requirement. A cash amount may be provided to the citizens who have temporarily encountered extremely difficult circumstances due to an elemental disaster or fire, up to the amount of CZK 30,000 (EUR 960), in accordance with the property circumstances of the respective citizen and his or her family. Social neediness shall be not examined in this case.

One-off cash allowance

Any municipality may, within its sole jurisdiction, grant the above allowance to the citizens who have encountered extremely difficult social circumstances. The municipality is required to notify the relevant authorised municipality or district authority on provision of the allowance.

Maintenance benefit

Former district authorities used to, and municipal authorities of municipalities with extended jurisdiction may provide as of 1 January 2003, the maintenance benefit to a socially needy dependent child, for which a liable person that does not live in the common household with such child, fails to pay the alimony as imposed by the court. The allowance is provided at the alimony amount, however, up to the maximum amount of the difference between the child's income and his or her minimum of subsistence. The maintenance benefit takes precedence over provision of general social care benefits in accordance with Article 4, Act on Social Neediness.

Allowance for acquisition of basic equipment for child

One-off cash allowance for acquisition of the basic equipment for a child may be granted to the citizens who have taken care of a child upon consent by the relevant authorities, while the child is foreseen to be placed into their foster care. The allowance may be provided also to the citizen into whose care a child has been placed upon an interim order, while the citizen is foreseen to be appointed the child's guardian. The allowance shall be granted in all instances where the child lived at an institutional upbringing facility. The benefit amount differs according to the child's age, representing up to CZK 4,500 for the preschool children and up to CZK 6,000 for the other children.

Allowance at joining in matrimony

Former district authorities used to, and municipal authorities of municipalities with extended jurisdiction may provide, as of 1 January 2003, the one-off cash allowance up to CZK 10,000 to assist in covering the expenses related to furnishing a household, to the child who lived in foster care until joining in matrimony.

Cash allowance to dependent orphan child for charge for use of flat

Former district authorities used to, and municipal authorities of municipalities with extended jurisdiction may provide as of 1 January 2003, a repetitive allowance to cover use of a flat, to a dependent orphan child living in substitute care, or, to a major dependent orphan child participating in vocational training, to whom a title to personal use of such flat has assigned, while the child has not got any sufficient own income. The allowance may be made at the amount of the charge for use of the flat and related services, reduced by the amount by which the child's income exceeds the amount necessary to ensure sustenance and other personal needs and the share in joint costs of the household.

Allowance for recreation of pensioner's children

Authorised municipal authorities may grant a socially needy pensioner the allowance for recreation of his or her own (adopted) child and child taken in care substituting parental care, aged up to the leaving age of the completed compulsory school attendance, unless such allowance may be provided by the employer of the pensioner or of the other parent of the child. The child recreation allowance may be provided also in cases where the pensioner fails to qualify as socially needy, providing his or her family's costs are increased resultant to long-term illness or disability of a member of the family or providing the pensioner was a resistance movement participant, or due to other material reasons. The allowance for recreation of a child amounts to 80% of the child's overall recreation costs; in special cases, the allowance may be awarded up to the amount of the total costs of the child's recreation.

Cash and in-kind benefits to socially maladjusted citizens

Former district authorities used to, and municipal authorities of municipalities with extended jurisdiction may provide as of 1 January 2003, benefits up to CZK 1,000 to the persons meeting the social neediness requirements, in order to secure their necessities of life. These include primarily individuals returning after their term of imprisonment; alcohol and other toxic substances addicted individuals; individuals living an undignified life; as well as individuals released from educational facilities serving the institutional and preventive education/upbringing schemes upon their coming of age etc.

Sundry assistance

Interest-free loan

Former district authorities used to, and municipal authorities of municipalities with extended jurisdiction may provide, as of 1 January 2003, an interest-free loan to the citizens who have encountered an adverse social situation which they are able to overcome with the help of a loan, while they have no possibility to obtain such loan otherwise. The interest-free loan amount is limited to CZK 20,000 (EUR 640); in case of citizens who qualify for being awarded the allowance for purchase of a motor vehicle, the amount is limited to CZK 40,000 (EUR 1 280), providing the purpose of the loan is the purchase of a vehicle. The maturity period is 5 years.

Special benefits

Citizens aged over one year, with a severe health handicap that materially hampers their mobility or orientation abilities (an exhibit listing the handicaps is set out in Appendix 2 to Decree No 182/1991 Coll.) are granted, according to the handicap type, special favours under Category I (TP Certificate, *Physically Handicapped Certificate*), Category II (ZTP Certificate, *Severely Physically Handicapped Certificate*) or Category III (ZTP/P

Certificate, *Most Severely Physically Handicapped Certificate*). Holding of a certificate provides for numerous favours. Some of the favours are set out in Appendix 3 of Decree No 182/1991 Coll. They include e.g. a title to a reserved seat or free-of-charge travel by the city public transport; discounts on the coach or train public transport etc. Further favours ensue from the legislation of other Government departments and apply mostly to the holders of the ZTP or ZTP/P certificates. They include e.g. tax relief, exemptions from certain administrative charges, reserved parking spaces and free-of-charge use of motor and express ways.

The Committee has requested to be provided information on the amounts of the average and minimum wage, in order to be able to consider the amounts of the provided assistance benefits.

The average national economy monthly salary amounted to CZK 14,640 in 2001 and to CZK 15,710 in 2002 (both figures rounded to the nearest Czech crown). The minimum wage amounted to CZK 5,000 in 2001 and to CZK 5,700 in 2002.

Below, we have provided an illustrative example in relation to the motor vehicle purchase allowance. The maximum amount of the allowance is CZK 100,000. The amount represents the multiple of 20 minimum monthly wages (2001) and multiple of 6.8 average monthly wages in the national economy. In 2002, the figure represents the multiple of 17.5 minimum wages and multiple of 6.4 average monthly wages in the national economy.

The Committee has requested further information from the Czech authorities with respect of their possibilities to require compensation for the social assistance costs.

Social care benefits and services are provided either free of charge for the costs or for the full or partial consideration. It is up to the relevant government body that has granted the social care benefit or service to decide on the recipient's liability to pay the costs of the provided social care benefit or service.

The legislation (Social Security Act) has defined the benefits or services for which no consideration may be required. These include the following:

- a) special favours and cash benefits for certain groups of severely handicapped citizens and certain necessary actions of the home-care service,
- b) education/upbringing and counselling service,
- c) social and legal protection, and
- d) other services and benefits stipulated by the implementing legislation.

For the socially needy citizens, the government pays the costs of other social care benefits and services either in full or in part. In these cases, however, the relevant government body may require the persons with the maintenance liability towards such citizens to pay the costs of the benefit or service, in the following order: from the husband (wife); children; or parents of the person to whom such benefit or service has been provided. Compensation for the costs may be required from the children only providing no title to the old-age or disability pension or retirement pension has arisen for the parent; and from the parents only providing that the benefit or service has been rendered to a dependent child. If agreement fails to be reached between the relevant government body and the above persons on compensation for the costs of rendered benefits or services, the decision on the liability of such persons to pay for the costs, as well as on the amount of such consideration shall be issued by the court upon a motion by the relevant government body. However, a decision on payment for the costs of the institutional social care made to the dependent children, that should be covered by their parents, is reserved to the relevant government body.

Considered at determining the consideration amount shall be the incomes as well as family and property circumstances of the person from whom such consideration is required; should the circumstances change, the amount of the consideration may be revised as of the date of such change. In case of a recurring settlement, an obligation may also be imposed to pay the amounts that will only become payable in future. The amounts due for provision of a benefit or service are interest-free.

Question C

Please indicate the means by which the right to assistance is secured, indicating whether individuals may uphold their right before an independent body.

The Committee, in its conclusions to the last Report, has requested further information on the possibilities of appealing from the decision of an administrative body; at the same time, the Committees has requested information if free-of-charge legal assistance is available.

The proceedings on provision of social care benefits follow *Act No 71/1967 Coll., on administrative procedure*, with some deviations included in *Act No 100/1988 Coll., on social security* and *Act No 114/1988 Coll., on jurisdiction of the Czech authorities in social security*. The procedure participant has a right to lodge an appeal. Such appeals are lodged with the body that has issued the contested decision. The body may itself decide on the appeal if it rules out to accommodate the appeal in full. If it arrives to no decision, the matter shall be referred to and addressed by a body of appeal, which is an administrative body at the next closest higher level to which the body that has issued the decision reports. In addition, the person has an option to apply for extraordinary remedies – review of the decision outside the appeal procedure; or re-opening of the procedure.

Decision in the social care matters could not be re-examined by the court as the Code of Civil Procedure excluded any such re-examination. A change has been introduced by adopting the *Act No 150/2002 Coll., rules of administrative procedure*.

Act No 150/2002 Coll., rules of administrative procedure, has defined the powers and jurisdiction of the courts acting and deciding in the administrative justice and certain issues of organisation of courts and position of judges, as well as the approach by courts, procedure participants and other persons in the administrative justice.

In administrative justice, courts provide protection of the public subjective rights of natural and legal persons in the manner as laid down by the Act and under the conditions as stipulated either by this or special legislation and take decisions on such other matters as provided for by the Act.

Regional courts and the Supreme Administrative Court act and make decisions in administrative justice. The Supreme Administrative Court, in its position of the supreme judicial authority in matters of jurisdiction of courts in administrative justice, ensures uniformity and legality of decision making by deciding on cassation complaints in cases as defined by the Act and, further, by deciding on other cases as defined by this or a special act. The Supreme Administrative Court monitors and appraises final and conclusive judgements of courts in administrative justice and, based on them and in the interest of uniform decision-making of courts, adopts opinions on the decision-making activities of courts in matters of certain types. In the interest of legal and uniform decision-making of administrative bodies, the Supreme Administrative Court may, in the cases and following the procedure defined by the Act, take a fundamental decision in the course of its own decision-making activity. *In rem* jurisdiction over the proceedings rests as a rule with the regional court, while the local jurisdiction rests with the court in whose

district the registered office is located of the administrative body that has issued the last instance decision on the matter or have otherwise interfered with the rights of the person seeking protection with the court. Administrative justice at the regional courts is discharged by specialised panels and specialised single judges. Excluded from decision-making of courts in administrative justice shall be the matters so defined by the rules of administrative procedure or special legislation.

Excluded from the Act are the options of reviewing decisions on special favours for the severely handicapped, decisions on amelioration of harshness of the legislation and all decisions accommodating citizens' applications for provision of social care services, as well as decisions on social care benefits matters, such as the allowance for acquisition of special aids, allowance for purchase of a motor vehicle, for complete overhaul or special alteration of motor vehicle, allowance for alterations to a flat and the allowance motor vehicle operation.

With regard of the free-of-charge legal assistance, the provisions of Article 35 (7) of rules of administrative procedure, stipulate that the panel chairman may appoint, upon proposal, a counsel of the applicant that qualifies for being exempted from the court fees and where it appears necessary to protect the applicant's rights, while such counsel may be also a barrister. That should be the case, the government shall pay for cash expenses of the counsel. If the applicant asks for exemption from the court fees or for appointment of a counsel, the period of time stipulated for lodging a motion to commence proceedings shall suspend to run throughout the time from lodging such motion to the date of legal force of the decision on it. Provisions of Article 36 (3) of rules of administrative procedure, further lay down that a participant who demonstrates his or her lack of sufficient resources may be, upon his or her own request, exempted from the court fees based on the decision by the panel chairman.

Further, the Committee, in its conclusions to the last Report has requested information if the Czech legislation enables the right of appeal to an independent body, specifically in order to appeal against a decision with regard to medical assistance and if any free-of-charge legal assistance is available in such case.

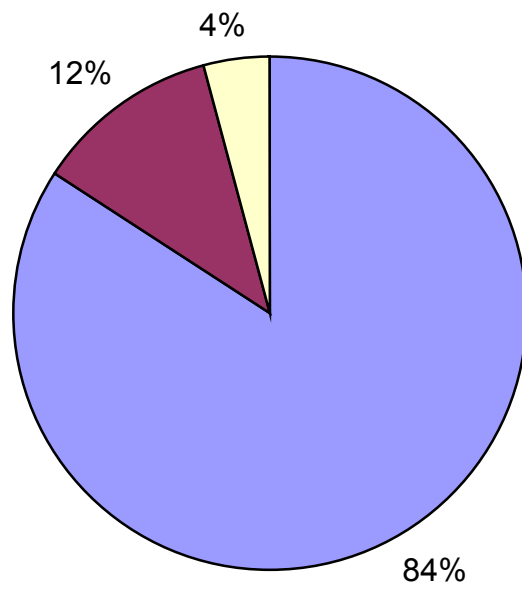
Decisions issued in relation to health care may be objected to or contested before the court of relevant jurisdiction.

With respect of free legal assistance, an option exists to approach the relevant court, which may, within its jurisdiction, appoint a legal counsel on the basis of demonstrated social neediness.

Question D

Please give the amount of public funds (central government and local authorities) allocated to social and medical assistance, as well as the percentage of GDP this represents, and, if possible, give an estimation of the amount of private funds devoted to assistance.

Shares in expenditure by scheme in 2001



- CZK 231.6 bln social insurance
- CZK 31.9 bln national social support
- CZK 11.7 bln social care

Social care benefits in the Czech Republic

CZK million:	1998	1999	2000	2001
Total social care benefits	6,644	9,268	11,276	11,650
out of which:				
I. Social care benefits based on social neediness	4,243	6,527	8,311	8,393
out of which:				
Social care benefits for families with dependent children	2,087	2,774	3,362	3,374
II. Closely related or other person care allowance	882	1,000	1,096	1,168
III. Social care benefits for handicapped persons based on health handicap	1,519	1,741	1,869	2,089

Severely handicapped persons – holders of special favours

	1998	1999	2000	2001
Certificate holders in total	340,960	356,942	349,682	315,220
out of which aged up to 18:	21,048	23,503	23,092	18,822
out of which:				
TZ Certificate - special favours, Category I	77,086	77,151	71,353	48,015
out of which aged up to 18:	1,149	1,242	1,040	801
ZTP Certificate - special favours, Category II	189,440	200,518	199,539	196,467
out of which aged up to 18:	7,008	7,960	7,685	5,061
ZTP/P – special favours, Category III	74,434	79,273	78,790	70,738
out of which aged up to 18:	12,891	14,301	14,367	12,960

Health assistance to persons without reasonable resources

The Committee, in its conclusions to the last Report, required that the next Report provide statistical data on the overall expenditure for health care over the reference period and next period.

The state is the insurance premium payer for the below insured through the national budget (Article 7 of Act No 48/1997 Coll., on public health insurance, as amended):

- a) dependent children;
- b) recipients of pension from the pension insurance to whom a pension was awarded under the regulations of the Czech and Slovak Federative Republic prior to 1 January 1993 and under the Czech Republic regulations beyond 31 December 1992;
- d) women on maternity or parental leave, women in receipt of the cash assistance in maternity, and, men during the periods of their absence from work over which they are provided the cash assistance in accordance with the sickness insurance regulations;
- e) job-seekers, including also the job-seekers who have entered a short-term work contract;

- f) persons in receipt of the social care benefits on the social neediness grounds;
- g) prevalingly or totally helpless persons, persons caring for a prevalingly or totally helpless person or long-term severely handicapped child requiring extraordinary care; and persons in receipt of the allowance for care for a closely related or other person aged over 80, while such cared-for person is partially helpless, or for a person aged over 80 who, according to the attending physician's opinion, requires care by other person;
- h) persons on compulsory (alternative) service with the armed forces, additional service or alternative civil service, as well as persons recalled for a military practice;
- i) persons in detention or persons serving their term of imprisonment;
- j) persons set out in Article 5 (c) of Act on public health insurance, who are recipients of the sickness insurance benefits;
- k) persons who have reached the age qualifying for the old-age pension title, while they fail to meet the other requirements for its granting and have no income from work, self-employed gainful activity, and either receive no pension from abroad or such pension does not exceed the monthly amount of the minimum wage;
- l) persons who care personally, all day and duly for at least one child aged up to seven years or for at least two children aged up to 15, unless they fall within the categories of persons set out under subparagraphs c) or d) above;
- m) minors placed in the school facilities serving the discharge of institutional and protective education/upbringing; and
- n) persons who perform long-term volunteer service based on a contract with the seconding organisation that has been accredited for the purpose by the Czech Ministry of Interior, in the extent exceeding at least 20 hours per calendar week on average, unless such volunteer is the insurance premium payer in accordance with Article 5, Act on Public Health Insurance or unless the insurance premium payer role is undertaken by the state on his or her behalf, in the meaning of the foregoing subparagraphs a) through m).

The insurance premium covered by the state, based on which the health insurance companies compensate the health facilities for health care, amounted to the following:

- CZK 27.5bn, i.e. 1.39% of GDP in 2000
- CZK 29.0bn, i.e. 1.34% of GDP in 2001
- estimate at CZK 30.8bn in 2002

Data on the expenditure laid out by the private individuals for the group of the sick as defined by the Charter are unavailable. This specific proportion of the natural persons' spending is included in the family accounts.

ARTICLE 13 PARA. 2

***With a view to ensuring the effective exercise of the right to social and medical assistance the Contracting Parties undertake:
to ensure that persons receiving such assistance shall not, for that reason, suffer from a diminution of their political and social rights;***

Question

Please indicate briefly how this Article is implemented and what measures are used to ensure in particular, the absence of any direct or indirect diminution of political and social rights.

No change.

ARTICLE 13 PARA. 3

With a view to ensuring the exercise of the right to social and medical assistance the Contracting Parties undertake: to provide that everyone may receive by appropriate public or private services such advice and personal help as may be required to prevent, to remove, or to alleviate personal or family want;

Question

Please describe the main services covered by this provision, especially the manner in which they are organised and operate, including their geographic distribution. Please give information about the staff responsible for providing advice and personal help, as well as an indication of their qualifications and duties; also, measures aimed to ensure an adequate response to the needs of individuals and families.

The Committee, in its conclusions to the last Report, requested that the next Report provide further information relating to provision of social services.

Counselling services and crisis assistance services defined in the first Report on Implementation of the European Social Charter were incorporated by district authorities and corporations and, in addition to that, many of them were provided by non-governmental not-for-profit organisations.

Relating to the public administration reform and winding up of country authorities, devolution of incorporation powers was performed from the district authorities to regions with regard to most of the social services facilities at the end of 2002, or, as of January 2003. In terms of purely counselling services, the available information is that the incorporation functions devolved from the district authorities to regions in case of three counselling bureaux in the South Moravia Region, two counselling bureaux in the South Bohemia Region, three counselling bureaux in the Vysočina region, three counselling bureaux in the Karlsbad region, three counselling bureaux and one crisis telephone line in the Liberec region, five counselling bureaux in the Olomouc region, four counselling bureaux in the Moravian-Silesian region, two counselling bureaux in the Pardubice region, two counselling bureaux in the Pilsen region, nine counselling bureaux in the Central Bohemia region, two counselling bureaux in the Ústí nad Labem region, and four counselling bureaux in the Zlín region.

Towns and cities, too, are the counselling or crisis services incorporators. For this area, however, no summary information is available.

A large proportion of the above services are provided by the non-governmental not-for-profit organisations, supported by the Ministry of Labour and Social Affairs as part of its subsidy policy. In 2001, the amount of CZK 91,306,620 (the third tranche of subsidies excluded) was allocated to the counselling services and crisis assistance services, and CZK 88,648,650 in the following year.

The Ministry of Labour and Social Affairs collects neither information on the number of staff responsible for provision of advice and personal help, nor any information on their qualifications and job descriptions.

The Committee, in its conclusions to the last Report, has asked who the beneficiaries are of the services provided and if also nationals of other Contracting Parties are entitled to advice and help.

It may be noted, with respect of the beneficiaries of the provided services (counselling and assistance) that the range of the service recipients has been defined by the Act No 100/1988 Coll., on social security, as amended. Provisions of Article 73 (1) of the Act stipulate that the state provides social care in order to ensure assistance to the citizens whose necessities of life have not been fully covered with the incomes from work, pension or social insurance benefits, or through other types of income, as well as to the citizens who need such assistance due to their condition of health or age, or who are unable, without help by the community, to overcome a difficult situation in life or adverse life circumstances. Paragraph 5 of the above Article stipulates that social care shall include, without limitation, care for:

- families with children,
- severely handicapped persons,
- senior citizens,
- socially maladjusted citizens, and
- citizens in need of special assistance

Educational/upbringing and counselling care in family, marital, partner and other human relations is provided, in accordance with Decree No 182/1991 Coll., specifically through the marriage guidance and premarital advice bureaux and is focused on the following: marriages under the threat of breakdown; adjusting mutual relationships of the divorced parents and their children; care by parents for physically handicapped children; inter-generation relations within families; and on the unemployed citizens who need such assistance.

Counselling represents an element of numerous other social services for the above groups of recipients.

Nationals of other Contracting Parties, as well as nationals of other countries, are entitled to counselling and assistance providing they have permanent residence in the CR.

The Committee, in its conclusions to the last Report, requested details of the key measures and schemes serving to support integration of the youth.

In the youth integration issues, advice and assistance is provided also by the youth probation officers and social assistants.

A youth probation officer is a social worker specialised in working with:

- juvenile delinquents,
- criminally non-liable children committing otherwise criminal offences (i.e. if such children were criminally liable, their offence would be classified as criminal; criminal liability of citizens commences as of 15 years of age), and
- their families.

In 2001 and 2002, approximately 350 youth probation officers worked with the district authorities or corporations in the Czech Republic. The youth probation officer function devolved into the delegated jurisdiction of municipalities during the public administration reform.

A social assistant is a social worker with a focus on the "youth-in-the-street". Social assistants used to be engaged by the district authorities as from 1994, however establishment of the social assistant position was optional for the authorities. Concurrently to that, the position was established also by the corporations and non-governmental not-for-profit organisations. Following the public administration reform, the social assistance agenda assigned to the regional authorities as of 1 January 2003.

Social and legal protection of children

Counselling services guaranteed by the state have been organised by the staff of the social and legal protection departments of the municipal authorities of municipalities with extended jurisdiction as of 1 January 2003. Job descriptions of the social workers employed in these departments include without limitation the following:

- assistance to parents in resolution of upbringing or other problems relating to care for children,
- provision of or procurement for counselling of parents in upbringing and education of a child and in care for a handicapped child, and
- organisation of lectures and courses as a part of the counselling activities, with a focus on resolution of upbringing, social and other problems relating to care for a child and his or her upbringing.

In justified cases, where the parent or person responsible for upbringing of the child refuses to visit specialist counselling services while the child is in obvious need of such help, the municipal authority of a municipality with extended jurisdiction may impose an obligation on the parent or person responsible for upbringing to use the assistance of a specialist counselling facility. Incompliance with the obligation is subject to the cash penalty through assessing a fine up to CZK 20,000.

Act No 359/1999 Coll., on social and legal protection of children, has established a right of the parents and other persons responsible for the child's upbringing to approach and ask for help from the social and legal protection departments that are obliged by the same Act to provide adequate assistance within their scope of jurisdiction.

Job descriptions of social workers include the following:

- detection of children under threat,
- performance of social examination,
- acceptance of applications for mediation in adoption or foster care,
- filing of initiatives and motions with the court, aimed at due performance of the parental responsibility
- representation of the child's interests in court proceedings, presentation of reports to the court,
- representation of the injured child in the criminal proceedings,
- discharge of guardianship,
- prevention of social pathology manifestations,
- social work with the children and minors committing criminal offences; participation in the criminal proceedings conducted against a minor,
- monitoring performance of institutional and preventive upbringing; monitoring upbringing of children placed into other care than that of the parents, and
- ensuring repatriation of children that have occurred outside the country without attendance.

With regard to the territorial distribution of provision of public counselling services, the activity has been ensured by 205 municipalities with extended jurisdiction that replaced, as of 1 January 2003, the activity of 73 terminated district authorities. In 2001, the total of 1,456 social workers worked in the social and legal protection departments of the district authorities.

This table shows an overview of their educational attainment.

Educational attainment	2001
Basic	12

Secondary, social and legal	597
Secondary, other	486
Higher, social and legal	177
Higher vocational, other	8
University, social and legal	65
University, other	111
Total	1,456

All social workers in municipal authorities with extended jurisdiction, except for the workers with a university degree in social work must demonstrate their professional qualification in social and legal protection of children. A specialist professional qualification includes a set of knowledge and skills required for performance of social and legal protection work and is tested by sitting for an exam and documented by the certificate.

ARTICLE 13 PARA. 4

With a view of ensuring effective exercise of the right to social and medical assistance, the Contracting Parties undertake:

to apply the provisions referred to in paragraphs 1, 2 and 3 of this Article on an equal footing with their nationals to nationals of other Contracting Parties lawfully within their territories, in accordance with their obligations under the European Convention on Social and Medical Assistance, signed at Paris on 11 December 1993.

Question

Please indicate the guarantees which ensure conformity with this provision. Please describe more specifically the provisions which ensure that any repatriation of nationals of other Contracting Parties who are legally within the territory on the sole ground that they are in need of assistance is carried out according to the conditions laid down in Article 6 to 10 of the European Convention on Social and Medical Assistance 1953.

No change.

The Committee, in its conclusions to the last Report, has asked about the number of nationals of the Contracting Parties without a permanent domicile in the Czech Republic who received social and medical assistance. Further, the Committee has asked if the applicants to whom such assistance is denied have an option to claim a remedy through the court action and if applications for health or social assistance lead automatically to repatriation of the applicants.

The requested information on the numbers of persons is not available. The statistics maintained by the Ministry of Labour and Social Affairs do not monitor the number of granted social care benefits under Article 8a (3) of the Act on social need, that enables provision of assistance to a minor child without permanent residence on the Czech territory.

In provision of social services to the nationals of the Contracting Parties on an equal footing to the nationals of other countries, one needs to be aware that the title to benefits or services and their rendering arises only providing that the applicants have permanent residence on the Czech territory (see Act No 100/1988 Coll., on social security, Article 103). A decision on admission to a facility (such as placement in a social

care institution) is governed by the generally applicable legislation (Act No 71/1967 Coll., on administrative procedure); the same Act also lays down an option to review a decision as well as appeal against it. It is important to note, though, that such above decision is issued depending on the features of the service only in case of certain social service types (as a rule in case of the residence-related services), while in other cases a mutual agreement between both parties form the basis, whether concluded in writing or orally. An application for social assistance does not result in repatriation of the applicants.

No statistical information is available relating to nationals of the Contracting Parties without permanent domicile in the Czech Republic who received medical assistance.

Applicants who have been denied medical assistance may seek remedy through the court action, however no such case of refused medical assistance has occurred so far.

In view of the bilateral agreements binding upon the Czech Republic, separate cases are considered on an individual basis referring to the existing bilateral agreements.

ARTICLE 16: THE RIGHT OF THE FAMILY TO SOCIAL, LEGAL AND ECONOMIC PROTECTION

With a view of ensuring the necessary conditions for the full development of the family which is a fundamental unit of the society, the Contracting Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means.

Question A

*Please mention if the legislation in your country provides specifically for the legal protection of the family, bearing in particular on equality in law between spouses, on family relationships and on marital conflict, and also any special measures to facilitate solutions other than divorce to such conflicts.
Please describe the marital property regimes existing in your country.*

The legislation governing family legal relationships (relationships between spouses, between parents and children, between other relatives, adoption, guardianship and wardship) has been concentrated in the Act on Family. The Act stipulates equal rights and obligations for both spouses.

The court decides in accordance with the Act on Family not only on a divorce but also in matters that constitute a dispute between spouses (or, parents), while they themselves fail to arrive to an agreement, however without putting the continuation of their marriage under threat resultant to such decision-making (see e.g. Article 19 (3) of Act on the family). According to it, if one of the spouses fails to perform his or her obligation to cover the costs of their common household, the court decides on the issue upon motion by the other spouse. Further, as provided by Article 38 (3) of the Act, if the parents fail to agree on the first or family name of their child, the court shall determine the first or family name).

Marital property regime

The Civil Code stipulates the marital property. The marital property shall include, with certain exceptions defined at law, any property acquired by either spouse or jointly by them throughout the course of their marriage, as well as any liabilities that may have arisen for either spouse or both of them jointly in the course of the marriage.

The spouses may, through the contract in the form of the notarial record, expand or limit the stipulated scope of the marital property. Also, the spouses may, through the contract in the form of the notarial record, reserve wholly or partly the origination of the marital property at the date of termination of the marriage.

Accordingly, a man and a woman who intend to join in matrimony may, through the marital contract in the form of the notarial record, set down their future property relationships in the marriage.

The court may, upon motion by either spouse, limit the marital property to as little as to the articles forming the usual equipment of a common household, providing serious reasons are existent in support of that.

The spouses use and maintain jointly the property forming their marital property. Either of the spouses may perform the normal administration of the property included in the marital property. Consent by both spouses is required in other matters, otherwise the legal act shall be invalid. The spouses perform jointly and severally any liabilities forming the marital property. Both spouses shall be liable jointly and severally with regard to any legal acts relating to their common property.

A spouse may use the assets held in the marital property or their proportion for the business ends only subject to consent by the other spouse.

The marital property ceases with the termination of the marriage. A settlement is possible in such case, based on the rule that shares of both spouses in the assets and liabilities held in the marital property are equal. Either spouse is entitled to claim compensation for any outlays made from his or her own resources into the common property, while either spouse is liable to compensate for the outlays made from the common property for his or her other property. It is required accordingly that the spouses participate by an equal share in performing the liabilities of both spouses originated in the course of their marriage.

At the settlement, an account shall be taken in the first place of the needs of the minor children, of the extent of care for the family as provided by either spouse, and also of the extent in which she or he contributed to generating and maintaining the common property. At determining such extent or contribution, an account shall be taken of the care for children and attending to the common household.

The Czech Government has devoted systemic attention to the harmonisation of the family and working life since 1998, when it adopted the National Action Plan to promote equality of men and women "Priorities and Procedures of the Government in Promoting the Equality of Men and Women" ("Government Priorities and Procedures").

With regard to levelling the social standing of men and women caring for children and for needy members of the family, the key importance is attached to the following measures stipulated by the Government Priorities and Procedures, as amended by the most recent update of the document by the Government Resolution No 486 of 15 May 2002:

- Promote that the necessary **discharge of personal care for children and needy members of the family be considered at determining the requirements and amounts of claims to the social benefits, social insurance, unemployment benefits**; take care at the same time that such attention be consistently targeted on the caring persons, irrespective of their gender.
- Enable, through the future legislation on working relationships, creation of **variable working regimes** that would **facilitate harmonisation of the work**

discharge for the employees **caring for the children and family** with performance of family duties.

- Promote, as a part of its legal jurisdiction, **incorporation and operation of facilities providing care for children and needy members of families**, preferably facilities complementing or substituting the care provided by the employed people.
- Promote the development ensuring optional **asylum stays** for the citizens caring for children in difficult life circumstances.
- Promote **development of housing** by municipalities **for people with special needs**, including also persons under threat, **specifically persons with dependent children in difficult social circumstances** and home violence victims.
- **Include the issues of equal opportunities in care for children for both parents into the system of methodological steering of social workers** in agencies of social and legal protection of children, with the aim of levelling an unequal standing of men in relation to children.
- Focus the social work on assistance to the victims of the violent crime, and on the families in which sound development and upbringing of children have been threatened. As a part of such assistance, promote expansion of the network of asylum homes for women – violence victims. Promote **establishment of asylum homes with confidential address** and promote non-governmental women organisations engaged in such activities.

Question B

Please describe the economic measures taken on behalf of the welfare of the family in your country:

- *by award of benefits in cash¹ (e.g. family allowances) which ensure, permanently, financial compensation, at least in part for family expenses, indicating the manner and the levels in which such benefits are given (with relevant statistical date) as well as the number of persons concerned (percentage of population);*
- *by award of occasional benefits in cash or in kind other than social and medical assistance benefits, intended to give material assistance to families in certain specific circumstances (e.g. marriage, setting up or tenancy of housing appropriate to the size of the family, etc.), giving wherever possible, statistical information on the above;*
- *by alleviating certain expenses (e.g. tax relief for family and children, special transport rates for families). In so far as tax relief is concerned, please specify whether tax concessions vary according to the number of children, and if so, how and to what extent;*
- *by measures of aid to the newly married.*

If your country has accepted Article 12, para. 4, it is not necessary to describe here the measures taken to ensure equal treatment in respect of allocation of family benefits forming part of social security.

In order to be able to evaluate if family allowances are adequate to the purpose of Article 16, the Committee has requested that the next Report provide information on the incomes and expenditures of a typical Czech family.

Net cash income and expense of households in 2002
according to family account statistics

Prepared using interim information by Czech Statistical Office	Income		Expense	
	per member of household	per whole household	per member of household	per whole household
Total employees	8,013	22,276	7,345	20,419
Childless employees	11,479	20,088	10,204	17,857
Employees with children	6,767	23,988	6,316	22,295
Farmers	6,973	21,268	6,491	19,798
Self-employed	7,950	25,043	7,656	24,116
Total pensioners	7,172	10,543	7,129	10,480
Households w. children, min. income	3,577	12,627	3,661	12,923
Estimate per average household	7,762	19,172	7,240	17,883

Numbers of benefit recipients

(CZK '000)	1999	2000	2001
Child allowance – number of children at year end	1,894	1,910	2,079
Social allowance at year end	452	445	503
Number of children with title to social assistance on handicap grounds	25,4	25,7	25,6
Birth grant per annum	87	65	90
Parental benefit at year end	266	262	260
Foster care (number of children at year end)*	5.6	5.8	6.4
Maintenance and support allowance at year end	0.9	0.8	0.8
Transport benefit at year end	390	407	459
Housing benefit at year end	290	308	371

* number of children in receipt of allowance to cover child's
needs

Costs of benefits

	2000		2001	
	costs (CZK 000's)	% GDP	costs (CZK 000's)	% GDP
GDP curr. prices (CZK bn)	1,910.6		2,157.8	
child allowance	12,747,677	0.67	12,798,629	0.59
social allowance	6,198,589	0.32	6,041,115	0.28
birth grant	581,468	0.03	615,677	0.03
parental benefit	7,691,060	0.40	7,701,348	0.36
maintenance and support allowance	15,183	0.00	14,356	0.00
foster care benefits	339,292	0.02	365,732	0.02
transport benefit	1,044,691	0.05	1,173,704	0.05
total	28,617,960	1.49	28,709,563	1.33

Funding of benefits

The government continued to pay out the national social support benefits over the periods of 2001 and 2002. Until the end of 2002, national social support benefits were financially provided for in the national budget and paid out through the district authorities in their position of the state's organisational body.

A change occurred as of 1 January 2003 resultant to the winding up of district authorities and devolution of their jurisdiction in provision of national social support to municipal authorities of municipalities with extended jurisdiction (except for the Capital of Prague remaining without any change). The relevant amended version of Act No 117/1995 Coll., on social security, as amended, has also set out an interim procedure for ensuring the national social support until 1 April 2004, specifically through selected municipal authorities of municipalities with extended jurisdiction in cities that were formerly the seats of the terminated district authorities (these are enumerated in the Act).

The minister of Finance authorises, based on the written notarised power, separate municipalities with extended jurisdiction and separate boroughs of Prague to dispose of the national budget resources for the purpose of payout of national social support benefits.

An increased amount of the drawn financial resources in 2002 for the awarded national social support benefits, dependent on the income levels (child allowance, social allowance, transport benefit and housing benefit), resulted predominantly from a considerable valorisation of the minimum of subsistence as of 1 October 2001, that got in the arrears fully reflected as late as 2002. Increased unemployment, together with the low levels of the nominal income of the population, namely in certain regions, have resulted not that much in an increased number of the benefit recipients but more in an increased general level of a benefit and also in a new combination of multiple benefits that some individuals or jointly considered individuals had already been entitled to earlier.

Overview of national social support benefits drawing, 2000 - 2002

Paragraph	drawing at 31/12/00	drawing at 31/12/01	index 01/00	drawing at 31/12/02	index 02/01
4131 - Child allowance	12,747,676,593	12,801,302,938	100.42	13,353,008,216.00	104.31
4132 - Social allowance	6,198,589,052	6,042,888,750	97.49	6,271,405,595.00	103.78
4133 - Birth grant	581,468,680	624,953,395	107.48	791,043,833.00	126.58
4134 - Parental benefit	7,691,060,866	7,702,933,690	100.15	8,021,712,137.00	104.14
4135 - Maintenance and support allowance	15,183,222	14,367,586	94.63	14,088,233.00	98.06
4136 - Foster care benefits	339,290,641	367,636,618	108.35	394,690,271.00	107.36
including:					
a) allow. to cover child's needs	252,799,909	271,081,350	107.23	294,463,114.00	108.63
b) foster care benefits	79,062,568	85,208,731	107.77	90,958,681.00	106.75
c) allow. at assumption of child	6,271,520	6,783,389	108.16	6,419,291.00	94.63
d) motor vehicle purchase allow.	1,156,644	4,563,148	394.52	2,849,505.00	62.45
4137 - Transport benefit	1,044,690,476	1,171,607,689	112.15	1,297,555,554.00	110.75
4138 - Funeral grant	540,176,000	530,649,093	98.24	528,773,395.00	99.65
4141 - Housing benefit	2,518,020,155	2,696,375,894	107.08	3,027,593,869.00	112.28
4142 - Allow. to compensate increased prices of energies	105,541,387	- 438,178	-0.42	- 105,827.00	24.15
4143- Housing rent allowance	72,967,895	5,725,308	7.85	- 61,808.00	-1.08
4149 - Nat. soc. support benefits, other	5,219	12,041	230.71	5,169.00	42.93
TOTAL benefits paid out	31,854,670,186	31,958,014,824	100	33,699,707,737.00	105
difference (line 200 minus 180)	879	- 15,262,919		33,093,033.43	
TOTAL drawing from CNB account	31,854,671,065	31,942,751,905	100	33,732,800,770.43	106
annual budget	31,170,438,000	32,195,056,000	103	32,940,000 000	102
% actual performance adjusted estimated drawing	102.20	100.79		102.41	
% actual perform. of adjust. drawing					

With regard to the question about the **tax relief**, we wish to set out that Act No 586/1992 Coll., on income taxes, as amended, stipulates, in Article 15 (1), non-tax allowable items of the tax base, i.e. such amounts that reduce the tax base for calculation of the personal income tax. They, *inter alia*, define the title to the abatement for a maintained child living in the common household with the taxpayer, up to CZK 23,520 p.a. per child (aged up to 26) that meets the requirements. In case of a child with the most severe health handicap whose condition requires a guide, the above amount shall be doubled.

Another title, in accordance with the above provision, is the abatement in the amount of CZK 21,720 p.a. for the spouse living in the common household with the taxpayer, if such spouse has no own income in excess of CZK 38,040 for the fiscal year. The abatement is mostly used by the taxpayer whose spouse is on the maternity leave. If the spouse has the most severe health handicap and his or her condition requires a guide the above amount shall be doubled.

Question C

Please indicate whether in your country there exists social and/or cultural services of particular interest to the family, such as advice to families (either to the whole family or to its members, e.g. mothers, pregnant women, children of various ages), home-help services, family holiday homes. Please indicate the childminding services available to families, in particular crèches, nurseries and after-school and holiday schemes for children.

Please give a general description of the organisation and facilities of these services. In your answer please distinguish between public and private services and between services available free or against payment. Please give relevant statistical data.

As already mentioned in the answer to the question re Article 13 (3), counselling of families and children is guaranteed by the state. Basic counselling services in care for children and in solutions to problem family situations are ensured, as 1 January 2003, by social and legal protection departments in the municipal authorities of municipalities with extended jurisdiction (see the preceding answer).

With respect of counselling facilities for children, a change has been noted as compared to the situation described in the First Report since the educational care centres for children and youth are no longer stipulated by Article 31a of Act No 76/1978 Coll., on educational institutions, but by Article 17 of Act No 109/2002 Coll., on institutional education or protective upbringing in educational facilities (effective since 1 July 2002). Further, Guidance Notes of the Ministry of Education No 24 049/2002-24 have been issued on organisation of activities of the educational care centres for children and youth. No adjustments have been made to the roles and objectives of the centres' activities.

Municipalities and regions may incorporate facilities of specialist counselling in care for children. A facility of this type provides mainly counselling focused on solutions to mutual relationships of parents and children and on care by parents for children with health handicaps. The scope of specialist counselling includes counselling of parents and other persons in issues relating to upbringing, education and maintenance of children, as well as in other issues relating to their family, social and inter-generation problems arising from care for children. The facilities also provide counselling of persons interested in adoption or foster care.

The other facilities for children include social educational activity facilities, designed specifically for children under threat. The purpose of the facilities is to offer the children various programmes focused on developing their social skills and utilisation of their leisure.

Municipalities and regions, as well as not-for-profit organisations may organise recreation camps with educational/upbringing element. The camps are designed specifically for children from socially needy families and for children with conduct problems. The purpose of a stay at the camp is relaxation and utilisation of the leisure but even more importantly the educational influence on the children, aimed at removing or reducing the conduct problems and at acquiring the necessary social and hygienic skills.

Municipalities incorporate counselling services (or, advice bureaux) for the family, marriage and human relations that provide counselling and psychotherapeutic care and assist in creation of favourable family, marital, partner and human relations and in removal of their disturbance. They focus predominantly on marriages threatened with a breakdown, adjustment of mutual relationships between divorced parents and their children, inter-generation relations in families and help to persons in crisis. In 2001, 77 such facilities existed in the CR.

The non-profit sector plays a unique role in counselling. Non-profit organisations set up specialised counselling centres focused on assistance to people in most diverse situations of life. These include mostly various family, psychological, civic or victim counselling points. The government supports such facilities through its subsidy policy.

Pre-school and school educational institutions for children – statistical information update as at 30 September 2001 (school year 2001/2002):

The overall number of pre-school facilities in the Czech Republic amounts to 5,861, out of which: 8 have been incorporated by the Ministry of Education, Youth and Sports; 5,594 by municipalities; 178 by regions; 81 by a private incorporator; and 20 by the churches. Altogether 282,642 children have been placed in them.

The total of 5,642 **kindergartens** (out of which: 5,561 incorporated by municipalities, 65 by a private incorporator and 16 by a church) with the total attendance by 276,438 children. Out of the total number of kindergartens, 13 provide boarding-school type of care; 5,594 day care and 35 semi-day care.

There were 239 **special kindergartens** (out of which: 8 incorporated by the Ministry of Education, 33 by municipalities, 178 by regions, 16 by a private incorporator and 4 by a church), attended by 6,204 children in total.

Services for families in Prague (the situation in other cities/towns is more or less straight-line: the lesser is the town the lesser are the opportunities):

Nurseries

Kindergartens (governmental, church or private)

School clubs (at governmental, church and private schools)

Basic artistic schools (governmental, church and private)

Children and youth homes (governmental)

Low-threshold facilities (mostly civic associations)

YMCA

YWCA

Junák (Scouts)

Craftwood

Sokol

Physical training clubs

Pionýr (Pioneer)

and numerous other facilities, either organised as a civic association or on a private basis.

For all of the above services a consideration has to be paid. Financially accessible services for the socially weak are still scarce.

Maternity centres make an exception from the above list as they:

- are accessible to all age categories,
- offer programmes in sport, educational and creative activities,
- provide counselling services in children upbringing, family issues, preparation for childbirth and parental role etc.,
- organize weekend and holiday stays, and
- are accessible and open to all social classes.

Selected children health facilities in the CR as at 30 December 2001

Number of children aged up to 3 years in the CR 269,610 children
(the most recent available information by Czech Statistical Office at 31/12/01)

For children with health handicaps that do not require treatment in hospital but long-term health care and children guaranteed due care within their own or substitute family, the following health facilities are available:

Facility type	No of facilities	No of places
Infant institutions	13	746
Children homes for children aged 0 – 3 years	11	784
Children homes for children aged 1 – 3 years	15	530

The facilities are incorporated solely on the governmental basis (funded by the state).
(*Children homes for children aged over 3 years are not included in the health facilities register as they are categorised not under the health but social care facilities.*)

Infant institutions and children homes are designed for children up to three years of age to whom their parents cannot or are not willing to provide due parental care or children for whom no substitute family care can be obtained. The institutions provide health care, including medical rehabilitation and maintenance, to such children.

Facility type	No of facilities	No of places
Children centre	2	171
Children short stay hospital	50	1 562

Children centres are designed to provide diagnostic, treatment, preventive and counselling care for battered, neglected, abused children and those whose development has been threatened by an unsuitable social environment, as well as for the children with health handicaps. Children centres provide counselling care to the families of such children.

Children short stay hospitals are facilities designed to provide diagnostic and treatment care, including medical rehabilitation to the children whose condition of health required regular health care without the necessity of inpatient care.

Facility type	No of facilities	No of places
Nurseries	57	1 625

The Health Facilities Register record only nurseries it actually administers (the nursing staff have health care training). The other existing nurseries are social care facilities controlled by the Ministry of Labour and Social Affairs).

Nurseries (day-nurseries) are facilities providing care for children in good condition of health, with a focus on multifaceted development of children, usually up to 3 year of age. The nursery care is partnering the family care.

Facilities may be both governmental and non-governmental, and parents pay contributions for their operation also in the governmental facilities and, depending on their social standing, pay for the children's meals and cultural activities.

Over the reference period, there were 73 national advice bureaux for family, marriage and human relations in total operating in the Czech Republic. Some of them have established their detached workplaces also in major municipalities of their region. These counselling facilities are incorporated in accordance with Act No 100/1988 Coll., on social security, as amended, and in accordance with Act No 114/1988 Coll., on jurisdiction of the Czech authorities in social security, as amended. Activities of the advice bureaux have been specified by Decree No 182/1991 Coll., implementing the above legislation, as follows: *"Upbringing and counselling care in family, marital and other human relations shall be provided by municipalities and district authorities also through their own facilities, specifically through marriage guidance bureaux and premarital advice bureaux. These shall focus most importantly on the marriages exposed to the threat of breakdown; adjustment of mutual relationships between divorced parents and their children; care by parents for children with health handicaps; inter-generation relations in families; and on unemployed citizens in need of such help"*.

But for a few exceptions, incorporators of the advice bureaux included district authorities, and, in certain cases, corporations of towns or statutory cities.

Counselling services are rendered free-of-charge as provided by law (Article 92 of Act No 100/1988 Coll.). The advice bureaux rank among the low-threshold facilities and their clients need no formal recommendation, while they are free to choose the bureau and counsellor. They may approach and use the counselling service anonymously, while the advice bureaux' staff have the confidentiality obligation in relation to all facts that may have come to their attention in the course of their work.

At their locations, the advice bureaux work together first of all with the authorities responsible for social and legal protection of children, as well as with the other social services facilities, health care and educational workplaces and with courts.

Relating to terminated operation of district authorities, also the issue of a continued existence of the advice bureaux was addressed in 2002. A complex situation arose specifically in places where such facility had not legal personality and was often functioning directly as a part of the winding up district authority. Thanks to the concerted efforts of the professional community (represented by the marital and family counsellor association) and state administration bodies, operation of the advice bureaux was successfully devolved into the control of regional offices, or, certain municipalities. Resultantly, prerequisites have been established to continue a qualified, territorially and financially accessible service for the clients.

Family counselling services were provided by private entities, too. Either based on a contract with the country authority or on the commercial basis (professional notifiable trade "psychological counselling and diagnostics"). The experience to date indicates that in the former of the above cases, the expenditures as a rule increase while the space for the district authorities to influence the advice bureau's performance in relation to the regional needs gets limited. The services provided on the commercial basis become accessible with difficulty for many clients. Moreover, an ethical problem exists: the contact initiators include mostly the victims themselves, not the 'bearers' of a problem conduct. And, the victim becomes additionally exposed to yet another 'penalty', consisting in the necessity to pay for the costs of the service.

Family counselling is comparatively a low-cost service for the State. The average annual cost per inhabitant of a served area does not exceed CZK 10. The total budget of all advice bureaux in the CR amounts to approx. CZK 85-90 million.

Family counselling staffing

The core team of an advice bureau includes a psychologist and a social worker. The other professions co-operate with the advice bureaux mostly externally and include psychiatrists, sexologists, gynaecologists, paediatrists, lawyers and educationalists.

Since 1990, the civic association Marital and Family Counsellor Association sponsors, in co-operation with the Ministry of Labour and Social Affairs, professionalism of the provided services. The Association has about 300 members, qualified marriage and family counsellors and social workers. In addition to development and representation of the profession, the key objective is protection of clients against an unqualified influence and also development of professional competencies of the bureaux' staff members.

The Association has developed its own qualification requirements, prepares and implements a system of professional and ongoing education and supervision. Relying on the European standards, it has prepared also the "Industry Standards".

There are approx. 300-350 employees and numerous outsourced workers engaged with the "national" bureaux. Commercially-based family counselling services are provided by 15-20 fully qualified psychologists.

Clientele of advice bureaux

Any Czech national, as well as any foreign national with long-term or permanent residence on the Czech territory may become a client of an advice bureau.

Each year, some 30-35,000 clients seek the counselling service. A client may include an individual or a couple or a whole family. In this manner, the advice bureaux supply assistance to about 60,000 persons annually, and indirectly to many more who are related to the clients through the family, kinship or other types of ties.

The overall number of consultations approximates 150,000 per annum.

Counselling assistance forms

The core form of assistance includes counselling (educational or psychological) and, as needed, also certain forms of psychotherapy, such as individual, couple, family or group therapies. Integrated are also a direct social work and elementary legal or social and legal assistance.

In co-operation with the Marital and Family Counsellor Association and using the financial support by the Czech Ministry of Labour and Social Affairs, the advice bureaux have been expanding their range of offered services by further adding holiday or weekend stays for socially weakened incomplete families, communication group training and certain specific relaxation techniques.

Core types of problems

- counselling of and psychotherapeutic assistance to marriages and families;
- divorce counselling and post-divorce guidance (specifically in the minor children interests);
- psychological assistance to lone persons;

- premarital advice;
- psychological assistance to persons in life crises;
- educational, upbringing, awareness raising and publication activities;
- assistance to families exposed to unemployment; and
- assistance to families with a physically, socially or otherwise handicapped member.

Follow-up services for family and family members

In co-operation with the Czech Ministry of Labour and Social Affairs, the Advice Bureaus for Family, Marriage and Human Relations ensure also certain sundry programmes aimed at promotion of intra-family relations within the socially or otherwise impaired families:

Socio-therapeutic stays: Using the projects "Development and Direct Delivery of Social Services" several stays are organised each year for single parents with children, for foster and adoptive parents; and also after-treatment stays for the families of the counselling facility clients. The projects are subsidised by the Czech Ministry of Labour and Social Affairs in the extent enabling participation of families that would be otherwise unable to afford a similar stay for financial reasons. Over the period 2001–2002, there were approx. 100 complete and incomplete families with more than 180 children participating in the events.

"Five P's Programme", known internationally rather as "Big Brothers, Big Sisters". The project aims at assistance to children from the problem or poorly stimulating environments of orientation families. It is based above all on the volunteer work. Over the whole school year, based on the contract, each volunteer meets the entrusted child at least once a week and provides her or him with a useful content of the leisure activities. This is followed up with the summer socio-therapeutic camps. Over the reference period, about 200 children and about 250 volunteers were involved in the project. The advice bureaux, in co-operation with the Hestia National Volunteer Centre, provide for training and ongoing supervision of the volunteers. The project is supported under the subsidy procedure by the Czech Ministry of Labour and Social Affairs.

Club activities and self-help groups.

These again are aimed at assistance to the problem families, incomplete families, foster and adoptive parent families. The activities involve several dozens of families each year.

Question D

Please indicate if the legislation in your country provides for family representation on advisory and administrative bodies with a view to defending family interest.

The Committee, in its conclusions to the last Report, asked if the school boards regularly discuss the issues of immediate concern to them.

The answer to this question refers to the information contained in the First Report on Implementation of the European Social Charter; no track is kept as to whether the school boards regularly discuss the matters of an immediate concern to them.

For the purposes of the social and legal protection discharge, committees for the social and legal protection of children are established in municipalities with extended jurisdiction, whose task is e.g. to co-ordinate activities of children protection within the administrative district of the municipality with extended jurisdiction.

Social workers, educationalists, physicians, psychologists, NGO representatives and other specialists are represented on the committees. If the need be, the parents of the child or other individuals responsible for the child's upbringing may be invited to the committee's meetings.

Question E

Please indicate what measures have been taken to promote the construction of family housing, and supply full statistics of the work accomplished.

The Committee, in its conclusions to the last Report, requested that the next Report provide further information on the measures in support of the housing construction.

Housing construction support programmes

Operating programmes in support of the housing construction in 2001 and 2002, funded from the national budget chapter of the **Ministry for Regional Development** and legislation changes under way:

- 1. Support of residential construction in houses with the home-care service**
A subsidy was made towards setting up new municipal tenement flats in the special-purpose houses. Flats in the houses with the home-care service have been specifically designed for the senior citizens and other persons with the limited self-sufficiency, and are further complemented with provision of social services.
The support amounted to CZK 578 million in 2000 (i.e. approx. 680 flats), CZK 575.7 million in 2001 and CZK 584.2 million in 2002.
- 2. Support of tenement flats and technological infrastructure construction**
The subsidy has been designated for municipalities towards setting up tenement flats with limited rents and related infrastructure.
The amount of the support under the original programme was CZK 2,884 million in 2000, 2,011 million in 2001 and 542.2 million in 2002.
- 3. Programme of the supported flats construction in 2003**
The support has the form of a subsidy serving to cover the costs of construction of tenement houses owned by the municipalities, for the persons disadvantaged as to their access to the housing both in the income terms and due to other reasons that may include e.g. the condition of health, very senior age, as well as adverse life circumstances that make it impossible for such persons to set up an adequate housing, putting them consequently under the threat of social exclusion.
- 4. Mortgage loans support**
The support is governed by the Government Ordinance No 244/1995 Coll., Laying Down the Requirements of the Government Financial Support to the Mortgage-Funded Construction, as amended. It is provided as an allowance to the individuals and subsidy to the legal persons (municipalities) to cover a proportion of the interest on the loans provided for the new housing construction or for acquisition of a family house or individually owned flat.

In accordance with the Government Ordinance No 249/2002 Coll., on conditions of granting allowances for mortgages to individuals aged under 36, a subsidy is provided for the interest on the mortgage loan that will be used to acquire an older (i.e. cheaper) individually owned housing. The interest subsidy will be rendered for 10 years at the maximum and funded from the national budget chapter of the Ministry for Regional Development.

The amount of the support for the mortgage loans under the above ordinances amounted to CZK 307 million in 2000 and CZK 432.5 million in 2001, while the banks provided, in the same period, loans with an attached title to the government financial

support for acquisition of 7,161 new flats. In 2002, the support amounted to CZK 517.8 million.

Currently, the Ministry for Regional Development has been preparing a **new draft Government Ordinance on the conditions of providing allowances for the mortgage loans**. The intent of the Ministry is to continue the mortgage and individually owned housing support and to focus the support on acquisition of the first home, while developing uniform requirements for performance of support in the mortgage lending and individually owned housing.

5. **Support to young people in acquisition of housing**

The support is focused on acquisition of the new individually owned housing by the young people aged up to 36. For the implementation of this support measure, the Government Ordinance No 97/2002 Coll., was adopted in 2002, on use of the National Housing Development Fund, through loan covering a proportion of the costs of flat construction by individuals aged below 36. This involves a low-interest loan up to CZK 200,000 for the people under 36 for the purposes of acquiring individually owned housing, with a maximum maturity period of 10 years.

6. **Support to Housing Co-operative Construction**

The Ministry for Regional Development has been currently filing with the Government a substance of the law that will define the conditions of awarding the governmental support in the form the capital expenditure subsidy and recoverable financial assistance for construction of the co-operative tenement housing of individuals who have an ownership interest in the operation of the relevant housing co-operative and in funding the co-operative housing.

Overview of core information on housing construction in the Czech Republic in 2002

	Actual		Index (2002/2001)	Proportion to total
	2002	2001	(%)	
Commenced flats				
in family houses	13,659	12,895	105.9%	44.4%
in residential houses	10,246	6,276	163.3%	21.7%
in additional storeys, loft buildings-in or annexes	5,450	5,687	95.8%	19.6%
out of which: additional storeys, loft buildings-in or annexes of family houses	3,600	3,639	98.9%	12.5%
additional storeys, loft buildings-in or annexes of residential houses	1,850	2,048	90.3%	7.1%
in houses with home-service and home-boarding houses	1,803	1,357	132.9%	4.7%
in non-residential structures	1,225	1,384	88.5%	4.8%
in altered non-residential space	1,223	1,384	88.4%	3.6%
Total flats	33,606	28,983	116.0%	100.0%

Completed flats				
in family houses	11,716	10,693	109.6%	43.1%
in residential houses	6,393	5,912	108.1%	23.4%
in additional storeys, loft buildings-in or annexes	4,694	4,822	91.8%	17.2%
out of which: additional storeys, loft buildings-in or annexes of family houses	2,957	2,948	100.3%	11.9%
additional storeys, loft buildings-in or annexes of residential houses	1,737	1,874	92.7%	6.4%
in houses with home-service and home-boarding houses	1,725	708	243.6%	6.3%
in non-residential structures	1,070	824	129.9%	3.9%
in altered non-residential space	1,693	1,799	94.1%	6.2%
Total flats	27,291	24,759	110.2%	100.0%
Flats – construction in progress (at 31/12/02)				
in family houses	61,166	59,320	103.1%	48.7%
in residential houses	23,535	18,734	125.6%	18.2%
in additional storeys, loft buildings-in or annexes	34,966	34,168	102.3%	27.0%
out of which: additional storeys, loft buildings-in or annexes of family houses	28,590	27,985	102.2%	22.1%
additional storeys, loft buildings-in or annexes of residential houses	6,376	6,183	103.1%	4.9%
in houses with home-service and home-boarding houses	3,315	2,728	121.5%	2.6%
in non-residential structures	3,072	2,914	105.4%	2.4%
in altered non-residential space	3,555	3,841	92.6%	2.7%
Total flats	129,609	121,705	106.5%	100.0%
No. of flats with completed modernisation over the reference period	13 599	13,436	101.2%	x
Proportion in completed flats, in %	49.8%	54.3%	x	x

Source: Housing Construction the Czech Republic in 2002, Czech Statistical Office, Prague

Information on housing subsidies provided by the National Housing Development Fund in 2001 and 2002

1. Subsidies to municipalities for tenement housing construction

Year	No of subsidised flats	Subsidy amount (CZK millions)
2001	7,780	2,736
2002	10,733	3,956

2. Subsidies to municipalities for construction of flats in houses with home-service

Year	No. of subsidised flats	Subsidy amount (CZK millions)
2001	1,415	960
2002	2,983	1,998

3. Loans to young people (2002 only)

Workplace	concluded contracts	Amount of provided loans (CZK millions)
Prague	246	49
Olomouc	195	38
Nat. Housing Develop. Fund - total	441	87

4. Loans at CZK 850,000 (floods in 2002)

No. of applications	Concluded contracts	Amount of provided loans (CZK millions)
241	20	17

5. Interest subsidy for repairs of mass-constructed prefabricated panel houses

Year	No. of subsidised flats	subsidies (CZK millions)
2001	18	35
2002	57	334

Question F

Please indicate the measures taken in the field of family planning information.

Co-operation of the Ministry of Education, Youth and Sports and Ministry of Health continued, over the periods of 2001 and 2002, with the non-governmental organisations addressing the issues of the family planning, specifically with the Association for Family Planning and Sexual Education (AFPSE). The Association has been operating in the Czech Republic since 1991 and, in 1994, it became a full member of the International Planned Parenthood Federation (IPPF) European Network.

The Association assists in preparation of educationalists, psychologists, physicians and other specialists in the family planning and sexual education. It runs seminars and

professional symposiums for these experts and operates a website introducing Czech translations of the key information on the planned parenthood as provided by the IPPF and WHO. The Association operates also a counselling telephone line specialising in the issues of contraception and prevention of sexually transmissible diseases. In its professional opinions, the Association consistently builds on the conclusions of the International Conference on Population and Development in Cairo 1994 (ICPD) and WHO documentation.

With regard of the key objectives set down by the International Conference on Population and Development in Cairo, a continued decline in the number of performed induced abortions was noted in the Czech Republic over 2001 – 2002. Consequently, the Czech Republic came very close to the most advanced European countries as to the abortion rate. A distinct role in these results has been played by promotion of effective and reliable contraception methods and sexual education.

Until 2001, activities of the Association were funded from the European international resources. Following to the decision by the IPPF European Network, a shift to the local resources became necessary by 2002; currently, the Association's activities are subsidised by the Ministry of Labour and Social Affairs. The Association has available to it the edge specialists in health, education and law and, in addition to its health education activities, it has been engaged also in the counselling and consultancy covering the scope of the departmental ministries and legislative assembly of the Czech Republic. A major improvement has been noted in information on the planned parenthood, with regard of co-operation between the government's executive and legislative branches and the non-governmental sector.

Question G

If your country publishes official statistics concerning the composition of the family and its economic and social position, please provide a summary of the latest available statistics. In so far as the socio-economic position is concerned, describe the manner in which socio-economic categories are classified in your country.

Support of the families with children is carried out predominantly through the national social support and social care benefits.

National social support benefits

Through the national social support scheme (Act No117/1995 Coll.), the government has been contributing to the families with dependent children in cases of a qualified social situation, which such families are unable to resolve using their own efforts and resources. National social support benefits have material bearing on the income situation of the families positioned below the minimum of subsistence threshold, which leads to a decline in the proportion of families to which social care benefits are made.

In 2002, the basic national social support benefits for families with dependent children amounted to the following:

Number of the child allowances amounted to 24,234,000 and the expense amounted to CZK 13,353 million.

Number of social allowances amounted to 5,347,000 and the expense amounted to CZK 6,271 million.

Number of housing allowances amounted to 4,084,000 and the expense amounted to CZK 3,028 million.

Number of transport benefits amounted to 4,438,000 and the expense amounted to CZK 1,298 million.

Number of parental benefits amounted to 3,140,000 and the expense amounted to CZK 8,022 million.

Social care benefits for families with children

The social care system is focused on assistance to the socially disadvantaged families who are in need of a social care service.

Social care benefits pro families with dependent children:

- they include repetitive social care in-cash benefits in case the family does not have the income sufficient to reach the legally set threshold of the minimum of subsistence and are awarded at the amount of the difference between the incomes of all family members and the minimum of subsistence for the family;
- further, they include one-off cash or in-kind social care benefits in case the family in social need is unable to pay the extraordinary expense from its income;
- child maintenance benefit – in case one of the parents fails to perform her or his maintenance obligation imposed on her or him by the court decision, the relevant benefit shall be provided solely to the socially needy child and provided up to the amount of the difference between the child's income in her or his minimum of subsistence.

In 2001, social care benefits to families with dependent children amounted to the following:

The number of repetitive cash benefits amounted to approx. 150,000 and the expense amounted to CZK 3,665 million. The number of repetitive child maintenance benefits amounted to approx. 25,000 and the expense amounted to CZK 95 million. The number of one-off cash benefits amounted to approx. 81,000 and the expense amounted to CZK 216 million.

Note: Social care information for 2002 is not yet available.

Net cash income and expense of households in 2002, analysed using household budget statistics

Prepared according to interim data by the Czech Statistical Office	Income		Expenditure	
	per member	per whole	per member	per whole
	of household	household	of household	household
Total employees	8,013	22,276	7,345	20,419
Childless employees	11,479	20,088	10,204	17,857
Employees with children	6,767	23,988	6,316	22,295
Farmers	6,973	21,268	6,491	19,798
Self-employed	7,950	25,043	7,656	24,116
Pensioners in total	7,172	10,543	7,129	10,480
Households with children, minimum income	3,577	12,627	3,661	12,923
Estimate per average household	7,762	19,172	7,240	17,883

HOUSEHOLD BUDGET SURVEY

Tab. 1/1

Households by social group

Household composition, income and expenditure - annual per capita averages (CZK)

	Average household	Households of			
		employees	farmers	self-employed	pensioners
Number of households	3 185	1 773	292	433	687
Number of members	7 857	4 936	890	1 363	1 011
Economically active members	3 665	2 783	495	743	0
Per household average members					
	2.47	2.78	3.05	3.14	1.47
economically active	1.15	1.57	1.70	1.72	0.00
dependant children	0.71	0.95	1.07	1.15	0.00
0-5	0.16	0.21	0.20	0.26	0.00
6-9	0.14	0.19	0.17	0.19	0.00
10- 4	0.19	0.26	0.30	0.30	0.00
15-25	0.22	0.29	0.40	0.40	0.00
pensioners not working	0.47	0.08	0.11	0.07	1.47
other members	0.14	0.18	0.17	0.20	0.00
persons receiving pensions	0.52	0.16	0.19	0.11	1.47
adult equivalents	1.94	2.13	2.31	2.36	1.33
MONEY INCOME					
Gross money income, total	109 011	117 791	99 968	101 953	86 444
Income from employment	73 480	99 411	79 025	31 183	2 522

Income from private enterprise	7 345	841	4 339	57 368	67
Social income	23 425	11 968	13 064	8 668	81 653
Other income	4 762	5 572	3 540	4 734	2 202
Net money income, total	93 153	96 145	83 622	95 258	86 062
including: income from employment	57 623	77 764	62 680	24 488	2 140
from main employment	55 405	75 363	60 546	22 971	0
head of household	36 039	51 976	38 658	103	0
wife	17 188	20 749	19 209	20 408	0
other members	2 179	2 638	2 679	2 460	0
from secondary employment	2 216	2 401	2 133	1 517	2 140
MONEY EXPENDITURE					
Gross money expenditure, total	102 732	109 731	94 185	98 059	85 926
Consumer expenditure	80 397	81 490	72 036	85 212	78 499
Non-consumer expenditure	22 334	28 241	22 149	12 847	7 427
including: income tax	7 017	9 603	6 741	3 025	378
health and social insurance	8 840	12 044	9 604	3 670	4
Net money expenditure, total	86 874	88 085	77 840	91 364	85 544
<i>by type of expenditure:</i>					
food, beverages, public catering	22 675	22 117	19 897	22 330	26 289
other consumer goods	27 415	29 010	28 274	30 076	20 218
services	27 226	27 274	19 281	28 870	29 929
payments	9 558	9 684	10 389	10 087	9 107
INCOME IN KIND	5 496	5 653	7 172	5 472	4 610
EXPENDITURE IN KIND	3 702	3 273	4 400	2 689	6 038
BALANCE ITEMS					
Deposits withdrawn	42 812	52 522	34 851	32 542	16 977
Deposits made	47 853	59 547	38 808	34 165	16 561
Loans received, hire purchase	2 251	2 959	761	1 685	398
Loan repayments, instalments	3 128	3 720	2 248	3 499	718

HOUSEHOLD BUDGET SURVEY

Tab. 2/4

Households by social group

Consumer expenditure - annual per adult equivalents averages (CZK)

		Households of					
		Average household					
			employees	farmers	self-employed		pensioners
CONSUMER EXPENDITURE (CZ-COICOP)		102 353	106 612	95 077	113 369	86 852	
01	Food, non-alcoholic beverages	22 684	22 101	20 568	22 571	25 242	01
01.1	Food	20 300	19 681	18 302	20 049	22 986	01.1
01.1.1	Bread and cereals	3 559	3 505	3 863	3 396	3 743	01.1.1
01.1.2	Meat	5 518	5 261	4 436	5 441	6 593	01.1.2
01.1.3	Fish	577	546	537	605	674	01.1.3
01.1.4	Milk, cheese, eggs	4 196	4 182	3 819	4 227	4 362	01.1.4
01.1.5	Oils and fats	1 024	928	1 041	870	1 420	01.1.5
01.1.6	Fruit	1 398	1 369	1 078	1 462	1 567	01.1.6
01.1.7	Vegetables, potatoes	1 594	1 538	1 034	1 732	1 860	01.1.7
01.1.8	Sugar, marmalade, honey, chocolate, sweets						01.1.8
		1 551	1 495	1 621	1 473	1 776	
01.1.9	Food products	883	856	872	844	991	01.1.9
01.2	Soft drinks	2 384	2 420	2 266	2 522	2 256	01.2
01.2.1	Coffee, tea, cocoa	822	800	719	823	932	01.2.1
01.2.2	Mineral water, soft drinks and juices	1 562	1 620	1 547	1 699	1 324	01.2.2
02	Alcoholic drinks, tobacco	3 195	3 286	2 744	3 531	2 740	02
02.1	Alcoholic drinks	1 754	1 696	1 662	1 942	1 870	02.1
02.2	Tobacco	1 441	1 590	1 081	1 590	870	02.2
03	Clothes and footwear	6 657	7 435	6 395	8 459	3 531	03
03.1	Clothes	4 960	5 527	4 833	6 391	2 618	03.1

03.2	Footwear	1 697	1 908	1 562	2 068	913	03.2
04	Housing, water, energy, fuel	20 303	19 867	14 981	19 751	24 001	04
04.1	Rent	4 217	4 263	1 289	3 851	5 299	04.1
04.3	Repairs and maintenance	1 812	1 839	1 899	1 650	1 838	04.3
04.4	Water supplies and other housing services	2 306	2 366	1 276	2 451	2 359	04.4
04.5	Electricity, gas and other fuels	11 968	11 399	10 517	11 799	14 504	04.5
05	Furnishings, household equipment and routine household maintenance	7 066	7 447	6 898	7 894	5 772	05
05.1	Furniture and furnishings, carpets and other floor coverings	2 044	2 317	1 820	2 596	1 078	05.1
05.2	Household textiles	632	629	600	673	642	05.2
05.3	Household appliances	1 634	1 692	1 710	1 740	1 479	05.3
05.4	Glassware, tableware and household utensils	623	653	559	641	549	05.4
05.5	Tools and equipment for house and garden	587	597	629	543	590	05.5
05.6	Goods and services for routine household maintenance	1 546	1 559	1 580	1 701	1 434	05.6
06	Health	1 804	1 672	1 417	1 643	2 515	06
06.1	Medical products, appliances and equipment	1 405	1 289	1 027	1 230	2 044	06.1
06.2	Outpatient services	320	327	289	377	301	06.2
06.3	Hospital services	79	56	101	36	170	06.3
07	Transport	10 220	11 338	13 594	11 304	5 254	07
07.1	Purchase of vehicles	2 798	3 214	5 144	2 242	1 250	07.1
07.2	Operation of personal transport equipment	5 604	5 999	6 580	7 179	3 157	07.2
07.3	Transport services	1 818	2 125	1 870	1 883	848	07.3
08	Communications	4 141	4 320	3 494	5 071	3 294	08
08.1	Postal services	114	91	96	92	209	08.1
08.2	Telephone and fax equipment	385	454	385	426	128	08.2
08.3	Telephone and fax services	3 642	3 775	3 012	4 553	2 957	08.3
09	Recreation and culture	10 761	11 770	8 602	13 882	6 884	09

09.1	Audio-visual, photographic and data processing equipment	1 863	2 201	1 569	2 148	735	09.1
09.2	Other durables for recreation and culture	105	117	114	166	42	09.2
09.3	Other recreational items and equipment; garden and pets	2 308	2 474	2 143	3 026	1 477	09.3
09.4	Recreational and cultural services	2 226	2 412	1 555	2 543	1 729	09.4
09.5	Newspapers, books, stationery	1 686	1 693	1 560	1 863	1 687	09.5
09.6	Package holidays	2 574	2 874	1 661	4 135	1 214	09.6
10	Education	587	711	362	1 082	25	10
10.1	Pre-primary and primary education	132	161	88	211	0	10.1
10.2	Secondary education	67	80	50	90	17	10.2
10.3	Post-secondary non-tertiary education	34	53	0	14	1	10.3
10.4	Tertiary education	62	71	21	148	4	10.4
10.5	Education not definable by level	293	346	203	617	2	10.5
11	Restaurants and hotels	5 233	6 069	4 817	6 560	2 089	11
11.1	Catering services	4 595	5 342	4 174	5 425	1 975	11.1
11.2	Accommodation services	638	727	643	1 135	115	11.2
12	Miscellaneous goods and services	9 703	10 595	11 207	11 621	5 505	12
12.1	Personal care	3 014	3 288	2 549	3 592	2 019	12.1
12.3	Personal effects n.e.c.	848	929	840	1 035	515	12.3
12.4	Social protection	15	14	2	1	30	12.4
12.5	Insurance	5 052	5 511	7 204	6 183	2 367	12.5
12.6	Financial services n.e.c.	432	512	354	402	217	12.6
12.7	Other services n.e.c.	342	341	257	408	357	12.7

ARTICLE 19: THE RIGHT OF MIGRANT WORKERS AND THEIR FAMILIES TO PROTECTION AND ASSISTANCE

ARTICLE 19 PARA. 9

With a view of ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Contracting Parties, the Contracting Parties undertake:

to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire.

Under Act No 219/1995 Coll. on foreign currencies, as amended, no limits are imposed that would regulate or limit the amounts of imported or exported financial resources. Therefore, subject to complying with the other requirements of the Act, migrant workers are free to transfer any part of their earnings and savings.