



Newsletter_Amendment to the Labour Code

On 5 April 2023, the Government approved a long-awaited amendment to the Labour Code that incorporates several European directives and brings a number of fundamental changes that will affect most employers. The draft amendment will now be discussed in the Chamber of Deputies. If it passes swiftly, which is expected, the amendment could already be mostly effective during the summer holidays.

The amendment's flagship change is the new regulation of working from home, i.e. home office. This should now be possible only on the basis of a written agreement with the employee. In exceptional cases, where a public authority so provides (e.g. in the context of an epidemic), the employer will be able to order people to work from home. Based on an internal regulation or agreement with the employee, the employer will be able to reimburse the employee for utilities and certain other costs associated with working from home in a lump sum, which will not be treated as the employee's income for tax purposes.

Employers will cover other costs based on the actual demonstrated expenses or will not cover any costs if so agreed with the employee. Employers will have special obligations in relation to pregnant employees and employees caring for children and dependants. These employees will now have the option to request home office in writing and the employers will have to provide written reasons if they refuse such request.

The amendment also tightens the rules for agreements on work performed outside employment. Employees working under such agreements will now be entitled to statutory obstacles to work, including holidays, and their employer will have to schedule their working hours at least three days in advance. After a certain period of time working under such agreements, the employee will be able to apply in writing for employment. The employer will then have to give the employee a reasoned written reply within one month.

There will also be changes to electronic signatures and delivery of labour-law documents, which will become significantly simpler and should enable the digitisation of the majority of HR agenda.

In order to increase transparency, the amendment extends the information obligation towards employees and shortens the time for its fulfilment. Therefore, employers will have to revise the relevant labour-law documents as well as their internal procedures.

The amendment is still awaiting further legislative process. However, employers should start preparing for the extensive changes right away by, for example, setting up internal rules for working from home, rethinking their use of employees working under the above-mentioned agreements, consider digitising their HR agenda and aligning all their labour-law documents with the amendment.

We are intensively involved in the area of labour law and we will closely monitor further legislative developments of the amendment. If you need any advice or assistance in this area, do not hesitate to contact us.

Lenka Droscová, Partner

[lenka.droscova \(at\) actlegal-rhl.com](mailto:lenka.droscova@actlegal-rhl.com)

Mgr. Václav Bělohoubek, Senior Associate

[vaclav.belohoubek \(at\) actlegal-rhl.com](mailto:vaclav.belohoubek@actlegal-rhl.com)

