



## **COLLECTION OF DECISIONS AND ORDINANCES OF THE UNIVERSITY OF SOUTH BOHEMIA IN ČESKÉ BUDĚJOVICE**

Number: R 421

Date: 17 March 2020

---

### **Rector's Ordinance on Performing Work for the University of South Bohemia in České Budějovice outside the Employer's Workplace - Homeworking**

#### **Article 1**

This Ordinance regulates the policy, principles and rules for performing work in a set up when an employee of the University of South Bohemia in České Budějovice (hereinafter USB) performs the agreed work fully or partially outside the USB workplaces (hereinafter homeworking). If a USB employee does not work at the employer's workplace (site) but performs the agreed type of work under the laid down conditions within working time (working hours) which he/she organizes him/herself in the sense of Section 317 of Act No. 262/2006 Coll., Labour Code, as amended (hereinafter referred to as the Labour Code) the regulation concerning the schedule of working hours, idle time or work interruptions due to unfavourable climatic conditions shall not be applicable to this employee. Where there are other important personal obstacles to work, this employee is not entitled to compensatory wage or salary (compensatory pay) unless an implementing Decree (Section 199(2) of the Labour Code) provides for otherwise or unless it concerns compensatory wage or salary pursuant to section 192. For the purposes of providing compensatory wage or salary, the employer shall determine the scheduling of this employee's hours of work. The employee shall neither be entitled to compensatory wage/salary or compensatory time off in lieu of overtime work, nor to compensatory wage/salary or overtime premium for work on public holidays. The Labour Code applies in all other provisions governing such employment.

#### **Article 2**

Each USB employee is eligible to apply for homeworking using the form attached to this Ordinance. Employees-applicants complete all the mandatory points for obtaining homeworking permission. Applicants also need to state their requirements for work equipment provided by the employer. The view of the employee's direct superior and the Head of the department/constituent unit is also attached to the application which is then reviewed and approved by the USB Rector, Dean of a Faculty or Director of another USB constituent part. Any personal work equipment (laptop, printer, telephone, etc.) is provided by the employer. Applicants obtain a confirmation of having received the entrusted assets from an authorized person at the Rectorate or a constituent part of the USB. For remote access, employees use only the work equipment provided by the employer which cannot be



moved outside the Czech Republic. Remote access is set up upon a consultation with an authorized IT employee or PC administrator of the relevant constituent part. The conditions of using the information and communication technology services (hereinafter referred to as ICT), i.e. access to information systems, electronic mail box and other USB servers when working from home - with emphasis on ICT security - are set out in the Directive ISMS-010\_Homeworking, which can be found at <https://isms.jcu.cz> in the folder ISMS Dokumenty / Interní dokumenty. Before commencing this form of work, employees must demonstrate that they have acquainted themselves with the contents of the Directive (i.e. confirm that they have read the document) and they are obliged to comply with the rules laid out in the Directive. Compliance with the health and safety regulations, setting up suitable conditions and how the compliance with the health and safety regulations will be reviewed must be discussed with the Health and Safety Officer. In the Application for Homeworking, applicants specify the means of communication, reporting of completed work hours and submission of work and how any other necessary matters will be conducted so as to fully ensure the fulfilment of the tasks of the applicant's department.

### **Article 3**

When the application for homeworking is approved, the applicant submits it along with all the required documents stipulated in Article 2 of this Ordinance to the HR department which then prepares an agreement on the amendment of the employment contract. This amendment does not change any other provisions in the employment contract with the exception of the place of work. The HR Department maintains a list of the Rectorate and USB constituent parts employees who do not perform work at the employer's workplace (use homeworking) on the basis of an Amendment of the Employment Contract. Salaries of these employees are based on the report of hours worked in the relevant month which is submitted by the employee and approved by their direct superior. This report is then submitted in writing to the Rectorate Payroll Department or to a designated department at a USB constituent part no later than on the third working day of the subsequent calendar month.

### **Article 4**

Homeworking can be approved or agreed with the employee for a maximum period of one year. If both the employee and employer agree and provided that the conditions of this Ordinance are fulfilled, the homeworking Amendment of the Employment Contract can be negotiated repeatedly, thus extending the homeworking period, but always by a maximum of one year.

If homeworking is agreed for a period shorter than one year, the homeworking period may be extended by an Addendum to the agreed Amendment of the Employment Contract whilst fulfilling the condition that the overall period of homeworking does not exceed one year. In such a case, the employee (applicant for homeworking) changes the date of the homeworking period as on the original Application for Homeworking (Appendix 1), in accordance with the agreement with their superior and both of them certify the change by their signature.



Homeworking employees are obliged to comply with all the other USB internal regulations (including the constituent parts) unless they are affected by homeworking principles.

#### **Article 5**

The principles stipulated in Articles 2 to 4 do not apply in isolated and short-term cases in which the employee - due to urgency – needs to perform work outside the employer's workplace (e.g. on Saturdays and Sundays) or when it is not possible to create suitable conditions for a specific job at the employee's premises. If this form of work is agreed with the employee upon entering the employment relationship, these principles will be stipulated directly in the employment contract.

The principles stipulated in Articles 2 to 4 are not adhered to in emergency situations which necessitate all faculty/constituent part/whole university employees stay out of the workplace on the recommendation of the management of the faculty/constituent part. In such case, the Annex to this Ordinance is considered an agreed Amendment of the Employment Contract and the employees signs this Annex in two originals and submit it to the Rector/Dean/Director, who approves the Amendment. Both the employee and the employer keep one signed original. The employer files the original copy in the employee's file in the HR department. If the employee has more than one employment relationship with USB, they must submit 2 originals of the Annex for each of the jobs they work from home for their superior's signature. The applicant (employee) is responsible for the accuracy of the data on the form and for obtaining the relevant signatures.

This Ordinance repeals Rector's Ordinance on Performing Work at the University of South Bohemia in České Budějovice outside the Employer's Workplace - Homeworking No. R 186 of 16 August 2011.

Assoc. Prof. Tomáš Machula, PhD, ThD  
Rector

Attachment: Application for Homeworking

Revised by: Ing. Vlasta Doležalová

Distribution: USB management, Deans of faculties, Directors of constituent parts, HR department, Payroll Department