



Foreign workers in social services **Country Report - Czech Republic**

Prepared by:

CRA UZS and APSS CR (Czech Republic)

No. 2021-1-CZ-KA220-VET-000025630

Prague, 09/2022

Version 1.0

Activity ID: PR1/A4

Dissemination level: public



CONTENTS

I.	INTRODUCTION	3
II.	LEGISLATIVE ANALYSIS	4
1.	Access of foreign nationals to the Czech labour market by type of residence	4
1.1	Foreign nationals from third countries (outside the EU) with a visa requirement	4
	Short-term visa	4
	Long-term visas (visas for stays of more than 90 days)	5
	Long-term stay	6
	Permanent residence	12
1.2	Foreigners from third countries (outside the EU) without visa requirement	13
1.3	EU nationals and family members of EU nationals	13
2.	Employer's procedure for employing foreign employees from abroad who do not have free access to the Czech labour market	15
2.1	Reporting vacancies	15
2.2	Eligibility to employ foreigners	15
2.3	Notification obligation	16
2.4	Record keeping and document retention	17
3.	Procedure of a foreigner who does not have free access to the labour market of the Czech Republic	18
4.	Free entry to the labour market	20
5.	Employment of refugees	22
6.	Employer's procedure for employing EU citizens	24
	Employer's information obligation	24
	Employer's registration obligation	24
III.	RESULTS OF THE QUESTIONNAIRES AND STRUCTURED INTERVIEWS	26
1.	Results of the survey among social service providers - employers	26
1.1	Identifying features of the investigated organisations	26
1.2	Foreign workers in the organisation	28
1.3	Recruitment of foreign employees	30
1.4	Positions held by foreign employees	31
1.5	Reasons for employing foreign workers	32
1.6	Evaluation of foreign employees	33
1.7	Activities to assist the integration of foreign employees	37
1.8	Reasons for not using foreign workers	39
1.9	Possibility of employing foreign workers in the future	41
1.10	Education on the employment of foreign workers	43

1.11	Commentary, recommendations on the issue under study	44
2.	Results of the survey among foreign social service workers	46
2.1	Identifying features of foreign employees under investigation	46
2.2	Reasons to work abroad	48
2.3	Employment in the Czech Republic, in social services	50
2.4	Knowledge and completed Czech language courses	57
2.5	Living in society	59
IV.	RESULTS FROM THE FOCUS GROUP	62
V.	CONCLUSION	63
1.	Legislative framework for the employment of foreign workers in social services	63
2.	Foreign workers in social services	65
3.	Attitudes of foreign workers towards working in social services	67

INTRODUCTION

This country report was prepared within the framework of the international project Foreign Workers in Social Sector No. 2021-1-CZ01-KA220-VET-000025630, which is co-financed by the European Commission under the Erasmus+ programme and in which, in addition to the Czech Republic, representatives of France, Austria, Belgium and Greece participated.

The aim of the project is to monitor the issue of employment of foreign workers in the social services sector in the participating countries, to compare the results internationally and to make recommendations taking into account the good practices from individual countries.

In order to meet the project's objective for the participating countries, the legislative background of employment of foreign workers in the participating countries was first elaborated and then two questionnaire surveys were conducted on the issue, both among social service providers and among foreign employees working in social services. The results obtained were subsequently refined, complementing the findings of the in-depth interviews with both groups.

The findings of the survey will become a key basis for setting up activities, making recommendations to assist establishments in the sector in employing people from abroad.

The report for the Czech Republic is divided into five chapters. Chapter II. includes the theoretical background to the issue under study. Chapter III. presents the results of surveys conducted among social service providers and their employees who are foreign nationals. Chapter IV. contains the results of the focus group and the last Chapter V. presents an overall summary of the information obtained by the project.

II. LEGISLATIVE ANALYSIS

1. Access of foreign nationals to the Czech labour market by type of residence

Nationality and family relationship to EU citizens is an important aspect on which the residence status of a foreigner depends. It is important to distinguish between these categories:

1. Foreign nationals from third countries (outside the EU) with a visa requirement

1.1 short-stay visas (for stays of up to 90 days)

2.1 Long-term visas (for stays of more than 90 days)

3.1 long-term stays:

- for business purposes
- employee card
- blue card, intra-corporate transfer card
- for the purpose of family cohabitation in the Czech Republic

4.1 permanent residence

2. Foreigners without visa requirement

3. EU nationals and family members of EU nationals

1.1 Foreign nationals from third countries (outside the EU) with a visa requirement

SHORT-TERM VISA

Short-term visas are issued by the embassies of the Czech Republic (exceptionally also by the police at the border crossing) on the basis of Regulation (EC) No 810/2009 of the European Parliament and of the Council (Visa Code) **for a stay in the Schengen area of up to 90 days**. In addition to other cases, short-term visas are granted, for example, **for employment or seasonal employment, where the Labour Office of the Czech Republic issues a third-country national with an employment permit entitling him/her to work for an employer listed in the permit. An employment permit is not issued only in cases where it is provided for in Act No. 435/2004 Coll., on Employment, as amended, on employment (hereinafter referred to as the Employment Act).**

The decision to grant a short-stay visa is taken by the relevant embassy. The application must be submitted to the embassy of the Czech Republic in the country of origin, or in another country if the foreigner has been granted long-term or permanent residence there. Some foreigners (e.g. US citizens) can apply for this visa at any embassy of the Czech Republic.

The visa application must be accompanied by:

- completed Schengen visa application form
- valid travel document
- photos
- supporting documents:
 - documents proving the purpose of your stay (e.g. in the case of employment, you can provide the work permit or the reference number of the application for the work permit),
 - documents relating to accommodation or proof of sufficient funds for accommodation,
 - documents proving that the applicant has sufficient means to support himself for the duration of his intended stay and to return,
 - information that allows an assessment of the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for (e.g. a booked return ticket),
 - proof of travel health insurance (this does not have to be comprehensive health insurance).

LONG-TERM VISAS (VISAS FOR STAYS OF MORE THAN 90 DAYS)

According to the purpose of the foreigner's **stay** in the territory of the Czech Republic, there are **long-term visas for employment, business, family reunification, study, toleration of stay in the territory and others**. The application can be submitted to the embassy of the Czech Republic in the country of origin or in another country if the foreigner is allowed to stay there for a long period of time or permanently. Some foreigners (e.g. US citizens) can apply for this visa at any embassy of the Czech Republic.

In the case of a visa for the purpose of tolerating stay, the application can only be made in the territory of the Czech Republic. The application must be accompanied by:

- completed form (black)
- valid travel document
- photograph (unless an image record is taken in the biometric document)
- proof of accommodation for the duration of the stay
- travel health insurance for the duration of the stay (to be presented only when the embassy confirms that the foreigner has received the visa and that he/she is to appear for the visa to be affixed to the travel document)
- on request - a document similar to an extract from the Criminal Register (not for foreigners under 15 years of age), a medical report stating that the foreigner does not suffer from a serious illness

- a document confirming the purpose of your stay, i.e:
 - in the case of a long-stay visa for employment purposes, the employment permit or the serial number of the application for the employment permit and the identification details of the employment office where the permit was applied for and the means of residence
 - in the case of a long-stay visa for business purposes, proof of registration in the trade register, list or register and proof of residence in the territory
 - for a long-stay visa for study purposes, a certificate of admission to study and the means of residence.

The time limit for issuing a decision is 90 days from the date of application (120 days in complex cases). The **validity period of a long-term visa is 6 months** (during which time the foreigner can apply for a long-term residence permit in the Czech Republic).

A long-term visa for seasonal employment is issued for a maximum period of 6 months and the foreigner **needs a work permit from the Labour Office of the Czech Republic**. It is not possible to apply for another type of residence permit from this residence in the Czech Republic.

Unlike other types of residence permits, **an extraordinary work visa** is issued only if its issuance is temporarily activated by a government regulation. The maximum period of validity of the visa is 12 months and the foreigner **needs a work permit from the Labour Office of the Czech Republic**. It is not possible to apply for another type of residence permit on the territory of the Czech Republic.

*Note: The specific type of stay in the territory is the long-term visa and the long-term stay **for the purpose of toleration**. These are cases where the foreigner is prevented from leaving the territory of the Czech Republic by an obstacle independent of his/her will (e.g. war conflict in the country of origin, health complications), is a witness or victim in criminal proceedings or has filed a lawsuit against a decision of the Ministry of the Interior (e.g. against a decision to cancel the validity of a long-term visa, long-term residence permit) and has requested that the lawsuit be granted suspensive effect. In the case of a stay for the purpose of tolerating stay in the territory, the **foreigner does not have free access to the labour market and needs an employment permit from the Labour Office pursuant to Section 97 of the ZoZ.***

In the context of the protection of Ukrainian nationals seeking refuge from war in the Czech Republic, the Ministry of the Interior grants (as of Monday 21 March 2022) the following temporary protection. All holders of temporary protection are deemed to be foreigners with permanent residence for employment purposes and are given free access to the labour market and can enter the register of job seekers. Holders of a toleration visa (special visa with code D/VS/u) (issued after 24 February 2022) are thus automatically granted temporary protection.

A) LONG-TERM STAY FOR THE PURPOSE OF DOING BUSINESS

A foreigner can apply for this type of residence if he/she is a **self-employed person** in the Czech Republic (self-employed) (has a trade licence) or is a **statutory body** (executive) or a **member of the statutory body of a company or cooperative** (shareholder).

The application must be submitted either at the Ministry of the Interior office according to the place of residence or at the embassy of the Czech Republic. The application must be accompanied by:

- completed form (green)
- valid travel document
- proof of accommodation for the duration of the stay
- 2 photos
- proof of registration in the relevant register - e.g. trade or commercial register
- proof of means of subsistence
- if the foreigner is a self-employed person: confirmation that he/she has no arrears of taxes, social security contributions and state employment policy contributions
- if the foreigner is a managing director, shareholder of a company or cooperative: confirmation that the company/cooperative has no arrears of taxes, social security contributions and state employment policy contributions
- upon request, the foreigner is obliged to submit a payment order for income tax.

The time limit for issuing a decision is 60 days from the date of the application.

If a foreigner wants to **work** in the Czech Republic **beyond the scope of his/her business, he/she is obliged to apply to the Labour Office of the Czech Republic for a work permit**; this does not apply if he/she is an entrepreneur who has free access to the labour market according to Section 98 of the Employment Act (ZoZ), e.g. because he/she has graduated from an accredited high school or university in the Czech Republic.

B) EMPLOYEE CARD

Since 24 June 2014, instead of long-term visas for employment purposes, long-term residence for employment purposes and green cards, so-called employment cards have been issued. The employment card is the most common type of residence for employment purposes. **Two types of employment cards** are issued, **namely dual and non-dual**:

- The dual employment card contains both an employment **permit and a residence permit**.

- The non-dual employee card serves only as a **residence permit**.

A dual employment card can be applied for if the foreigner will be **staying in** the Czech Republic for **more than 3 months for employment purposes and the job is in the Central Register of Vacancies for Employment Cards**. The list of these jobs is available on the website of the Ministry of Labour and Social Affairs of the Czech Republic.

A non-dual employment card can be applied for if the foreigner will stay in the Czech Republic for **more than 3 months for the purpose of employment** and is:

- a. a foreigner who must apply for a work permit (according to Section 98 of the ZoZ) or
- b. a foreigner who has free access to the labour market (posted worker)

The application can be submitted either at the Czech Embassy, or if he/she is already residing in the Czech Republic on the basis of a 90-day visa or has a long-term residence permit (including an employee card), at the Ministry of the Interior office according to his/her place of residence.

The application for an employee card must be accompanied by:

- form (green)
- a valid travel document and possibly a photograph
- proof of accommodation
- 2 photos
- proof of travel health insurance (only in some cases)
- a contract of employment or a contract of employment or a future contract
- salary (at least the monthly minimum wage)
- working hours (at least 15 hours per week)
- in the case of a dual employment card, proof of professional competence to perform the job, which must be a job in the Central Register of Vacancies for Employment Cards
- in the case of a non-dual employment card, proof that the foreigner has free access to the labour market or a work permit
- on request:
 - a document similar to an extract from the criminal record
 - proof of recognition of foreign education by the competent authority of the Czech Republic
 - a medical report stating that the foreigner is not suffering from a serious illness.

The Ministry of the Interior of the Czech Republic has to decide on the application for an employee card within 60 days, or 90 days in more complicated cases. The employee card is issued for the duration of the employment relationship or the validity of the employment permit, but for a

maximum of 2 years. **You can work from the date on which the Ministry of the Interior issues a certificate of fulfilment of the conditions for the issue of an employment card.**

The employee card entitles the foreigner to work for the employer in the position and place of work for which the card was issued.

You must apply for **an extension of your employee card** no sooner than 90 days and no later than 14 days before it expires. **When renewing an employee card, the job no longer has to be a job from the Central Vacancy Register designated for employee cards. In the case of a dual employment card, at the time of the decision to renew it, after the expiry of its current validity, the foreigner may reside in the territory of the Czech Republic but may not work.** For this reason, it is necessary to apply for renewal as soon as possible, i.e. 90 days before the expiry of the original employment card. In the case of a non-dual employment card, if the foreigner has free access to the labour market, he/she may work for the entire period of its validity.

If a foreigner wants to **change employers, jobs, get another job or employer**, it is necessary to:

- for a dual employee card, in addition to the employment contract or agreement on employment or a future contract, the consent of the Ministry of the Interior (it must be a job in the Central Register of Vacancies for Employee Cards)
- for non-dual employee cards
- if the foreigner has free access to the labour market, he/she must notify the Ministry within 3 working days
- if you need a work permit, you must apply for a change to the relevant regional office of the Labour Office
- if he/she has a work permit, the foreigner can work until the end of.

C) BLUE CARD, INTERNATIONAL EMPLOYEE TRANSFER CARD

The Blue Card is intended for foreigners who have a **university degree** or higher vocational education (if their studies lasted at least 3 years) and whose salary is at least 1.5 times the average gross annual salary (determined annually by the Ministry of Labour and Social Affairs). The foreigner must have a **vacancy listed in the Central Register of Vacancies** for Blue Card Holders.

The intra-corporate transfer employee card **is used to employ a foreigner as a manager, specialist or trainee from a third country in a capital-linked branch in the Czech Republic.** If the employee wants to work for another company, he/she must apply for an employee card.

The intra-corporate transferee card is used to employ a foreigner as a manager, specialist or trainee from another EU country that has issued the intra-corporate transferee card. If the employee wants to work for another company, he or she must apply for an employee card; this does not apply if he or she holds an intra-corporate transferee residence permit issued by another EU Member State and is an intra-corporate transferee in the Czech Republic for a period not exceeding 90 days in any 180-day period (in which case he or she has free access to the labour market).

He can apply for this stay:

- Spouse;
- a minor or an adult dependent child of a foreigner with a residence permit or an asylum seeker;
- a minor or an adult dependent child of the spouse of a foreigner with a residence permit or an asylum seeker;
- a minor in the substitute family care of a foreigner with a residence permit or an asylum seeker or his/her spouse;
- parent, grandparent or guardian of the minor asylum seeker;
- a lone foreigner over 65 years of age or, regardless of age, a foreigner who is unable to take care of himself or herself for health reasons, in the case of family reunification with a parent or child with a residence permit;
- a foreigner who, prior to entering the Czech Republic, resided in the territory of another EU Member State as a family member of a Blue Card holder (long-term residence permit for the purpose of employment requiring high qualifications).

The person with whom the foreigner is merging should have a permanent or long-term residence permit and have been residing in the Czech Republic for at least 15 months (in the case of spousal reunification, each of the spouses must have reached the age of 20) or a **blue card or asylum**.

If you apply within 3 months of being granted asylum, you only need to provide the following documents:

- completed form
- valid travel document
- 2 photos
- proof of relationship.

The application can be submitted at the Czech Embassy or at the Ministry of the Interior's office according to the place of residence if the foreigner **is staying in the Czech Republic on a visa for more than 90 days or on the basis of a long-term residence permit for other purposes**.

In this case, the application must be accompanied by:

- completed form (green);

- valid travel document
- 2 photos
- proof of accommodation in the territory
- proof of relationship (birth certificate, marriage certificate, etc.)
- consent of the parent/legal guardian/guardian if the child is being reunited with another person (consent does not need to be provided if it is not possible to provide it for reasons beyond the child's control or if the child is already residing in the Czech Republic)
- proof of means of subsistence
- travel health insurance.

The time limit for issuing a decision is 270 days from the date the application is submitted to the embassy, 180 days in the case of cohabitation with an EU Blue Card holder and 60 days for applications submitted in the Czech Republic. The **validity period is at least 1 year**.

In the case of family reunification, a distinction is needed for the purposes of possible labour market participation:

- long-term visa and long-term residence for "family" purposes,
- long-term residence for the purpose of family cohabitation in the territory.

In the case of a long-term visa for "family" purposes, the foreigner does not have free access to the labour market and needs a permit from the Labour Office of the Czech Republic or an employment card to work. If the foreigner holds a **long-term residence permit for family purposes and wants to work, he/she must apply for an employment card.**

In the case of a long-term stay for the purpose of family cohabitation in the territory, the foreigner has free access to the labour market, in accordance with the provisions of Section 98 of the ZoZ.

The following table illustrates the different purposes of residence, their types, the residence permit and the foreigner's access to the market:

Purpose of stay	Type	Entry to the territory	Access to the labour market
Entrepreneurship	SELF-EMPLOYED	visa residence permit	enabled
	Participation in a legal entity	visa residence permit	enabled
Investing		residence permit	enabled
Employment	Seasonal employment	visa	enabled
	Extraordinary work visa	visa	enabled
	Employee card	residence permit	permitted or free
	Blue card	residence permit	enabled

	Intra-corporate transferee card	residence permit	enabled
	Card for an intra-corporate transferee from another EU country	residence permit	enabled
Family reunification	Family	visa residence permit	enabled
	Family coexistence	residence permit	free
Study		visa residence permit	free
		residence permit	free
Finding a job or starting a business		residence permit	permitted or free
Tolerance of stay		visa residence permit	enabled
Resident elsewhere in the EU		residence permit	free
Scientific research		residence permit	free
Other		visa residence permit	permitted or free

A foreigner may change the purpose of his/her stay in the Czech Republic under certain conditions. If he/she holds a long-term visa, he/she cannot change the purpose of his/her stay. However, the holder of a long-term visa issued for a different purpose may, in certain cases, apply for an employment card, a blue card or another long-term residence permit in the Czech Republic.

If the foreigner already has a long-term residence permit, there are various other restrictions on changing the purpose of stay (e.g. it is possible to change to the business purpose after 5 years, from the residence permit to the employment card after 3 years). The holder of a long-term visa for seasonal employment or an extraordinary work visa cannot change the purpose of stay.

A long-term residence permit can be issued to a foreigner for several different purposes at the same time. However, a foreigner may, in addition to the authorised purpose of stay, actually fulfil other purposes without the need to formalise the fulfilment of this purpose by granting it (e.g. a foreigner staying for the purpose of family reunification may also study). If a foreigner has been issued a long-term residence permit for several purposes of residence, he/she has only one permit at any time.

Legislation is often based on the implementation of EU legislation:

- Dual Employment Card - Directive 2011/98/EU
- Blue Card - Directive 2009/50/EC
- Intra-corporate transferee card - Directive 2014/66/EU
- Intra-corporate transferee card - EU Directive 2014/36/EU
- Family Cohabitation - Directive 2003/86/EC
- Study - Directive 2016/801/EU
- Resident elsewhere in the EU - Directive 2003/109/EC
- Scientific Research - Directive 2016/801/EU.

Permanent residence is the right of residence that grants the foreigner the greatest range of rights. **In the case of permanent residence, holders of this authorisation have free access to the labour market. Persons who have been granted asylum or subsidiary protection on the territory of the Czech Republic may also be included in the same group.**

A foreigner can apply for permanent residence after 5 years of continuous temporary residence in the territory of the Czech Republic. The application can be submitted at a Ministry of the Interior office, in some cases at an embassy of the Czech Republic. The deadline for processing the application is 60 days if it is submitted on the territory of the Czech Republic. In case it is submitted at an embassy, the deadline is 180 days.

The requirements are similar to the application for a long-term residence permit; in addition, an **examination in the Czech language** is required. In some cases, the exam is not required (e.g. for persons over 65 years of age).

If the Ministry of the Interior issues a permanent residence permit to a citizen of a third country who is a close family member of a citizen of an EU Member State or a citizen of the Czech Republic who has exercised free movement within the EU (i.e. has resided in another EU Member State and is accompanied back to the Czech Republic by a family member from there), the permit is called a "Permanent Residence Card".

1.2 Foreigners from third countries (outside the EU) without visa requirement

Foreigners from third countries may stay in the Czech Republic without a visa for a maximum of 90 days in total during each 180-day period. If they wish to engage in gainful activity (business, employment) in the Czech Republic, they must obtain the appropriate visa or residence permit.

It applies to citizens of third countries listed in Annex II to Council Regulation (EC) No 539/2001, as well as to citizens of countries with which the Czech Republic has an international treaty and citizens of countries listed in Government Regulation No 215/2017 Coll.

The visa-free stay does not allow you to work in the Czech Republic, it would be illegal work.

Government Decree No. 215/2017 Coll., on determining exemptions from the visa requirement and visa exemptions, defines specific cases of activities that are not considered gainful employment for these purposes. These activities are:

- a) performer, teacher, academic employee of a higher education institution, scientific, research or development worker (...); the performance of this activity in the Czech Republic may not exceed 7 consecutive calendar days or a total of 30 days per calendar year,
- b) a member of a rescue unit that provides assistance on the basis of an interstate agreement on mutual assistance in dealing with the consequences of accidents and natural disasters, and in cases of humanitarian aid,

- c) an employee in international transport if he is sent by his foreign employer to work in the Czech Republic,
- d) persons accredited in the field of media,
- e) military or civilian personnel of the sending State's armed forces,
- f) a clergyman of a church or religious society registered in the Czech Republic,
- g) a foreigner who is posted to the Czech Republic by his/her foreign employer on the basis of a contract with a Czech legal or natural person, exclusively for the purpose of improving the skills and qualifications of that foreigner necessary for the performance of his/her work with that foreign employer outside the Czech Republic, or
- h) Persons travelling exclusively for the purpose of conducting business in the Czech Republic.

1.3 EU nationals and family members of EU nationals

EU citizens can stay in the Czech Republic without restrictions. As EU citizens, they can apply for a temporary residence certificate as a citizen of the European Union. After 5 years of continuous residence, they can then apply for a permanent residence permit. If you are an EU citizen who is also a family member of another EU citizen, you can apply for a permanent residence permit after 2 years of continuous residence, provided you have been a family member of an EU citizen for more than 1 year. From 2 August 2021, the document issued by the Ministry of the Interior will be called a "registration certificate" instead of a "temporary residence certificate".

EU/EEA and Swiss nationals always have free access to the labour market.

A foreigner who **has applied for a temporary residence permit has free access to the labour market**, just like a foreigner who has already been issued with a temporary residence permit. **However, if the application is not granted, the family member loses free access to the labour market.**

If the Ministry of the Interior issues a temporary residence permit to a citizen of a third state who is a close family member of a citizen of an EU Member State or a citizen of the Czech Republic who has exercised free movement within the EU (i.e. has resided in another EU Member State and is accompanied back to the Czech Republic by a family member from there), the permit is called a "Residence Card".

The application for temporary residence must be accompanied by:

- completed form (purple)
- valid travel document
- purpose of stay
- photos
- proof of accommodation
- if the purpose of your stay is not employment, business or other gainful activity, a certificate of health insurance.

If you are a family member of an EU national, you must also provide proof of this relationship (e.g. a marriage certificate).

The time limit for the decision is 60 days. The temporary residence permit is issued for 5 years or indefinitely. There is no fee for issuing the card.

The application for permanent residence must be accompanied by:

- completed form (purple)
- valid travel document
- meeting the condition of continuous length of residence or other conditions laid down by law for granting permanent residence
- photograph and proof of accommodation.

The application must be submitted at a Ministry of the Interior office. The deadline for a decision is 60 days. The validity of the permanent residence permit is 10 years and can be extended repeatedly.

Under the UK-EU Withdrawal Agreement, a British citizen who was resident before the end of the post-Brexit transition period (i.e. before 1 January 2021) continues to have rights and obligations equivalent to those of an EU national. He therefore has free access to the labour market. The same applies to his/her family members. (Exceptions apply only to certain categories of people, e.g. posted workers who are issued with a work permit under section 95 of the Employment Act). A British citizen has a "registration certificate", his family member a "temporary residence permit".

2. Employer's procedure for employing foreign employees from abroad who do not have free access to the Czech labour market

Introductory note: For the purposes of employing employees from abroad under the Employment Act, a citizen of the European Union and his/her family member and a family member of a citizen of the Czech Republic are not considered foreigners.

2.1 Reporting vacancies

The employer is obliged to notify the relevant regional branch of the Labour Office of the Czech Republic (ÚP ČR) of the vacancy and its characteristics if it intends to employ a foreigner who needs a work permit and a residence permit, or an employee card or a blue card to perform employment. A vacancy is a position that has been newly created or has become vacant by the employer. The characteristics of the vacancy must be identical to those of the place where the employment will be performed.

The basic characteristics are the type of work, the place of work, the qualifications and requirements for the job, and basic information on working and pay conditions. The vacancy shall also indicate whether the employment is fixed-term or open-ended and its expected duration. The employer may also provide information on accommodation or commuting options, etc., if he wishes to make this information public.

If the employer intends to employ foreigners who need an employee card or a blue card to perform employment in the Czech Republic, he/she must give consent to include the reported vacancies in the central register of vacancies to be filled by holders of employee cards or blue cards and must also give consent to publish the reported vacancy for at least 30 days from the date of its notification to the regional branch of the Labour Office of the Czech Republic.

An employment agency that intends to employ a foreigner for the purpose of temporarily assigning him or her to work for the user shall also report the vacancy to the regional branch of the Labour Office of the Czech Republic.

2.2 Eligibility to employ foreigners

An employer may employ a foreigner only if the foreigner, in accordance with the Employment Act, has

- a valid employment permit from the relevant regional branch of the ÚP of the Czech Republic and a valid residence permit (in particular a non-dual employment card within the meaning of Section 42g(3) of the Residence Act, which serves only as a permit for long-term residence in the Czech Republic) or

- employee card,
- blue card or
- the card of an intra-corporate transferee

and at the same time if he has

- a written contract of employment for the period of time during which the employment is to be performed, a written agreement on work activity or a written agreement on a future contract in which the parties undertake to conclude a contract of employment or agreement on work activity within an agreed period of time (for holders of an employment permit, except in cases of posting pursuant to Section 95 of the Employment Act, such concluded contracts or agreements must also include the duration of the basic employment relationship, the amount of the wage, salary or remuneration, the length of the agreed weekly working time and the amount of leave in accordance with the legislation), and provided that the employer has registered the foreigner for social and health insurance benefits.

In the case of employment of a foreigner, the employer is obliged to offer the foreigner the working and wage conditions customary for a citizen of the Czech Republic in the same job classification according to applicable legislation or in accordance with collective agreements or employment contracts.

Employee card holders must be guaranteed a weekly working time of at least 15 hours and the wage, regardless of the scope of work, must not be lower than the basic rate of the monthly minimum wage; for blue card holders, the employer must guarantee a gross annual wage of at least **1.5 times the** average gross annual wage in accordance with the announced Communication of the Ministry of Labour and Social Affairs.

2.3 Notification obligation

The employer is obliged to inform the relevant regional office of the Office of the Employment Service in writing (via a standardised form on the entry into employment) **no later than on the day of the person's entry into employment.**

The employer is also obliged to inform in writing (via a standardised form) the relevant regional office of the Office of the Public Prosecutor that a foreigner who has been issued a work permit, an employee card, a blue card or an intra-corporate transfer card

1. he hasn't started work,
2. has left employment before the expiry of the period for which the permit was issued, or
3. employment has been terminated by notice or agreement, or
4. employment was terminated by immediate dismissal.

When employment is terminated by notice, agreement or immediate termination, the employer must also state the reason for the termination.

In the event of a foreigner's failure to start work, the employer is obliged to fulfil the information obligation for a foreigner with an employment card or a blue card within **45 days of the date on which the** conditions for the issue of the employment card or blue card were fulfilled, and for a foreigner with a work permit within **10 days of the date on which** the foreigner should have started work.

2.4 Record keeping and document retention

The employer is obliged to keep a register of the foreigners it employs.

The register contains the foreigner's identification data, address in the country of permanent residence and address for delivery of parcels, number of the travel document and the name of the authority that issued it, type of work, place of work and the period for which the employment is to be performed, as well as the foreigner's sex and classification according to the sectoral (branch) classification of economic activities, the highest level of education attained, the education required for the occupation, the period for which the employment permit, employment card, intra-corporate transfer card or blue card was issued and for which the alien was allowed to stay, the date of entry and the date of termination of employment or secondment by the foreign employer.

The employer is obliged to keep copies of the documents proving the foreign national's lawful residence in the Czech Republic for the duration of employment and for 3 years after the end of employment of the foreign national.

A foreign employer who has concluded a contract with a legal or natural person on the basis of which its employee has been posted to the territory of the Czech Republic to perform tasks arising from this contract is obliged to keep a register of these posted employees containing the employee's identification data, the address in the country of permanent residence and the address for delivery of parcels, the number of the travel document and the name of the authority which issued it, the type of work, the place of work and the period for which the employment is to be performed, as well as the sex of such natural persons, the date of commencement and the date of termination of the work or posting in the territory of the Czech Republic.

3. Procedure of a foreigner who does not have free access to the labour market of the Czech Republic

A foreigner from a third country (i.e. from a country outside the EU/EEA and Switzerland) who does not have free access to the Czech labour market (not listed in Section 98 or Section 98a of the Employment Act) **may work only if he/she has a work permit together with a valid residence permit, an employee card, a blue card or an intra-corporate transfer card.**

You can only get a work permit with a valid residence permit, employment card or blue card for a specific job with a specific employer.

Vacancies suitable for foreigners that employers are currently offering are concentrated in a database located on the website of the Ministry of Labour and Social Affairs. Job offers can also be searched on other commonly available servers or by contacting the selected employer directly. The employer must then notify the Czech Labour Office of the vacancy so that it can be entered into the database of vacancies suitable for foreigners.

Once the **foreigner finds a suitable vacancy and agrees with the prospective employer, he/she can apply for a work permit** (and subsequently for a residence permit) **or for an employment card or a blue card at the regional branch of the ÚP of the Czech Republic.**

The application for a work permit shall include:

- identification data of the foreigner,
- your address in your country of residence and address for service of parcels,
- the number of the travel document and the name of the issuing authority,
- identification details of the prospective employer,
- the type of work, the place of work and the period for which the employment should be performed,
- other data necessary for the performance of the job.

The application for a permit must be accompanied by

- an employment contract, an employment agreement or a future contract, in which the parties undertake to conclude an employment contract or an employment agreement within an agreed period of time,
- evidence of professional competence to perform the required job,
- or other documents if the nature of the employment or an international treaty so provides.

The regional branch of the Labour Office will issue an employment permit on the condition that the person is

- the notified vacancy, and
- a vacancy that cannot be filled in any other way because of the qualifications required or the lack of available labour.

The regional branch of the Labour Office issues a decision on the employment permit granted. **The permit is issued for a maximum period of 2 years. The validity of the employment permit may be extended by the regional branch of the Labour Office at the request of the foreigner, even repeatedly, but always for a maximum period of 2 years.** The employment permit shall contain

- identification data of the foreigner,
- place of work,
- type of work,
- identification data of the employer with whom the foreigner will be employed,
- the period of time for which it is being issued,
- other data necessary for the performance of the job.

4. Free entry to the labour market

A work permit (i.e. employment permit including a valid residence permit, employee card, blue card or intra-corporate transfer card) is not required for foreigners

- a) with a permanent residence permit in the Czech Republic,
- b) who is a family member of a member of a diplomatic mission, consular office or family member of an employee of an international governmental organisation based in the Czech Republic,
- c) who has been granted asylum or subsidiary protection,
- d) which is
 - performer,
 - pedagogical worker,
 - an academic staff member of the university,
 - a researcher who is a participant in a scientific meeting,
 - a pupil or student up to 26 years of age,
 - athlete,
 - by a person who supplies goods or services in the Czech Republic, or
 - by a person who carries out the installation on the basis of a commercial contract, or carries out warranty and repair work,
 - and whose work in the Czech Republic does not exceed seven consecutive calendar days or 30 days in total in a calendar year,
- e) who is employed in the territory of the Czech Republic pursuant to an international treaty to the ratification of which Parliament has given its consent and to which the Czech Republic is bound,
- f) who is a member of the rescue unit and provides assistance on the basis of an interstate agreement on mutual assistance in the elimination of the consequences of accidents and natural disasters and in the case of humanitarian aid,
- g) who is employed in international transport if he/she is sent by his/her foreign employer to work in the Czech Republic,
- h) which is accredited in the field of media,
- i) who is military or civilian personnel of the armed forces of the sending State under a special law,
- j) who is continuously preparing for a future profession in the Czech Republic (full-time study at a secondary school, conservatory, higher vocational school and language school with the right to take the state language examination, and full-time study at a university, including holidays that are part of the school or academic year),
- k) who is posted to the Czech Republic as part of the services provided by an employer established in another EU Member State,
- l) who is staying in the Czech Republic on the basis of a long-term residence permit for the purpose of family reunification, if the family is living together with a foreigner as referred to in (a) or (c) above, or with a foreigner who is staying in the Czech Republic on the basis of a valid long-term residence permit,
- m) who resides in the Czech Republic on the basis of a long-term residence permit of a resident of another EU Member State,

- n) who performs continuous educational or scientific activities in the Czech Republic as a teaching staff member or academic staff member of a higher education institution or as a scientific, research or development worker in a public research institution or other research organisation pursuant to a special legal regulation,
- o) who has received secondary or higher vocational education or higher vocational education in a conservatory under the Education Act or higher education under the Higher Education Act,
- p) who is staying in the territory of the Czech Republic on the basis of a long-term residence permit for the purpose of protection in the territory pursuant to the Residence Act,
- q) who is a minister of a church registered in the Czech Republic or a religious society registered in the Czech Republic,
- r) who holds a residence permit for an intra-corporate transferee issued by another Member State of the European Union and is an intra-corporate transferee in the Czech Republic for a period not exceeding 90 days in any period of 180 days, or
- s) whose performance of work in the territory of the Czech Republic is in the interest of the Czech Republic.

However, in the case of employment of a foreigner under a) to e) and j) to r), the employer or the legal or natural person to whom the foreigner has been sent by his/her employer on the basis of a contract to perform work is obliged to inform the relevant regional branch of the ÚP of the Czech Republic of this fact in writing no later than on the day of the foreigner's commencement of work. The employer is also obliged to keep appropriate records.

5. Employment of refugees

According to the 1951 Convention relating to the Status of Refugees, "a refugee is a person who, being outside his or her country, has a well-founded fear of being persecuted for reasons of race, religion or nationality, or on account of membership of a particular social class or even of holding certain political opinions, is unable to accept, or owing to the aforementioned fears, refuses the protection of his or her country."

Persons meeting the conditions for international protection may be granted asylum in the Czech Republic (asylum seekers) or subsidiary protection (subsidiary protection holders).

Applicants for international protection and recognised refugees can be employed in the Czech Republic under the following conditions depending on their legal status:

1. A person **granted international protection does not need an employment permit, an employment card, an intra-corporate transfer card or a blue card to perform employment** (Section 98(c) of Act No 435/2004 Coll., on Employment). Persons granted international protection have the same status as citizens of the Czech Republic with regard to employment.

The employer of a person granted international protection is only obliged to provide information to the regional branch of the Labour Office of the Czech Republic (pursuant to Sections 87 and 88 of Act No.435/2004 Coll., on Employment) **and to keep records.**

Specimens of documents issued to holders of subsidiary protection and asylum can be found on the website of the Ministry of the Interior of the Czech Republic.

2. **An applicant for international protection may be employed after the expiry of 6 months from the date of the application for international protection, but such a foreigner must have a valid employment permit issued by a regional branch of the Labour Office of the Czech Republic** (Section 97(e) of Act No 435/2004 Coll., on Employment).

One of the conditions for the issuance of an employment permit is the **employer's reporting of the vacancy to the regional branch of the Labour Office of the Czech Republic** (pursuant to Section 86 of Act No. 435/2004 Coll., on Employment). Subsequently, the employer of the applicant for international protection has an **information obligation towards the regional branch of the Labour Office of the Czech Republic** (pursuant to Sections 87 and 88 of Act No. 435/2004 Coll., on Employment) and an **obligation to keep records.**

Attention! It is not possible to employ an applicant for international protection within 6 months from the date of the application for international protection. In the event of a violation of the legislation, the employer commits an administrative offence (the most serious being the facilitation of illegal employment of a foreigner - refugee pursuant to Section 5(e) of Act No. 435/2004 Coll., on Employment) or a criminal offence and exposes himself to the risk of relevant sanctions.

3. **A foreigner who has not applied for international protection or has not been granted international protection but has obtained a visa for a stay of over 90 days or a long-term residence permit for the purpose of tolerating stay in the territory may be employed** if he or

she **has a valid employment permit** issued by a regional branch of the Labour Office of the Czech Republic (Section 97(d) of Act No 435/2004 Coll., on Employment).

In order to issue an employment permit, the **employer** must **report the vacancy to** the regional branch of the Labour Office of the Czech Republic (pursuant to Section 86 of Act No. 435/2004 Coll., on Employment). Subsequently, the employer of the holder of a visa to stay for more than 90 days or a long-term residence permit to stay in the territory has an **information obligation towards the regional branch of the Labour Office of the Czech Republic** (pursuant to Sections 87 and 88 of Act No. 435/2004 Coll., on Employment) and an **obligation to keep records**. Specimens of documents issued to applicants for international protection and holders of a visa for a stay of more than 90 days or a long-term residence permit for the purpose of tolerating a stay in the territory can be found on the website of the Ministry of the Interior of the Czech Republic.

Furthermore, all employers (not only) of foreigners have standard obligations towards the Social Security Agency, health insurance company, financial administration, etc., and standard obligations towards the employee according to Act No. 262/2006 Coll., the Labour Code.

6. Employer's procedure for employing EU citizens

Preliminary note: Although the Employment Act uses the generalisation "EU citizen", it should be noted that this term also includes citizens of countries that are not formally EU Member States. Specifically, this includes the countries of the European Economic Area, i.e. Iceland, Liechtenstein and Norway, as well as the independent Switzerland. Citizens of these states are thus employed under the same regime as EU citizens.

EMPLOYER'S INFORMATION OBLIGATION

Although EU nationals and their family members have the same access to the labour market as Czech nationals, certain obligations apply to the employment of these workers. However, these are more for statistical purposes than to protect the Czech labour market. It is important to note, however, that these obligations apply not only to the legal employer of the EU citizen or his/her family member (i.e. the entity that concludes an employment contract or other agreement on work performed outside the employment relationship with these foreigners), but also to the entities to which these foreigners are sent to perform work (and thus do not enter into a direct employment relationship with these entities).

The employer is obliged to inform in writing the regional branch of the ÚP of the Czech Republic competent according to the place of work of this fact no later than on the day of the start of employment of the EU/EEA and Swiss citizen or his/her family member or family member of a Czech citizen, using a form. No further documents are required from the employer to accompany the completed form.

Upon termination of employment, the employer is obliged to notify the relevant regional branch of the Employment Office of the Czech Republic using the form within 10 calendar days of the termination of employment. If the employment of the EU citizen or his/her family member is for a fixed period and the employment is not extended, the duration of the employment can be notified to the Labour Office already in the initial information, with the proviso that the subsequent information on the termination of employment does not need to be sent.

If employment ended on the date originally announced by the employer, the employer no longer has to report the termination of employment.

If during the course of employment there are changes in the information sent by the Office of the Czech Republic, the employer is also obliged to inform the employee of these changes, again within 10 calendar days from the date on which the changes occurred or the employer became aware of them. From a practical point of view, these are especially cases of changes in the position or place of employment.

EMPLOYER'S REGISTRATION OBLIGATION

In addition to the information obligation, the Employment Act also regulates the registration obligation of the employer or the legal or natural person to whom the EU citizen or his/her family member is posted to perform work. In practice, this is an obligation to record certain personal data

about the employed or posted EU citizen or his/her family member. The subject matter of the record keeping is regulated by the Employment Act to the following extent:

- identification data of the foreigner,
- address in the country of residence and address for service of mail,
- the number of the travel document and the name of the issuing authority,
- the type of work, the place of work and the period for which the employment should be performed,
- sex,
- classification according to the sectoral (branch) classification of economic activities (not required in the case of secondment),
- highest level of education (not required for secondment)
- the education required for the profession (not required in the case of secondment); and
- the date of entry and the date of termination of employment or secondment by the foreign employer.

This scope is almost identical to the data that the employer or legal or natural person is obliged to report to the regional branch of the Labour Office as part of their information obligation. (In practice, it is sufficient if the employer or legal or natural person to whom the EU citizen or his/her family member is posted for workplaces a copy of the completed information form in the employee's personal file. This procedure, in addition to the other documents available to the employer or legal or natural person (in particular the employment contract or a copy of the temporary residence permit for the family member of the EU citizen), can fulfil the registration obligation).

RESULTS OF THE QUESTIONNAIRES AND STRUCTURAL INTERVIEWS

1. Results of the survey among social service providers - employers

The investigation among social service providers was carried out in two stages. First, an online questionnaire survey was conducted and then the results obtained from the survey were refined and supplemented through in-depth interviews with representatives of the selected facilities.

The questionnaire survey was conducted in April and May 2022, in electronic form. Completion of the questionnaires by the respondents was done through a web interface.

The recruitment of selected respondents was supported by an approach letter that included a request for cooperation, a justification of the purpose and need for the survey and a link to an electronic questionnaire located on the web interface. The selection of respondents took into account the existing structure of social service facilities according to the form of social service provided and the number of employees.

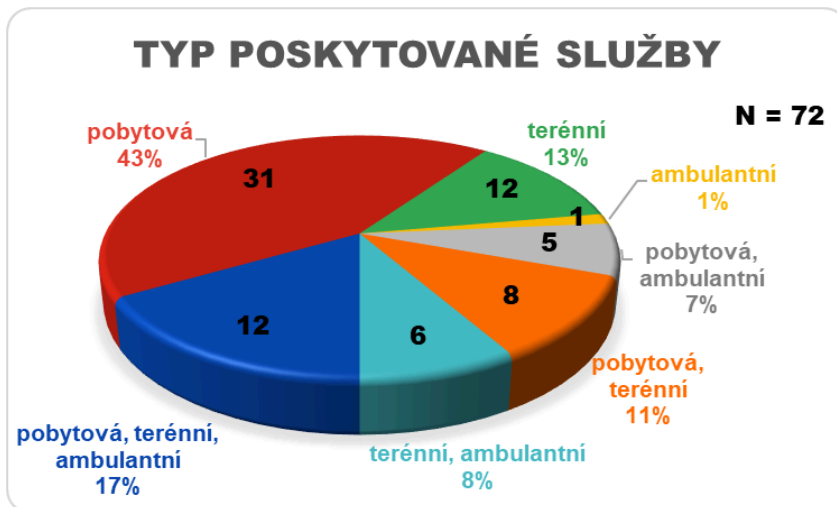
72 subjects participated in the questionnaire survey.

In order to supplement and refine the interviews, **10 in-depth interviews were conducted** in June, especially with those social service providers who indicated a higher number of employed persons with a different nationality in the questionnaire survey. The selection was also influenced by differences in the answers to the questions compared to the overall sample.

1.1 Identifying features of the investigated organisations

In terms of the type (form of social service provision) of the social service providers involved, 56 of them were residential, 35 were field-based and 24 were outpatient. From the sum of these figures it is evident that in practice organisations **provide services in a cumulative manner**. The situation is illustrated in Figure 1.

Graph 1



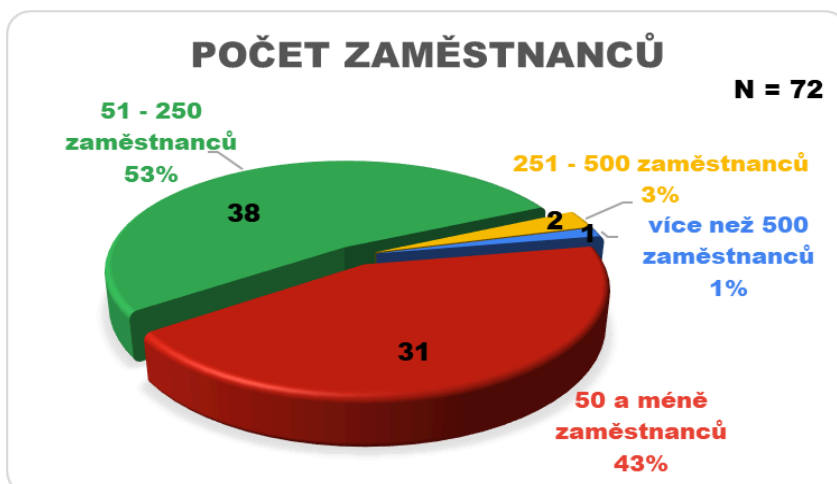
From the above chart it is evident that 31 organisations provided only residential services, 12 participating organisations provided only outreach services and the performance of only outpatient services was monitored in the case of one surveyed organisation.

All three types of services were provided by 17% of the surveyed social service providers (12).

In terms of the size of the organisation or the number of employees, almost 60% of the organisations surveyed (41) employed more than 50 employees. It should be added that 4% of the organisations (3) in the questionnaire survey reported a headcount of more than 250 employees. All these 'large' establishments provided (i) residential services.

The number of organisations with 50 or fewer employees was 31, or 43%, of those surveyed. The situation is illustrated in Figure 2.

Graph 2



1.2 Foreign workers in the organisation

The questionnaire survey monitored the presence of foreign workers in the organisations, on the basis of an employment contract and/or as employees of an employment agency.

More than half of the respondents, i.e. 39 organisations surveyed, reported that foreign workers were working in their organisations - see Chart 3. It should be noted, however, that this is not a representative sample! Considering the existing situation on the labour market, it can be stated that the survey was mainly attended by those social service entities that

1. employ foreign workers
2. the issue is interesting to them
3. are considering foreign labour in the future.

A total of 146 foreign workers were employed in the organisations participating in the survey, i.e. on the basis of an employment relationship with the organisation (calculated number). Their number varied from 1 to 19 persons in each organisation. It should be added that the overcount of more than 10 was exclusively in organisations with more than 50 employees. Table 1 shows the structure by number of employees.

Graph 3

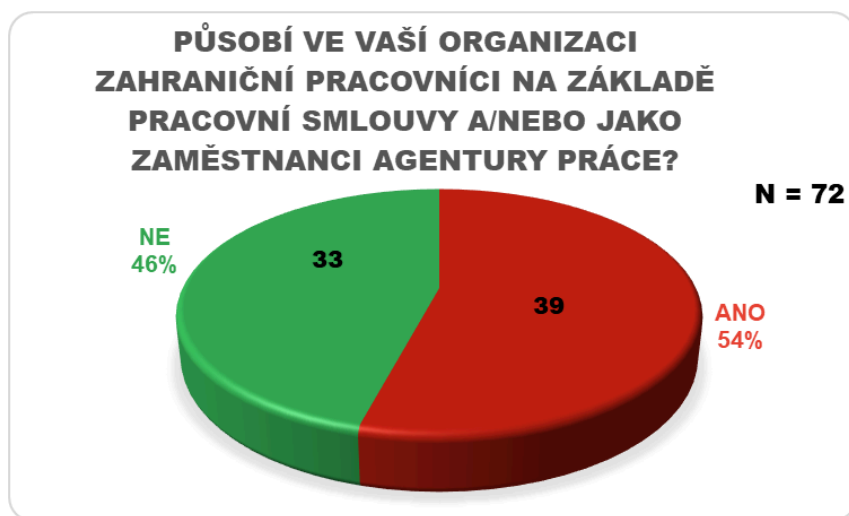


Table 1

Number of foreign workers employed by the organisation	Number of organisations
1	12
2 - 5	21
6 - 10	3
11 - 15	2
More than 15	1

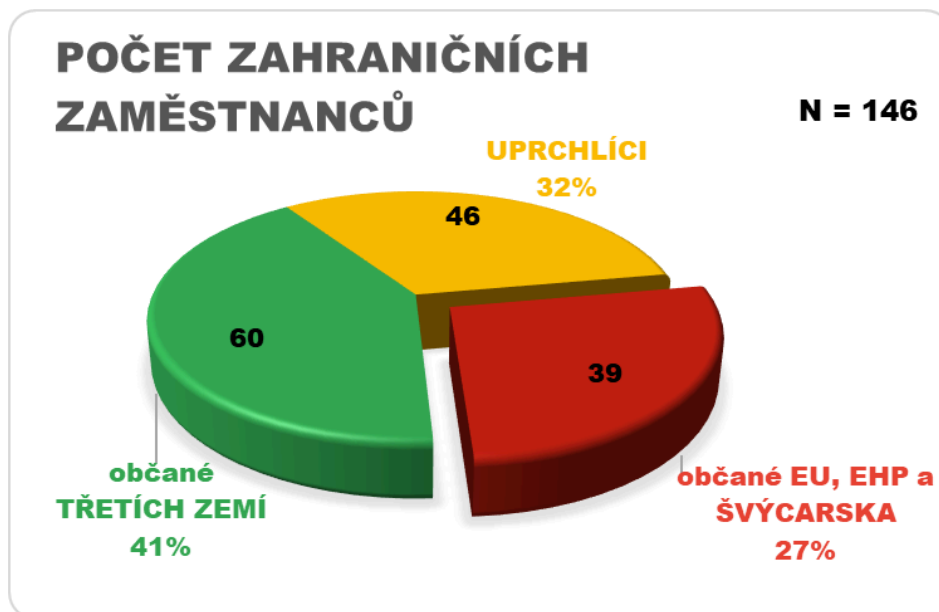
The use of employment agency staff who are of a different nationality was reported by only 2 organisations, and always by one person. For the sake of completeness, these two organisations also employed persons of other nationalities on the basis of their employment relationship (one 4 persons and one 1).

The questionnaire also tracked the (recalculated) numbers of foreign employees broken down into EU, EEA and Swiss citizens, third country citizens, including citizens of Ukraine before the migration wave triggered by the Russian attack on Ukraine, and finally refugees. The resulting structure is shown in Table 2 and Figure 4.

Table 2

	Number of persons employed in the surveyed organisations	Number of organisations investigated
EU, EEA and Swiss citizens	39	16
Third country nationals	60	20
Refugees	46	21

Graph 4



For the sake of interest, it can be noted that 8 organisations surveyed employed only refugees (16 persons in total), 5 employed only EU, EEA and Swiss citizens (14 persons) and 9 organisations employed only third-country nationals (18 persons).

1.3 Recruitment of foreign employees

More than 4/5, i.e. basically **8 out of 10 surveyed organisations** that employed persons of other nationalities, obtained at least one foreign employee by the fact that he/she **came to apply for a job** - this option was mentioned by 32 surveyed organisations. The employment of foreign workers using only this option was observed in the case of 25 organisations.

More than ¼ of **the surveyed subjects** used the so-called snowball method, where they got a tip about a potential employee from their employees and friends and then **invited them to cooperate**. Employment of foreign workers using only this option was observed in the case of 5 organisations.

The services of an intermediary entity were used by 5 organisations surveyed - 2 approached the intermediary organisation themselves, 3 were in turn approached by an intermediary organisation - see Chart 5.

Graph 5



The in-depth interviews showed that **targeted recruitment of foreign employees, if at all, took place mainly in cases where there was a shortage of available suitable labour on the regional (local) labour market for social service providers**. These were mainly larger cities, such as Prague, Brno, Ostrava, Plzeň, Hradec Králové ... The services of an employment agency were also used in these efforts, but in most cases they did not prove successful in practice. As it was mentioned during the interviews, the agency "supplied" unsuitable people, or employees who often had different expectations and after a short period of work, when the organisation invested "its time" in them, they terminated the employment relationship. There was also dissatisfaction with the services provided for the processing of the necessary documents related to the employment of non-EU citizens (third-country nationals). In particular, there was an "inability" to secure in the necessary

time the long-term residence permit granted on the basis of the Act on the Residence of Foreigners, which is necessary for the performance of work exceeding 3 months. Thus, foreign employees started to work in the organisation on the basis of an employment permit which they had applied for (on behalf of) at the relevant regional branch of the Office of the Employment Agency of the Czech Republic before their arrival in the Czech Republic, and which entitles them to perform short-term employment for up to 3 months. However, if the agency did not manage to process the employee's long-term residence permit, the employee's employment with the organisation had to be terminated, which was very burdensome for the organisation.

Note: Most of them were citizens of Ukraine. In practice, their employment is much easier nowadays, thanks to the temporary protection granted in connection with the war conflict, where they are considered as foreigners with permanent residence for employment purposes. They thus have free access to the labour market. This has also had an impact on the number of foreign workers employed in social services.

In general, it can be stated that **the recruitment of new employees was standard, without any targeted intention to reach foreign nationals. The focus of the recruitment process was always on assessing the individual's ability to perform the position to be filled**, including in terms of the need for Czech language skills. During the recruitment process, references and recommendations for specific persons were obtained from current or former employees, colleagues from the social or health sector.

1.4 Positions held by foreign employees

Foreign employees most often performed the position of **social services worker / social worker** - this position was found in **more than ¾ of the surveyed organisations** employing persons of other nationalities - see Chart 6.

Graph 6



3 out of 10 organisations employing foreign workers stated that the foreign worker is working for them **as an operative/worker**.

The performance of the position of **health worker** was monitored in the case of foreign employees in almost $\frac{1}{4}$ of **organisations** employing persons of other nationalities.

The position of technical and economic worker was filled by a foreign employee in the case of **3 respondents**.

The employees of the employment agency worked in organisations as "social services workers".

The interviews revealed that only **for the position of social services worker, the institutions do not require proof of professional qualifications when hiring. However, these employees have to complete the qualification within 18 months of joining** (accredited qualification course with an allocation of 150 teaching hours - 54 hours of practice + 96 teaching hours of theory).

The lack of professional qualifications also applies in part to the position of 'labourers and operatives'.

1.5 Reasons for employing foreign workers

As part of the questionnaire survey, social service establishments that employed foreign workers were asked to evaluate the reasons given for employing foreign workers. The reasons were rated on a scale of 1 to 5, where 1 represented an insignificant reason and 5 a very significant reason. The calculated mean values (Mean) clearly showed that **for the majority of organisations the most significant reason was the lack of adequate 'home' labour**, with a mean value of 3.8.

Graph 7



A more significant reason could also be considered to be the greater time flexibility and specific skills of foreign workers, with a mean value of 2.3. In both cases, 4 respondent organisations gave these reasons a score of 4 or 5.

Lower wage demands and higher qualifications of foreign workers are not considered by most organisations as reasons for employing them. However, it should be added that higher qualifications were a significant reason for two of the surveyed entities.

In-depth interviews confirmed the results of the questionnaire survey. The reason "greater time flexibility" was specified as a reason for employing foreign labour outside social services. It turned out that social service establishments, with exceptions, are not legally allowed to apply the flexible form of the so-called working time account, which is, for example, highly used or demanded by foreigners in the construction industry.

In connection with time flexibility, it was also pointed out during the interviews that it is necessary to **distinguish between employees who came to the Czech Republic because of economic migration and the newly arrived group of refugees.** The reason for this is that these are mainly women. While those who have come to the Czech Republic to earn money are mostly without children, refugee women are here with children, which limits them not only when entering the labour market but also when applying time flexibility. A different situation is then observed for those who have started a family in the Czech Republic - this group is essentially no different from domestic workers.

In relation to wage claims, the representatives of social service providers added that **the facilities have uniform salary tables and set wage regulations applicable equally to all employees.**

1.6 Evaluation of foreign employees

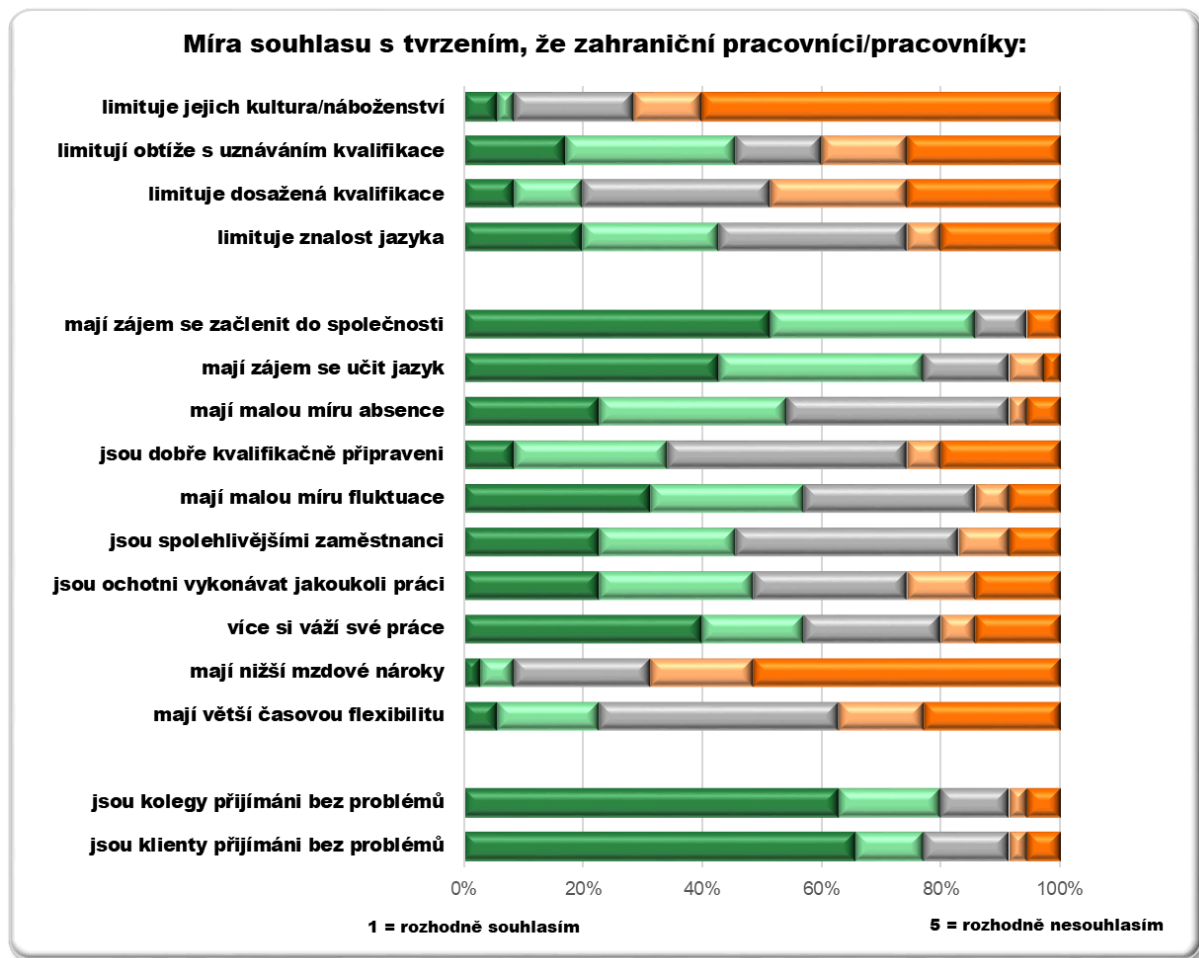
The questionnaire survey asked social service providers who employed foreign workers to evaluate the statements they made regarding personal characteristics related to working in social services. Individual statements were rated using a scale of 1 to 5, where 1 represented strong agreement with the statement and 5 represented strong disagreement. The statements presented by the questionnaire and the results obtained in the form of the calculated mean (Mean) are shown in Figure 8. The distribution of the responses of agreement by the respondents according to the rated level is shown in Figure 9.

The calculated mean values show that:

- **foreign employees are interested in integrating into the company.** Respondents here, with two exceptions, voted for grades 1 - 3. Representatives of two of the organisations mentioned strongly disagreed with the statement made (voted for grade 5).
- **foreign employees are accepted by colleagues and clients without major problems.** In this case, disagreement with the statement was observed in the case of three organisations (strong disagreement in the case of two organisations).

- **foreign employees are interested in learning the language.** However, three organisations interviewed disagreed with this statement (one strongly).
- **foreign employees have a low rate of absenteeism.** However, agreement with the statement was not as clear-cut, with 54% of respondents choosing a 1 or 2, and 40% choosing a neutral 3. Disagreement was recorded for three organisations.
- **foreign employees have a low turnover rate.** Again, the strength of agreement with the statement was reduced by the fact that 35% of the responses were neutral (a score of 3) and five organisations disagreed with the statement (3 strongly).
- **foreign employees have more respect for their work.** However, in the case of this statement, the **second greatest diversity in responses** was observed from the respondent organisations among all the statements presented, i.e. in the ambiguity of opinion (identified by the error of the mean). A score of 1 or 2 was given by 57% of respondents, a score of 3 was given by 23% of respondents and 20% of respondents (strongly) disagreed with the statement.
- **foreign workers are more reliable.** Support for the statement in the form of a 1 or 2 in the questionnaire was expressed by 46% of respondents, while disagreement expressed by a 4 or 5 was observed in 26% of responses.
- **foreign workers are willing to do work that "domestic workers" are not interested in.** 49% of respondents agreed with this statement, while 26% of respondents in the survey disagreed.
- **foreign employees are limited by their knowledge of the language.** 43% of respondents believe this to be the case, while 26% believe the opposite. It should be added that further statistical sorting showed a significant correlation with the citizenship of foreign employees, with disagreement with the statement observed especially in the case of EU, EEA and Swiss citizens. It can be concluded that the latter are mainly made up of Slovak citizens whose language is commonly understood by Czechs.

Graph 9



The results also showed that a significant number of respondents think that foreign workers are not well prepared - 26%. 32% of the respondent organisations are convinced that they are well prepared, while 42% are neutral. However, the observed level of agreement with the statement "foreign employees are limited by their qualifications", with 20% of respondents agreeing with the statement, shows that the surveyed organisations can cope with certain skills deficiencies of foreign employees.

Only 23% of respondents from organisations employing people of other nationalities are convinced of the greater time flexibility of foreign employees. On the contrary, 37% believe that their time flexibility is not higher.

Similarly, the claim that foreign workers would have lower wage demands proved to be untenable. Only three organisations interviewed agreed with this statement. To add to this, there was the highest level of agreement among respondents on this statement.

Significant uniformity of opinion was also observed in the case of the question of the influence of culture/religion on work performance, where the majority of respondents were convinced that the culture/religion of the foreigners they employed did not influence their work performance.

The in-depth interviews again **confirmed the results obtained by the questionnaire survey**. It turned out that foreign workers do not behave differently from domestic workers in most cases - some are better, some are worse. In particular, the different attitudes found in the questionnaire survey were discussed in the case of the issue of recognition of qualifications and the limitations resulting from the lack of knowledge of the Czech language.

Note: There was a consensus among respondents in the negative evaluation of job seekers sent to vacancies by the ÚP ČR. As it was stated during the interviews, "every foreign worker must be better than those sent to us by the Labour Office".

As mentioned above, the position of "social services worker" does not require a professional qualification. It has been shown that **difficulties with the recognition of qualifications are experienced mainly by those organisations that employ foreigners in positions where professional qualifications must be documented**. They believe that it is **an unnecessarily time-consuming process with a considerable financial cost**.

In the case of the question of limiting employees due to lack of language skills, the interviews showed a **significant influence of nationality or citizenship**. Thanks to the long-standing coexistence of Czechs and Slovaks in one country and the great affinity of both languages, Slovaks in the Czech Republic are not perceived as foreigners by the general public, including representatives of social service providers. However, in accordance with the law, organisations have to report them administratively as a foreign workforce. Thus, organisations that employ only/mainly Slovak citizens do not see any limits for their employees resulting from their knowledge or lack of knowledge of the Czech language.

The in-depth interviews also revealed that **foreign employees are only assigned to positions for which they have sufficient competencies, including language skills**. For example, all respondents stated that they **require a good knowledge of the Czech language to perform a position involving direct client care**. Some even added that they required not only verbal but also written knowledge. Therefore, it can be concluded that many respondents do not see the limits related to low level of Czech language skills, as their employees perform a position where lower language level is not an obstacle.

1.7 **Activities to assist the integration of foreign employees**

More than half of the surveyed organisations employing foreign workers **implement activities at their workplace to facilitate the integration of** these employees - see Chart 10.

In most cases, this involves mentoring, systematic integration into the team and the provision of a language course.

Graph 10



Here again, the **influence of citizenship**, or whether one is a Slovak citizen or a citizen of another nationality, was identified in the in-depth interviews. **In the case of citizens of the Slovak Republic, the activities that are commonly carried out in the case of a new employee (with Czech nationality) were mentioned.** However, a different situation was found in the case of those who do not have full or adequate knowledge of the Czech language. Interviewed representatives of social service providers stated that **as long as the language is not acquired to the necessary extent, they have to choose such logistics of work that would not endanger the client, reducing the quality of the service provided.** In the majority of cases, as in the case of a domestic worker, mentoring is used. However, the integration of foreigners into individual work teams is "rationed", using those workers who have at least some knowledge of the language of the incoming worker. The involvement of a "liaison", i.e. a person from outside the organisation who helped to translate the necessary instructions related to the performance of the work into a language understandable to the incoming employee, was also monitored. One representative even stated that, due to the shortage of manpower, the organisation encourages the methodologist (the person responsible for staff training) to 'brush up' on his Russian language skills¹, which facilitates the entry of foreigners into the organisation.

The interviews revealed that foreigners are able to do the work themselves after about one year of involvement in the organisation's activities. However, this period of time is not very different from that of domestic workers, who have no experience of working in social services or health care.

One-third of the surveyed organisations that employed foreign employees (also) **implement activities to help integrate** these employees **outside the workplace** - see Chart 11.

These included support in securing housing, assistance with placing children in school and assistance with communication with the authorities. Support in the context of the invasion of Ukraine in the form of allowing more time off was also mentioned.

¹ After the Second World War, until 1990, the teaching of the Russian language was compulsory in Czech schools.

Graph 11



In the case of off-site activities, interviews indicated that **most expatriate workers do not need off-site assistance**. Again, however, the difference between Ukrainians with temporary protection and economic migrants was highlighted, with the former group being more assisted by the facility in implementing off-site activities.

1.8 Reasons for not using foreign workers

In the questionnaire survey, a battery of possible reasons for not employing persons of other nationalities was presented to **social service establishments that do not employ foreign staff** (33). At the same time, the establishments were asked to rate each reason from their perspective on a scale of 1 to 5, with 1 being an insignificant reason and 5 being a significant reason. The reasons given in the questionnaire and the results obtained by the survey in the form of a calculated mean value are shown in Figure 12.

The results clearly showed that **the most important reason why** the surveyed organisations did not employ people of other nationalities was the fact that they simply **did not apply for jobs**. Another important reason is that the **organisations have no experience of employing them**. In addition, it appears that, apparently in selected regions, **there is a sufficient "domestic" workforce, which does not allow for the recruitment of citizens from third countries**. This is also due to the fact that the organisations have not been approached by any organisation that would "arrange everything" regarding employment.

Public Prosecutor of the Czech Republic and choose other recruitment techniques, which do not allow for the employment of non-EU persons.

Legislation has also proved to be a barrier, as a foreigner who wants to be employed in the Czech Republic only for a short period of time, up to three months, can apply for a work permit. In case the foreigner's work performance within the mentioned posting exceeds 3 months, the foreigner needs to obtain a long-term residence permit granted on the basis of the Act on the Residence of Foreigners. However, the process for obtaining the said type of residence is lengthy and very often it happened that the foreigner had to terminate his/her performance in the organisation because the processing was not completed in time.

1.9 Possibility of employing foreign workers in the future

Respondents - social service facilities that did not employ foreign workers during the survey, **55%** stated that they were **open to employing foreign workers in the future**. In addition, **45%** of the respondents stated that they **would not exclude foreign employees in the future, but would prefer Czech employees**. **No refusal of foreign employees in the future was recorded by the survey.**

Graph 13

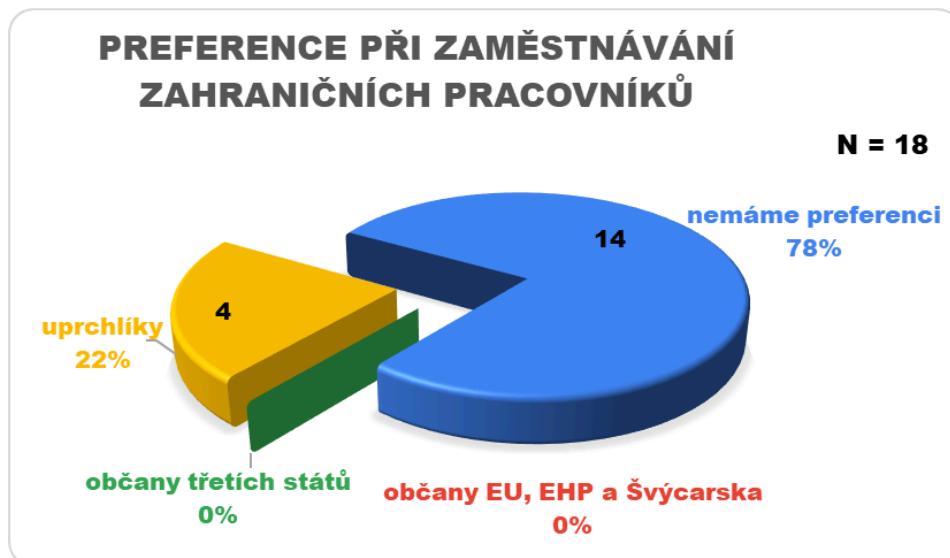


The respondent organisations that are open to employing foreign workers in the future (18) also indicated that they **will not have a preference for the citizenship of the employee in most cases**. However, in addition to this, 4 organisations reported that if refugees with the potential to be employed in social services were present, then they would be particularly interested in employing them - see Figure 14.

In-depth interviews showed that interest in refugees is not only related to a certain degree of solidarity, but also to their position on the Czech labour market, or the fact that for employment purposes they are considered foreigners with permanent residence permits. They thus gain free access to the labour market and can enter the register of job seekers. There is thus no need to deal

with the lengthy process of obtaining long-term residence, which has so far appeared to be a significant reason for not employing foreign workers.

Graph 14



It should be added that the in-depth interviews placed a strong emphasis on the **match between the job requirements and the competency requirements of the recruit**. As mentioned, no one is stopping foreign workers, but they must also meet the requirements of the position, including in terms of language skills. The organisations, as stated by their interviewees, are (to some extent) prepared to implement activities that will help to quickly acquire the language to the necessary level.

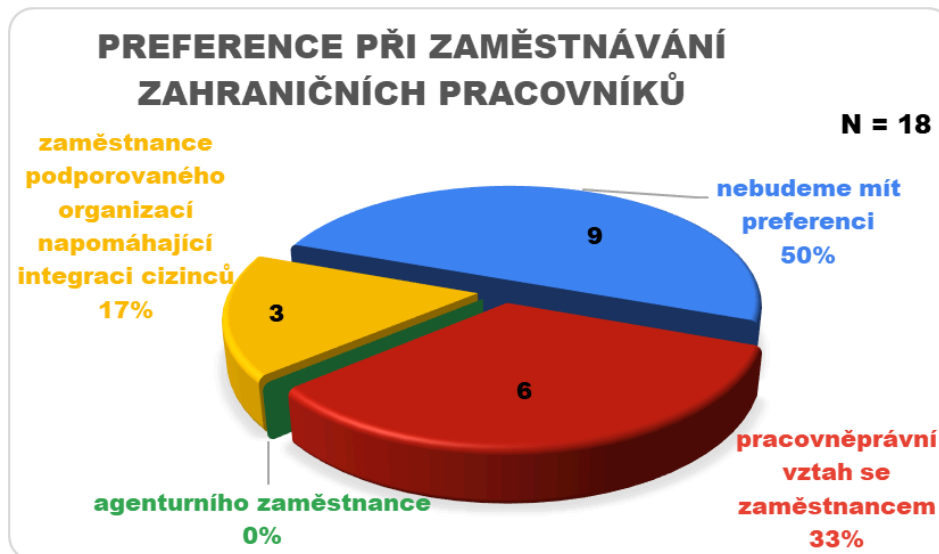
In terms of the employment relationship under which foreign workers should work in the organisation, **1/3 of social service establishments** indicated that they **would prefer to conclude an employment relationship directly with their organisation** - see Chart 15.

The preference for an employee who is supported by an organisation helping the integration of foreigners was observed in the case of 3 organisations that are open to employing foreign workers in the future.

The preference of the employment agency employee was not monitored.

Half of the social service facilities that are open to foreign workers in the future have no preference in terms of the employment relationship.

Graph 15



1.10 Education on the employment of foreign workers

In the questionnaire survey, **25 respondents** from social service institutions, i.e. more than one third, expressed interest in **completing the training programme**, which focuses on the issue of employing foreign workers. On the other hand, a **distinct lack of interest** in such training was noted by **15 surveyed entities** (21%) - see Figure 16.

Graph 16



The in-depth interviews focused on the employment of foreign nationals in social services and the **requirement to share examples of good practice, various documents that have already been produced** in connection with the employment of foreigners, and to **provide advice to each other among social service providers**.

1.11 **Commentary, recommendations on the issue under study**

During the questionnaire survey, the respondents had the opportunity to provide their comments and additions to the issue. This option was used by 15 out of 72 subjects, i.e. 21% of all respondents.

There were both positive experiences with employment, but also negatives or concerns. Two recommendations were also noted.

Selected positives reported by establishments employing foreign workers:

- Foreigners have been working for us for several years. Their Czech is good, we have no problem with them.
- We are satisfied with the foreign employees, who are mostly from Ukraine. They have been working for us for a long time, they appreciate their work.
- The employee works on a part-time basis, she is a member of my family, the relationship is based on a personal basis, and at the same time we have a daughter staying with us, for whom we provide a language course. We help them to overcome language and habitual barriers, with material support.
- Our foreign employees have been working with us for more than 3 years and we are satisfied with them. They are Slovak, Ukrainian and Russian, the latter two have been married in the Czech Republic for many years.

Recorded selected negatives or concerns related to the employment of foreign workers:

- In the past, we employed a social services worker from Georgia. A big problem was not only the language barrier, but also their traditions, culture and customs.
- We also have experience with employing citizens from Ukraine, but before the outbreak of Ukrainian migration. Frankly, we have avoided employing citizens from third countries. The reason is a big problem with submitting documents and processing employment permits. In addition, applicants must have a reasonable command of the Czech language, because we also work with mentally disabled people or people with impaired pronunciation and hearing impairment.
- We are concerned about the language barrier when employing foreigners. Our clients - the elderly - cannot hear very well and their expressions must be very clear. We therefore prefer to use our job applicants.
- We are not opposed to employing foreign workers, but we consider language skills to be necessary and very important.

- The biggest problem in employing foreign workers, given the nature of our services, is the language barrier, both in the team, in terms of information transfer, and, above all, in direct work with users (counsellors, social rehabilitation work).

Recommendations communicated by the surveyed social service providers:

- Given the shortage of mid-level health workers in the labour market, it would be advisable to focus on the integration of relevant foreign workers into social service structures.
- Foreign employees are employed with us for only six months at the moment, because their education is only documented by an affidavit. However, after the establishment has adequately "integrated" them into the structures and "prepared" them for (safe) work performance, it is considerably inefficient to leave due to failure to prove education. This should somehow be "reasonably" addressed.
- I see hiring employees from the EU as unnecessary paperwork, when we have to report their entry and termination to the Czech Employment Service. This fact could be taken into account in the future in the "Reporting of Notification of Entry/Exit". Simplified on the application form for the PSSZ or CSSZ. As they have now introduced changes for the UoP when terminating employment - only one document would be created.

2. Results of the survey among foreign social service workers

The survey of foreign social workers was conducted in two phases. First, a questionnaire survey was conducted and then the results obtained from the survey were refined and supplemented through in-depth interviews with representatives of the selected facilities.

The questionnaire survey was carried out in the months of April and May 2022.

The recruitment of respondents was carried out with the help of employers who indicated that they employed foreign workers in the project's survey of social service providers. They were asked to either provide a link to a web-based form of the questionnaire or to provide a hard copy of the questionnaire.

The web application was used by 48 foreign employees and the paper questionnaire, which was sent scanned by email or post, was used by 31 people. **Thus, 79 foreign employees working in the social services sector participated in the survey.**

In-depth interviews with foreigners employed in social services took place in July and August, based on the interest expressed by the respondent in the questionnaire survey. **Ten in-depth interviews were conducted with foreign employees working in the social services sector.**

2.1 Identifying features of foreign employees under investigation

59 Ukrainian citizens participated in the survey, which represents $\frac{3}{4}$ of the surveyed population - see Figure 17. This fact reflects not only the overall structure of employed foreigners on the Czech labour market in general, but also the February Russian attack on Ukraine and the subsequent migration of its citizens to safety.

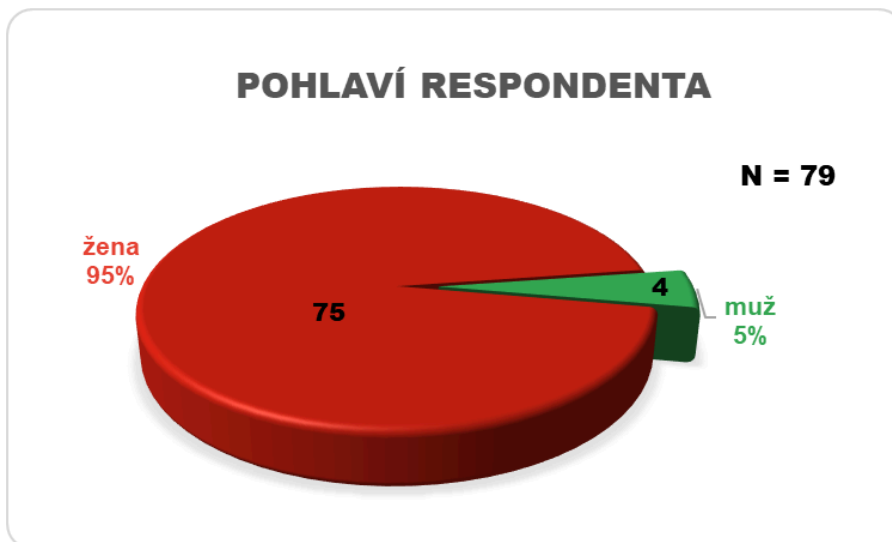
Graph 17



The second most important group are the citizens of the Slovak Republic (14%), who, thanks to the close affinity and mutual intelligibility of the Czech and Slovak languages, have virtually no language barriers in the Czech Republic. In addition, years of cohabitation in a common state also play a role.

The research sample consisted of 95% women, which generally corresponds to the gender structure of social services workers, which are significantly feminised in the Czech Republic - see Figure 18.

Graph 18



The largest age cohort of the foreign employees surveyed was the "36-45" cohort, which accounted for more than 1/3 of the respondents - see Figure 19.4 out of 10 respondents were aged "46-55" and 5 out of 10 were aged "26-35". The least represented age group was foreign workers aged 25 years and younger.

Graph 19



More than half of the foreign employees surveyed had the highest level of secondary education with a high school diploma - see Figure 20. A significant proportion of the employees surveyed had a university degree, accounting for 27%. Only 4 persons (Ethiopian and Ukrainian citizens) had primary or incomplete education.

Graph 20



2.2 Reasons to work abroad

The questionnaire survey clearly showed the **impact of the February attack on Ukraine, which forced 25 respondents to leave their country**. In addition to this, political or security reasons were the reason for leaving for another 3 surveyed foreign social workers (Ukraine, Ethiopia) - see Figure 21.

Family reasons (children's studies, family reunification, etc.) **or friends** were the impetus for **¼ of the respondents** to go abroad for work. For the **same proportion of people, financial reasons were also a factor**. The data analysis then showed that family and financial reasons were often given in combination. **Poor prospects** in their own country encouraged **one in five respondents**. It should be added that one respondent stated that he simply wanted to go 'for an experience' (the refined option 'other').

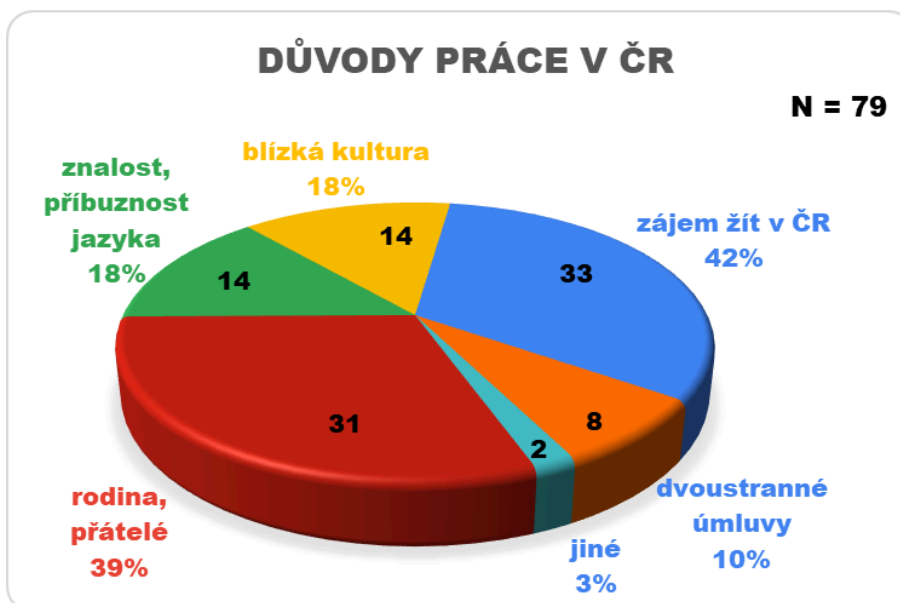
The findings obtained through the questionnaire survey were complemented by in-depth interviews. Not only those who left the Czech Republic to visit family and friends, but also those who were forced to leave their country for political/security reasons were represented. In addition, two interviewees came to the Czech Republic in 2015 as part of the government-led return of Volhynian Czechs (descendants of ethnic Czechs who left Austria-Hungary for Tsarist Russia).

Chart 21



The reasons for respondents to work in the Czech Republic were mainly the interest to live in the Czech Republic (33) and family or friends (31) - see Chart 22. Knowledge of the Czech language, affinity to the Czech language and close culture also played a significant role in the decision (18%).

Graph 22

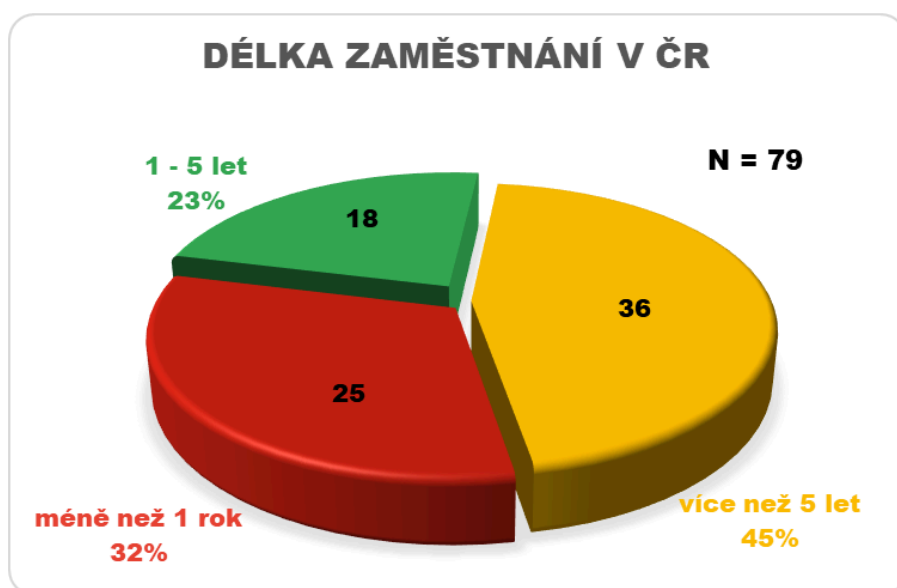


The fact that the foreign employees surveyed actually weighed their decision to leave the Czech Republic carefully is evidenced by the fact that a total of 102 reasons were given. This was confirmed by the in-depth interviews conducted.

2.3 Employment in the Czech Republic, in social services

The total length of employment of the respondents in the Czech Republic revealed again the impact of the migration wave due to the Russian attack on Ukraine. The data showed that **almost one-third of the social service workers surveyed had not been employed in the Czech Republic for more than one year** - see Figure 23. Employment of **one to five years was found for less than a quarter of the respondents. The largest proportion of respondents had been employed for more than five years** - 45%.

Graph 23



Experience of working in social services prior to their current employment was found in 30% of respondents - see Figure 24.

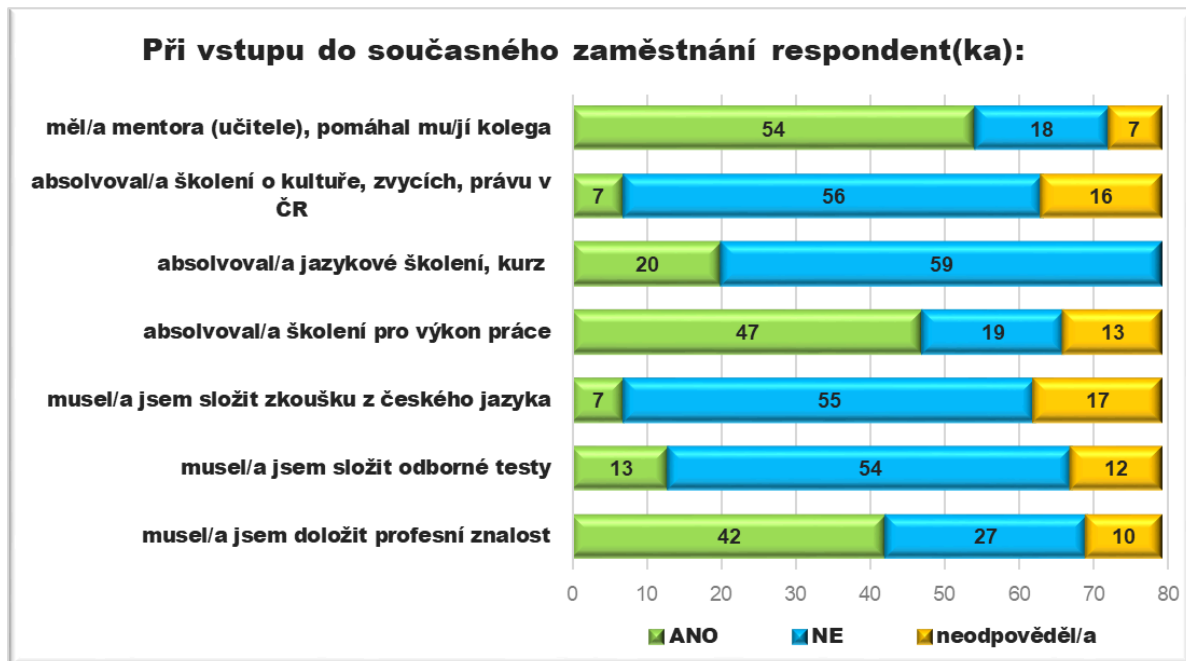
Graph 24



The next question of the questionnaire mapped the conditions for the respondent's entry into the job he or she currently holds. Here, there seemed to be some concern about the consequences of the answers, with up to a fifth of respondents not answering the question in some cases. However, the data did show that **54 respondents** had a **mentor, a colleague to 'hands on'** when they entered their current workplace **and 47 had received training to do the job** - see Figure 25. In neither case, however, was there a correlation between experience of working in social services and the provision of a mentor/training. This is suggested by the additions that respondents were able to make, as in most cases this was a 'routine' placement, given to each new employee as required.

Other responses showed that 42 respondents, more than **half, had to provide evidence of their professional qualifications. 13 of the foreign employees surveyed had to pass professional tests.** These, according to the respondents themselves, helped them to perform their profession correctly and professionally.

Graph 25



Completion of a language course was reported by 20 respondents. In addition, 7 of them stated that they had to pass an exam in Czech language (5 of those who had taken a language course). As the comments from the employees themselves showed, the reason was often that the respondents were interested in staying/working in the Czech Republic for a longer period of time.

Only 7 foreign employees surveyed had received training on culture, customs and law in the Czech Republic.

In the case of this question, however, it should be noted that many people at the time of the survey had not yet been able to participate in the charted activities. As already mentioned, 1/3 of the respondents came basically recently, as a result of Russia's attack on Ukraine. Thus, they have only been employed in social services for a very short time so far. As a supplement, it can be noted that 6 respondents - refugees from Ukraine, reported experience of working in social services.

The questionnaire also focused on the positions held by the respondents in the facilities. The data showed that **7 out of 10 respondents of foreign employees in social services hold the position of social worker, social services worker** - see Figure 26.

Graph 26



Almost half of the respondents had used their qualifications in their social services jobs - see Figure 27. However, in the case of healthcare staff, this figure was 100%. Qualifications were also used for social worker, social services worker (30) and technical and economic worker (1).

Graph 27

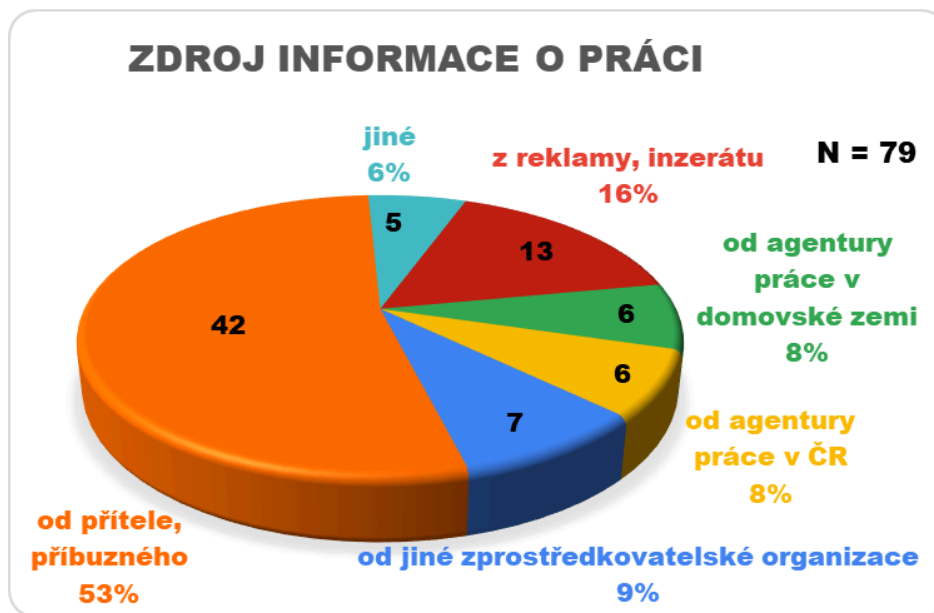


Respondent from Ukraine working as a health care worker who has been in the Czech Republic for more than 5 years: *'I had to graduate for employment and I cannot work in health care and social services without knowledge of the language and expertise. Originally I had a secondary education, but I finished my university education in the Czech Republic'.*

The majority of respondents learned about the possibility of employment in social services from their friends and acquaintances (53%) - see Figure 28. A total of ¼ of the foreign employees surveyed used the services of an employment agency in their home country, an employment agency in the

Czech Republic or another intermediary organisation (e.g. the employment office). For **16% of respondents**, the **source of information** was an **advertisement**. It should be added that in this case the persons concerned were those who have been employed in the Czech Republic for more than one year. In the case of the other option, the majority mentioned the option that the respondent simply looked for the facility and went to ask about employment or sent a written inquiry. All of these foreign employees had been working in the Czech labour market for more than 5 years.

Graph 28



2 out of 10 respondents did not need a work permit to work and 13% were helped to obtain one by another person, a labour broker - see Figure 29. **However, of those who needed a work permit or needed and arranged it themselves**, almost $\frac{3}{4}$ said that it **was not difficult to obtain one**. Of this number, **26% reported difficulty**. This difficulty was mostly due to the lengthy, administratively demanding process, which unnecessarily limited the respondents from taking up employment.

Selected responses of respondents on the difficulty of obtaining a work permit:

- *it was difficult to get in touch with agencies when looking for jobs*
- *it was lengthy, same data to multiple offices, complicated forms*
- *waiting at the offices, a lot of paperwork, medical examinations*
- *the Ministry stopped the proceedings for a year and I had to go through a lawyer.*

Graph 29



A somewhat "better" situation was observed in the case of the difficulty in proving the educational qualifications for the position, when **of those foreign employees interviewed who needed to prove their qualifications and did not use the help of another person, the subject, only 1 in 10 of them said that proving was difficult** - see Figure 30. Essentially the same number of foreign employees were then helped to prove their qualifications by another person or entity. More than one fifth of the respondents did not have to prove their education.

Selected answer from the questionnaire:

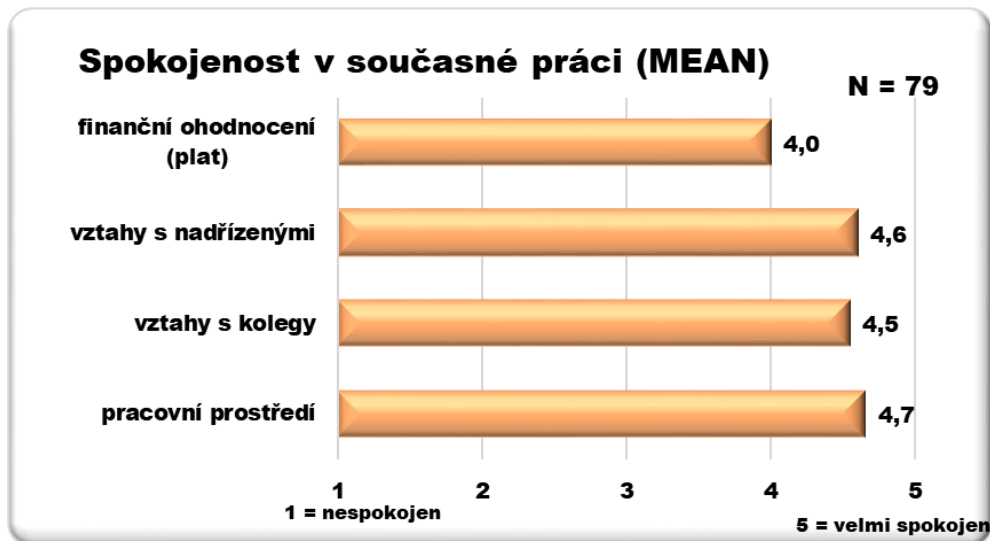
"The official translation into Czech cost me CZK 6 000, and it was a big waste of time."

Graph 30



At the end of this thematic block, the respondents were asked about their satisfaction in their current job, in terms of the working environment, relations with colleagues, relations with superiors and financial remuneration. Satisfaction was measured using a scale of 1 to 5, where 1 represented dissatisfaction and 5 represented high satisfaction. **The calculated mean values show that in general the foreign employees surveyed are satisfied with their current work in social services** - see Figure 31.

Graph 31



The in-depth interviews clearly confirmed the results of the questionnaire survey. They have shown that the process of obtaining/documentation is not difficult, but is both disproportionately time-consuming and financially expensive. In addition, the respondents who had to document documents always had help from someone - an employment agency, Charity, compatriots working in the Czech Republic ... They themselves admitted that if it were not for the help of another person or organisation, everything would be very difficult for them. This was actually confirmed, despite the overall results, by an interview with a woman who has been working in the Czech Republic for 20 years. It should be noted that this was the only respondent, or rather the respondent who had received a medical education in her home country, but had not obtained nostrification of this education in the Czech Republic.

From interview 9:

I wanted to work as a nurse, but the nostrification process was too complicated. I didn't know where to turn, nobody helped me. Moreover, they kept asking me to take more and more courses, even though I was a trained nurse. These courses cost a lot of money, which I didn't have at that time. Moreover, I had already found a job, so I didn't even have time to do these courses. The courses were held in Brno, which was far away for me, and I had no accommodation there. That's why I didn't do these courses and I never worked as a nurse in the Czech Republic.

The respondents interviewed were unanimous in saying that understanding the forms is not easy. One respondent was in favour of the state providing assistance with documents, e.g. as a service provided by the Labour Office of the Czech Republic.

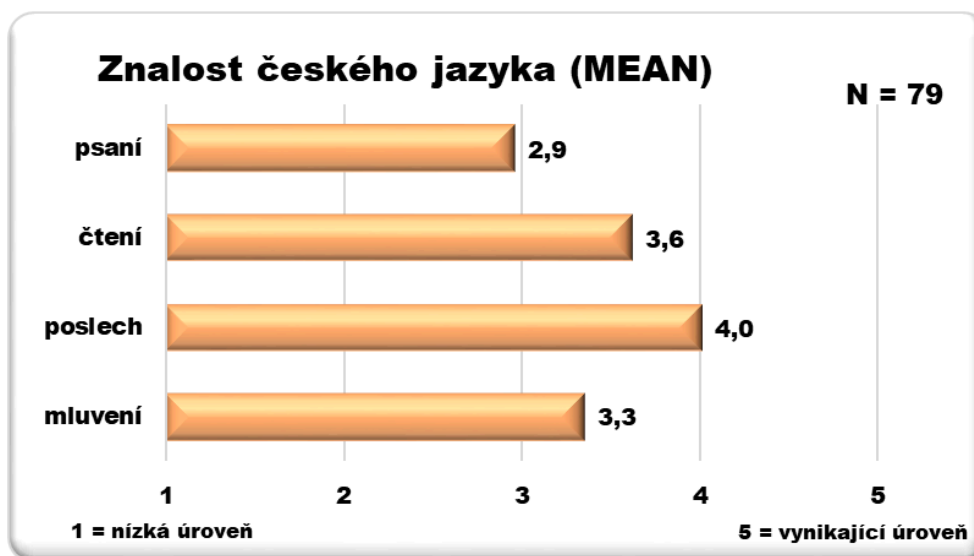
From the transcript of interview 5:

The respondent recommended the possibility of using, for example, a service through the Office of the Czech Republic that would help with securing the necessary things at the offices. As the respondent said, she has friends who, although they have been here for a long time, are still not able to understand forms and other documents properly.

2.4 Knowledge and completed Czech language courses

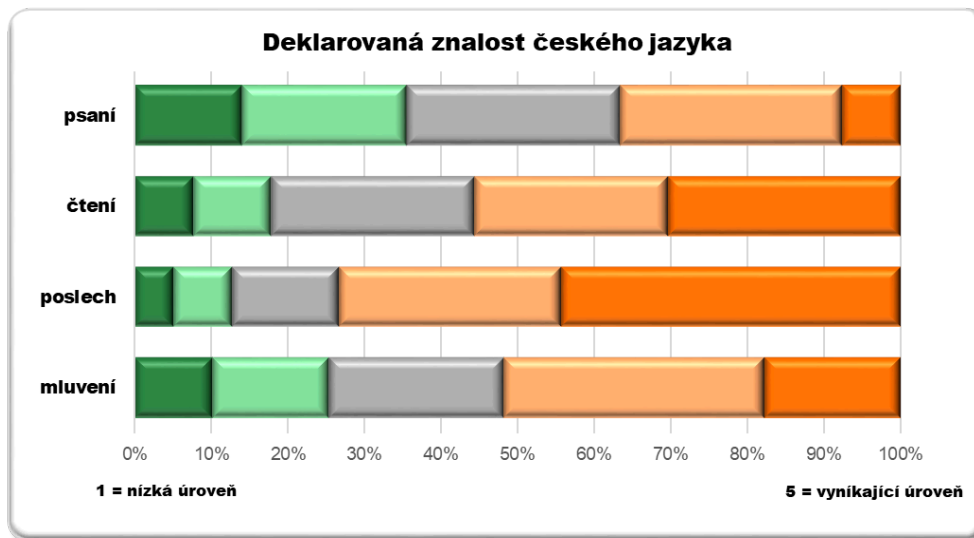
The questionnaire survey asked respondents to evaluate their knowledge of the Czech language using a 5-point scale, where 1 meant a low level of knowledge and 5 meant an excellent level. The level was assessed according to the level of mastery of speaking, listening, reading and writing.

Graph 32



The results showed that foreign employees have the greatest problem with writing in Czech - see Chart 32. As can be seen in Chart 33, this is also reflected in the fact that the highest proportion of scale 1 or 2 values was observed for this aspect, accounting for more than ¼ of the respondents' answers. At the same time, the lowest proportion of those respondents who answered with a scale value of 4 or 5 was also observed for this aspect. Their share was 37%.

Graph 33



In general, however, it can be stated that **"only" 13% of the foreign employees surveyed have more problems with listening to the Czech language** (values 1 and 2), **18% with reading and 25% with speaking**. For the sake of completeness, it should be added that the employees who have a problem with listening are refugees as a result of the invasion of Ukraine, i.e. people who have been on our territory only for a very short time.

A total of 46 people, i.e. 6 out of 10 respondents, were involved in some kind of activity to help improve their Czech language - see Chart 34. Although respondents were given the opportunity to indicate more than one option in the chart, with one exception only one option was always chosen. The exception was a woman, a Ukrainian refugee, who took part in both an employer-provided course and a course that she arranged herself, i.e. outside her current employment. In the "other" option, the respondents mentioned self-study (including listening to television, radio, reading Czech books), and in the case of Slovak citizens also studying (other than language) at Czech schools.

The group of those who did not participate (33 persons) consisted of respondents with different lengths of residence and citizenship. For the sake of completeness, it should be noted that 4 employees interviewed stated that they had not yet been able to participate, as they had only been in the Czech Republic for a very short time, but planned to join language courses in the future.

Graph 34



Additional in-depth interviews showed that foreign workers use mainly free Czech language courses (e.g. courses provided by Charity). However, it also emerged that not all respondents are comfortable with these courses. This is mainly because the heterogeneity of the clients of the courses is not taken into account. Moreover, respondents agreed that the "ban" on speaking in the workplace among compatriots in their native language is actually more beneficial for foreigners in terms of labour market participation/performance than taking a language course. If they are interested in being granted permanent residence, they then use private tutors to teach them.

An interesting practice was reported by one interviewee working as a "client activator" who was able to incorporate minor language deficiencies into her work.

From the transcript of interviews 7 and 8:

... She made a virtue out of the minor errors of her Czech. As part of activating her clients, they train her - they write down her mistakes and then "teach" her. She even made a kind of a walk with them - if they make an effort, then she will also be a diligent student and will improve her Czech.

The respondents who came to the Czech Republic without knowledge of the Czech language agreed that after 5 to 6 months in the Czech Republic they were able to perform their jobs without major problems. It should be added, however, that none of the respondents had worked in a position requiring knowledge of the Czech language without the necessary knowledge.

2.5 Living in society

Six of the foreign employees surveyed had experienced some kind of discrimination, as revealed by the responses - see Chart 35. In all cases, these were citizens of Ukraine who have been in the Czech Republic for more than 1 year. The reasons given are in the box.

Graph 35



- *I am forbidden to speak my language with my Ukrainian colleagues at work.*
- *Czechs usually treat foreigners with aloofness, it doesn't matter what nationality a person is, even more so if they don't speak Czech.*
- *I have often heard the phrase "you are in Bohemia, so speak Czech". Only, you don't learn to speak Czech in a week. (2x similar clarification)*
- *From the client.*

It should be added that those respondents who experienced discrimination due to their lack of knowledge of the Czech language did not participate in any language courses, as the data analysis showed.

Only 7 out of 10 social services employees surveyed were concerned about securing their own housing - see Figure 36. **Of this number, ¼ rated this concern as difficult** (14). A positive finding was that the employer helped 16% of respondents to secure their housing.

Graph 36



23% of respondents were involved in activities to help integration in their new home - see Figure 37. These included activities of the integration centre, the municipality, the parish and cultural events in general.

Graph 37



The in-depth interviews not only confirmed the information obtained, but also complemented it in knowledge to engage in integration activities. It turned out that the interviewees are interested in helping their newly arrived compatriots. For this reason, they are involved in setting up/providing integration activities (organized mainly by Charity).

During the above mentioned session, one interviewee also mentioned an interesting experience of proposing recommendations for the currently set integration process.

From the transcript of interview 1:

The hardest part of leaving was leaving my two children, ages 3 and 4, at home. They were taken care of in Ukraine by my husband's mother, cousins, aunts... It took 5 months before all the documents were processed and the children could arrive! To this day, the children have very bad memories of this time of waiting. While waiting for the children, the respondent wanted to give up her job in the Czech Republic, even though she was happy in her job, had a place to live, etc. Her children also took the separation very hard, and even though they were small at the time of the separation, they still remember this time and say that their mother left them in Ukraine and went away herself. If the interviewee were to make any recommendation for facilitating the arrival of foreign workers in the Czech Republic, it is mainly to speed up the process of the arrival of children. To this day, the respondent does not understand what took so long. She had accommodation for the children, she had a job, she had arranged a nursery for the children...yet she waited 5 months. Also after their arrival it was very difficult to arrange insurance for the children, to arrange a doctor...

CONCLUSION

The employment of persons in the Czech Republic who do not have Czech citizenship represents about 8% of the total. The employed are mainly citizens of Ukraine, Slovakia, Poland, Russia, Bulgaria, Romania), Vietnam and citizens of Hungary.

Table 3

	Number of insurance relationships arising from employment as at 31 March 2022
Ukraine	123 294
Slovakia	86 840
Poland	16 815
Russia	15 495
Bulgaria	9 936
Romania	9 231
Vietnam	7 738
Hungary	6 158

Source: the Czech Social Security Administration

Citizens of the Slovak Republic (the Czech-Slovak state in the period 1918 - 1992) have the easiest access to the Czech labour market, mainly due to their long history with the Czechs. This reflects not only the fact that both countries are involved in the EU structures, but also the linguistic and cultural proximity of both nations. The citizens of the Slovak Republic normally speak their native language, i.e. Slovak, in the Czech Republic. And thanks to the great affinity of both languages, Slovaks in the Czech Republic are not perceived as foreigners by the general public, including representatives of social service providers. However, as a foreign workforce, in accordance with the law, they are administratively reported by the organisations.

1. Legislative framework for the employment of foreign workers in social services

Very simply, if a foreigner coming from a country outside the EU/EEA and Switzerland wants to work in the Czech Republic, he/she needs a dual employment card, which contains not only a work permit but also a long-term residence permit (maximum 2 years). **A dual employment card can be applied for if the foreigner will stay in the Czech Republic for more than 3 months for employment purposes and the job is in the Central Register of Vacancies for Employment Cards²** . The list of these jobs is available on the website of the Ministry of Labour and Social Affairs of the Czech Republic.

² Jobs intended for foreigners, which the Labour Office of the Czech Republic has not been able to fill with Czech citizens for a long time.

Until the issuance of the dual employment card, a foreigner may work in the Czech Republic on the basis of a work permit issued by the Office of the Public Prosecutor of the Czech Republic in combination with a short-term visa (stay in the Czech Republic not exceeding 90 days).

The application can be submitted either at the Czech Embassy or, if the person is already residing in the Czech Republic on the basis of a short-term visa (or has been granted long-term residence in the Czech Republic, including an employee card), at the Ministry of the Interior's office according to the place of residence.

The application must be accompanied by:

- form (green)
- a valid travel document and possibly a photograph
- proof of accommodation
- 2 photos
- proof of travel health insurance (only in some cases)
- a contract of employment or a contract of employment or a future contract
- the amount of the salary (at least the monthly minimum wage)
- working hours (at least 15 hours per week)
- proof of professional competence to perform the job, which must be a job in the Central Register of Vacancies for Staff Cards
- on request:
 - a document similar to an extract from the criminal record
 - proof of recognition of foreign education by the competent authority of the Czech Republic
 - a medical report stating that the foreigner is not suffering from a serious illness.

The Ministry of the Interior of the Czech Republic has to decide on the application for an employee card within 60 days, or 90 days in more complicated cases. The employee card is issued for the duration of the employment relationship or the validity of the employment permit, for a maximum period of 2 years. You can work from the date on which the Ministry of the Interior issues a confirmation that you meet the conditions for the issue of an employment card.

The employee card entitles the foreigner to work for the employer in the position and place of work for which the card was issued.

If a foreigner wants to change employer, job, get employment in another job or with another employer, in addition to the employment contract or agreement on work activity or agreement on future contract, the consent of the Ministry of the Interior is required (it must be a job in the Central Register of Vacancies for Employment Cards).

When renewing an employee card, it no longer has to be a job from the Central Vacancy Register for employee cards. In the case of a dual employee card, at the time of the decision to extend it, after the expiry of its current validity, the foreigner may reside in the Czech Republic but may not work.

If the foreigner obtains a **permanent residence permit** on the basis of his/her application, he/she has **free access to the labour market**. (Persons who have been granted asylum or subsidiary protection on the territory of the Czech Republic may also be included in the same group.)

A foreigner may apply for permanent residence after 5 years of continuous temporary residence in the Czech Republic. The requirements are similar to the application for a long-term residence permit; in addition, a Czech language examination is required. In some cases, the examination is not required (e.g. for persons over 65 years of age).

EU/EEA and Swiss nationals always have free access to the labour market.

In the context of the protection of Ukrainian nationals seeking refuge in the Czech Republic from the war, the Ministry of the Interior grants temporary protection to these nationals, thanks to which they are considered foreigners with permanent residence permits for employment purposes and gain free access to the labour market.

The employer is obliged to inform the relevant regional branch of the ÚP of the Czech Republic about the commencement or termination of employment of the foreigner in writing (via a standardised form on commencement of employment) no later than on the day the person starts work. At the same time, the employer is **obliged to keep a register of the foreigners it employs**.

In the case of employment of a foreigner, the employer is obliged to offer the foreigner the working and wage conditions customary for a citizen of the Czech Republic in the same job classification according to applicable legislation or in accordance with collective agreements or employment contracts.

2. Foreign workers in social services

The employment of foreign workers in social services in the Czech Republic is not a common phenomenon. There are two reasons for this. The first is the fact that direct care workers communicating with social services clients must have a good command of the Czech language. When dealing with clients, it is not possible to allow misunderstanding of the information communicated due to poor language skills. The situation is also complicated by the fact that the clients of social services are mainly elderly and disabled people. The second reason is that positions in which a lower level of language skills would not be "a problem" are usually not interesting for foreign workers in terms of the existing cost of living. These are lower paid positions. For completeness, a third, hidden reason can be added, which is the concern of organisations about the administrative steps involved in employing foreigners, especially outside EU countries.

It can be concluded that targeted recruitment of foreign employees in social services does not take place, and if it does, it is mainly in cases where there is a shortage of suitable labour available on the regional (local) labour market. These are mainly larger cities such as Prague, Brno, Ostrava, Plzeň, Hradec Králové ... However, the employment of foreigners is generally not opposed by organisations.

In the recruitment process, the ability of the individual to perform the position to be filled is always assessed, also in terms of the degree of need for knowledge of the Czech language. Therefore, foreign employees are only assigned to positions for which they have sufficient competences, including language skills (organisations require a good knowledge of the Czech language to perform a position involving direct client care).

In recruitment, as elsewhere, the main use is made of references, recommendations for specific people from current or former employees, colleagues from the social or health sector. The services of agencies providing (foreign) workers have been poorly experienced in social services.

Most foreign social workers do not behave differently from domestic workers - some are better, some are worse. The length of employment corresponds to this. The level of language proficiency may also influence this to some extent. However, this influence is not significant in the light of the above.

The most common position for foreign employees in social services is social worker/social worker. This position is not strictly required by the organisations or the law to prove professional qualification on entry, but the proof must be provided within 18 months of entry (accredited qualification course with an allocation of 150 teaching hours - 54 hours of practice + 96 teaching hours of theory). Therefore, if an organisation employs a foreign worker who has not completed the required accredited course at the time of joining and the organisation incorporates it with a view to 'safe' performance of work, then it is also in the organisation's interest that the course is successfully completed by the employee. Therefore, the organisations set up various measures contributing to faster acquisition of the Czech language (provided, of course, that the client is not endangered or the quality of the service provided is not compromised). These include, for example, setting a longer period of time for placement or for mentoring, introducing a rule of only one foreign worker in the group or prohibiting communication in the workplace in the native language. The involvement of a "liaison", i.e. a person from outside the organisation who helps to translate the necessary instructions related to the performance of work into a language understandable to the incoming employee, or the promotion of self-study of an employee of the organisation - "brushing up" the knowledge of the Russian language³, thanks to which the entry of foreigners into the organisation can be facilitated, is also monitored.

In addition to the above, the organisation also helps foreign employees with securing housing, helping to place children in school, communicating with authorities, etc.

Identified recommendations from representatives of social service provider organisations:

- in view of the increasing shortage of relevant staff, consider setting conditions enabling providers to achieve a deeper knowledge of the employment of foreigners, in particular through the transfer of examples of good practice between individual organisations operating in social services;

³ After the Second World War, until 1990, the teaching of the Russian language was compulsory in Czech schools.

- Given the shortage of health workers in the labour market, use tools and measures to functionally target the integration of relevant foreign workers into social service structures;
- set up a different scheme for foreign workers to prove the necessary qualifications (*"foreign workers are only employed with us for six months for the time being, because their education is only documented by an affidavit. However, once the establishment has adequately integrated them into its structures and prepared them for (safe) work performance, it is highly inefficient to leave because of failure to prove education. This should somehow be sensibly addressed;*
- Simplify or delete the reporting of the entry and termination of employment of a foreigner to the Office of the Czech Republic - in the future, take this fact into account in the application for the ČSSZ when "Reporting the Notice of entry/termination".

3. Attitudes of foreign workers towards working in social services

If we disregard the consequences of the invasion of Ukraine by Russia, then it can be stated that the interest in working in the Czech Republic or in another country was mainly driven by economic motives on the part of foreign workers in social services. These were then reinforced by family or friendship motives, when the first arrivals were followed by their family members and friends.

The social services sector, especially in larger cities, is not sufficiently saturated with domestic labour, which gives room for the employment of foreign workers. The (low) number of foreigners employed, however, corresponds to the requirement of these jobs for the level of knowledge of the Czech language, in other words the ability of potential workers to "get to grips" with the Czech language, especially the spoken one.

Although foreign workers (those who need nostrification) do not consider the process of education nostrification to be complicated, they admit that they would hardly manage the process without the help of their surroundings, employer or intermediary agency at the time of their arrival in the Czech Republic. In particular, they have to prove the qualifications related to the performance of a position linked to medical education. Many forms are not understood even after several years of working in the Czech Republic. However, they find the nostrification process unnecessarily long and financially demanding for newcomers.

Foreign workers generally enjoy working in the Czech Republic. They appreciate the approach not only of employers, but also of organisations helping the integration of foreigners, especially Charity. The latter try to make their integration as easy as possible - help with housing, with kindergarten, with the authorities ... However, it must be added that the arrival of most foreigners is (or was until

Russia invaded Ukraine) rather applied by the snowball method, thanks to which the compatriots provided help to each other and made little use of integration activities.

Foreigners working in social services in the Czech Republic do not encounter discrimination.

Foreign workers benefit in particular from free language courses. However, many of them are convinced that the courses offered in the Czech Republic do not "advance" their knowledge, so they rely mainly on self-study (reading, listening to TV, radio) and practical life at work. If they are interested in being granted permanent residence, they use the services of private (paid) teachers.

Identified recommendations from foreign social service workers:

- Change the diploma nostrification process, which is unnecessarily long and expensive (thanks to official translation);
- Setting up a new service provided as standard by the Labour Office of the Czech Republic, which would provide assistance to foreign workers with official documents;
- to provide enough free and effectively set up Czech language courses that actually move participants forward in their language learning.



FWSS

Foreign Workers in Social Sector