



TPA Newsletter, Special Edition 5/2020

Questions and answers in connection with coronavirus no. 5

1. Specification of answers

In the Special Newsletter edition No.3 from 23.3.2020, we did not answer question no.27 precisely. We apologize and now publish the correction.

27. Under what conditions can an employer order an employee to take their leave?

An employer can only order leave-taking in writing at least 14 days in advance, **unless a shorter time has been agreed with the employee. In internal regulation it is only possible to state an extension of this original deadline.**

2. Care-giver's allowance and other sickness insurance benefits

We have prepared for you a summary of the most frequently asked questions on the problem of care-giver's allowance and electronic communication.

2.1. Under what conditions do I have a claim to a care-giver's allowance due to school closures?

Parents of children under 13 years (if the child turns 13 during the course of the years, the claim is not lost) have a care-giver's allowance claim. The last day on which the claim can arise is the day before the 13th birthday.

A care-giver's allowance is also due to persons who are caring for disabled children who attend school facilities and persons who, due to closure of certain social service facilities (day-care centres etc.) are taking care of an older disabled. The condition is that the care-giver is living with the disabled person in the same household.

2.2. In what manner can I make a claim for a care-giver's allowance?

For payment of a care-giver's allowance, the parent files the "Request for care-giver's allowance whilst caring for a child due to closure of a school/child-caring facility (schools)" form. The school draws out this form for the parent on the day it is requested.

The parent submits or sends electronically the completed and signed form to their employer (e.g. as a PDF document, scan or photo document).



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After the end of every calendar month, the parent completes an additional “Statement of childcare due childcare facility closure” form. On the statement, they enter the days they took care of the child.

The employer submits the form, delivered and signed by the employee, together with documentation for calculation of the allowance, to the pertinent OSSZ (Regional Social Security Administration) or sends it electronically (i.e. either with an electronic signature of or by data deposit box).

2.3. In view of the current exceptional situation, is it possible to scan and send my employer documentation for the care-giver’s allowance by e-mail?

Yes, it is. The purpose of government crisis measures is to reduce personal contact among the population to the lowest possible amount. It is important that the forms be submitted to the employer in this manner with all the relevant information, i.e. with the account number to which the employee requests that the allowance be sent, with the benefit commencement date etc.

The insured party’s – employee’s – electronic signature (identification) is not required; only the employer has to communicate with the OSSZ in an electronically verified manner when filing.

2.4. Can care-givers (not only parents) take turns in caring?

It is newly possible for care-givers to take turns in caring (but not in the same day). It thus has to be clear when they were at home with children or a disabled and when they went to work. Both care-givers, therefore, complete not only the “Request for care-giver’s allowance whilst caring for a child due to closure of a school/child-caring facility (schools)” form, but also the “Statement of childcare due childcare facility closure” form, and at the end of the calendar month (for the duration of exceptional measures i.e. until the end of the school and childcare facility closure) they submit the form to their employer. Only one person can care for a child in one day. On days when the employee did not take care of the child and went to work, they are entitled to salary.

2.5. Is it possible to arrange electronic submission which concerns all sickness insurance benefits (care-giver’s allowance, sick-leave, monetary aid during maternity, paternity leave, long-term care-giver’s allowance, compensatory contribution during pregnancy and maternity)?

Yes, it is. The employee submits to their employer, physically or electronically, the documents necessary for benefit payments (e.g. as a PDF document, scan or photo document) and this due to limitation of operational contact.

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3. Preparation of salaries for March 2020

In view of the fact that most companies are currently processing salaries for March, we have also prepared for you a summary of possible variants. The pertinent variant has to be implemented when processing salaries, i.e. from the payment of salary it has to be clear that the employee was provided with salary compensation at the given amount.

3.1. If the firm has been closed due to exceptional measures, how much do its employees receive?

If the employer does not assign work due to closure of business premises on the basis of exceptional government measures, the employee is due salary amounting to 100 % of average earnings (Labour Code, Section 208).

According to the Ministry of Labour and Social Affairs Antivirus Program, it receives in this case a contribution from the government amounting to 80 % of salary compensation paid out in this manner.

3.2. How much do employees receive when the employer cannot arrange business operation due to downtime?

If the employer does not assign work due to downtime, e.g. due to lack of raw materials for manufacture, the employee is due salary compensation amounting to at least 80 % of average earnings (Section 207 letter a) Labour Code).

According to the Ministry of Labour and Social Affairs Antivirus Program, it receives in this case a contribution from the government amounting to 60 % of salary compensation paid out in this manner.

3.3. How much do employees receive when the employer has no work as there are no orders?

If the employer does not assign work due to partial unemployment, i.e. due to limitation of product sales/demand for services, the employee is due salary compensation amounting to at least 60 % of average earnings if an agreement has been closed with a labour union or the firm has internal regulations adjusting this. The regulation, however, cannot be formed with retrospective effect.



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According to the Ministry of Labour and Social Affairs Antivirus Program, it receives in this case a contribution from the government amounting to 60 % of salary compensation paid out in this manner.

3.4. How much do employees receive when the firm closes its office spaces and the employees work from home?

The employees receive their standard salary, and in this case the employer has no claim for a government contribution.



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Kind regards

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