

**Masaryk University Faculty of Law Directive No. 2/2020**

**Scheduling and recording of working time at the Faculty of  
Law of Masaryk University**

(as amended with effect from 19 October 2023)

*Pursuant to Section 28(1) of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (Act on Higher Education Institutions), as amended (hereinafter referred to as the "Act on Higher Education Institutions"), I issue this Directive:*

Article 1

**Subject of modification**

(1) The Directive regulates the scheduling and recording of working time for employees of the Faculty of Law of Masaryk University (hereinafter referred to as the "Faculty") in accordance with Act No. 262/2006 Coll., the Labour Code, as amended (hereinafter referred to as the "Labour Code"), MU Directive No. 11/2013 Organisation of Working Time at Masaryk University effective from 1 July 2019 and the MU Collective Agreement.

(2) Academic staff, in accordance with Article 15(2) of the Charter of Fundamental Rights and Freedoms, shall, within the framework of the freedom of scientific research and artistic creation, exercise during working hours

a) direct teaching activities,

(b) work related to direct teaching activities,

c) scientific, research, development and innovation, artistic or other creative activities.

The nature of the work of academic staff, which is primarily based on their creative skills, justifies different rules for recording working time compared to non-academic staff.

Article 2

**Timetabling, breaks, rest periods, overtime**

(1) The operating hours at PrF workplaces are governed by the PrF Operating Regulations. The operating hours start at 6:30 a.m. and end at 8:00 p.m. on weekdays.

(2) The fixed weekly working time is 40 hours (section 79(1) of the Labour Code), shorter working hours, if agreed, are less than 40 hours per week (section 80 of the Labour Code).

(3) The working hours are spread over five working days on a single-shift basis. The working time shall be so arranged that the length of a shift does not exceed 12 hours per day, the rest period between the end of one shift and the beginning of the next shift is at least 11 hours and the employee has at least 35 hours of continuous rest per week. The period of

continuous rest between two shifts shall, in the case of a business trip, be calculated from the time the employee returns from the business trip to his place of residence.

(4) If the employee performs work outside the workplace of the Faculty of Arts, he/she shall follow the working regime established for these workplaces.

(5) After a maximum of 6 hours of work, the employee shall take a meal and rest break (§ 88 of the Labour Code) of at least 30 minutes. This break is not counted as part of the working time and cannot be taken at the beginning and end of the working time. Employees with working hours of less than 5 hours per day shall not be granted a meal and rest break. For work activities where a break cannot be taken in its entirety, the break shall be divided so that at least one part of it is at least 15 minutes. The specific conditions for the provision of meal and rest breaks shall be determined by the relevant senior staff member for each workplace according to its operating conditions.

(6) Overtime work is not part of the work shift schedule, it is exceptional, random work. Overtime work shall be ordered or agreed to by the employee's supervisor, who shall be responsible for its recording and for compliance with the overtime limits set by the Labour Code. Compensatory time off shall be given in preference for overtime work if the operational conditions of the workplace so permit and if so agreed with the employee, until the end of the calendar month after the overtime work has been performed or at an otherwise agreed time. The request/arrangement for overtime shall be made on the form set out in the Annex. Requests/arrangements for overtime shall be recorded by the Head of Department.

(7) The employer shall not take into account any work performed in excess of the fixed weekly working hours unless it is overtime work. It shall not be overtime if the employee works in excess of the fixed weekly working hours on leave granted by the employer at the employee's request.

(8) Night work is work performed between 10:00 p.m. and 6:00 a.m. (§ 94 of the Labour Code). Night work is generally prohibited at the Faculty.

(9) The employer shall schedule the working hours of an employee performing work on the basis of an agreement on work performed outside the employment relationship (hereinafter referred to as FTE or FTE) no later than 1 day before the commencement of his/her work performance. The work shall not exceed 12 hours per day (within 24 consecutive hours), even in the case of a concurrent employment relationship and a FTE or FTE. The staff member must hand in a statement of work after the work has been carried out or at the end of the relevant month to the head of the establishment, who shall sign to confirm the accuracy of the information given; this does not apply in the case of short-term activities (e.g. one-off lectures, work experience), where the person responsible guarantees the performance of the task by signing.

### Article 3

#### **Rules on the application of flexible working**

(1) The faculty has a flexible working time system which includes periods of basic and optional working time. The basic working hours are set from 9:00 a.m. to 3:00 p.m. on Mondays to Thursdays and from 9:00 a.m. to 2:00 p.m. on Fridays.

(2) In the case of flexible working time, the employee chooses the beginning and end of the working day within the specified periods of optional working time, so that the length of the shift may not exceed 12 hours on each day (Art.85(3) of the Labour Code).

(3) The smooth operation of all workplaces, including the provision of office hours through staff cover, must be ensured when flexible working hours are applied.

(4) For employees with shorter working hours, the head of department shall establish an individual schedule in writing.

(5) The average weekly working time at the Faculty of Arts must be completed in the monthly compensation period (i.e. the relevant calendar month in which the working time is distributed).

(6) During the compensation period, the employee shall be obliged to work the entire working time.

(7) Obstacles to work on the part of the employee in the case of flexible working hours are assessed in accordance with §97 of the Labour Code.

(8) Flexible working hours shall not apply in particular to:

- (a) business travel,
- (b) the need to secure an urgent work assignment,
- (c) in times of important personal obstacles on the employee's side (illness, sick leave, etc.),
- (d) where operational reasons prevent it.

For these cases, the working hours for a 40-hour week are 8:00 a.m. to 4:30 p.m. (including meal and rest breaks), unless otherwise specified in a particular case.

(9) If the circumstances of the work and the employee's workload so permit, it may be agreed with the employee, at his request and with the consent of his immediate superior, that he will schedule a certain part of his working time himself at a place he designates (working from home). In particular, homeworking cannot be used for direct teaching activities, consultancy activities, scheduled meetings and other activities requiring the employee's personal presence at the workplace. The rules set out in MU Directive No. 11/2013 Organisation of Working Hours at Masaryk University apply to the performance of telework.

(10) Failure to keep working hours may be considered an unexcused absence with all legal consequences.

#### Article 4 Non-academic staff

(1) In the case of flexible working hours, the basic working hours for non-academic staff at the Faculty of Arts are from 9:00 a.m. to 3:00 p.m. on Mondays to Thursdays and from 9:00 a.m. to 2:00 p.m. on Fridays. During basic working hours, the employee is obliged to be at the workplace, except for the meal and rest break, which can be taken in the period from 11:00 a.m. to 2:00 p.m. Optional working hours shall start between 6:30 am and 9:00 am and end between 3:00 pm and 8:00 pm on Fridays.

(2) In justified cases, work may be performed outside the faculty building with the permission of the head of the department, who must be informed of the location of the employee. The employee may leave the workplace only with the consent of his/her supervisor.

(3) Exceptions for a workplace or for an individual from the established working time schedule shall be authorised by the Secretary on the basis of a written request from the employee and the opinion of the head of the workplace.

(4) If the circumstances of the job and the employee's workload so permit, it may be agreed in writing with the non-academic employee, at his/her request and with the consent of his/her immediate superior, that he/she will schedule a certain part of his/her working time himself/herself at a location of his/her choice (telework). For non-academic employees of PrF MU, the rules set out in PrF MU Instruction No. 8/2023 Homeworking apply.

#### Article 5

##### **Records of working time of non-academic staff**

(1) The records of working time of non-academic staff are reported via the "Working Time Records" module in the INET information system, unless otherwise determined by the head of the department for operational or technical reasons with the consent of the faculty secretary. The supervisor is responsible for the accuracy, completeness and verifiability of the time records.

(2) The employee shall record in the register in particular:

- a) start and end of working hours
- b) a break for food and rest
- c) other records - obstacles at work, leaving/arriving from/at the workplace during working hours (medical appointments, work meetings, training, etc.), absence due to personal obstacles, interruptions in work, work errands, working from home, beginning and end of overtime
- d) absences due to holidays and business trips, unless these are generated from the INET records

(3) The employee is obliged to keep a daily record of working time - the employee shall mark the beginning and end of the time worked, the period of absence from the workplace including the reason (medical, sick leave, vacation, business trip, unpaid leave, compensatory leave, etc.). The visit to the doctor shall be documented by a certified pass, a decision on temporary incapacity for work or a certificate of treatment of a family member.

(4) In the case of multiple employment relationships, the employee shall keep separate records for each employment relationship.

(5) The supervisor of the senior employee shall check the time records and their compliance with the facts and approve the time records by the 3rd working day of the following month. He/she shall be responsible for the integrity of the records.

(6) Duly completed timesheets shall be archived by the Human Resources Department at the Dean's Office and special-purpose facilities for a period of 10 years; for wages paid from projects in accordance with the provider's rules.

(8) The heads of departments shall control the keeping of working time records at their departments. The control of all workplaces is carried out by the Secretary of the Faculty.

#### Article 6

##### **Special rules for the organisation of working time of academic staff or other employees who carry out teaching, research and other creative activities**

(1) The distribution of working time of academic staff or other employees who carry out teaching, research and other creative activities (hereinafter referred to as "academic staff") is based on the nature of their work; it is governed by special rules with regard to the specific context of their work, which are set out in Directive MU 11/2013 Organisation of Working Time at Masaryk University.

(2) Academic staff members are obliged to work at the employer's workplace or at another agreed location during the time specified in the timetable when this results from the performance of their direct teaching activities (primarily teaching, testing and consulting activities).

(3) Other cases in which academic staff are obliged to perform work at the employer's workplace related to direct teaching activities (participation in meetings and training sessions, meetings of bodies of which academic staff are members, participation in conferences, cooperation with foreign visitors, activities of a representative and ceremonial nature, etc.) and related to the performance of other scientific, research, development, innovative and creative tasks are determined by the head of the workplace.

(4) The employer shall schedule academic staff into shifts only for the part of the specified weekly working time in which the activities referred to in subsections (2) and (3) are performed.

(5) With regard to the remainder of the working time of academic staff, the academic staff member shall be deemed to schedule it himself/herself and the possibility of working from home has been agreed, in which case a written agreement to work from home is not a requirement.

(6) In the context of the working time of academic staff, it is assumed that they have also worked working time in individual weeks to the extent that it is equal to the difference between the stipulated or agreed shorter working time and the time that MU has scheduled in accordance with section 70a(2) of the Act; however, this time is not subject to registration and so it does not have to be stated on which days and at what exact times academic staff have worked it.

(7) Project activity is generally an activity that MU does not schedule in accordance with section 70a(2) of the Act. In the case of special conditions for the recording or reporting of time worked required by the providers of specific projects, special rules for the recording of time worked on projects are set by the chief manager/project director in the case of university-wide projects, and by the head of the department in the case of other projects.

(8) Records of working time in the sense of subsections (2) and (3) shall be reported via the module "Records of Working Time" in the INET information system, unless, with the prior written consent of the dean of the faculty, the head of the department determines otherwise for operational or technical reasons.

(9) In the case of multiple employment relationships, the employee shall keep separate records for each employment relationship.

(10) The supervisor of the senior employee shall check the time records and their compliance with the facts and approve the time records by the 3rd working day of the following month. He/she shall be responsible for the accuracy, completeness and verifiability of the time records.

(11) Properly completed timesheets shall be filed regularly by the department secretary for a period of 10 years; for staff paid by projects in accordance with the rules of the provider.

#### Article 7 Final provisions

(1) I entrust the interpretation of the individual provisions of this Directive to the Personnel Department of the Faculty of Arts.

- (2) I entrust the PrF Secretary with the continuous updating.
- (3) Control of compliance with this Directive is exercised by the Secretary and the Personnel Department of the Faculty of Arts.
- (4) This text replaces the text of 1 January 2020.
- (5) This text shall enter into force on 19 October 2023.

In Brno, 18 October 2023

Martin Škop  
Dean

Translated with DeepL-Translator.