

Directive of the Faculty of Informatics of Masaryk University No. 1/2022**SCHEDULING AND REGISTRATION OF WORKING TIME AT THE
FACULTY OF INFORMATICS OF MASARYK UNIVERSITY**

(as amended with effect from 1 January 2022)

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 and establishes the rules for planning and taking leave for employees of the Faculty of Informatics of Masaryk University (hereinafter referred to as "FI") in accordance with Act No. 262/2006 Coll., the Labour Code, as amended (hereinafter referred to as the "Labour Code"), Act No. 111/1998 Coll, on Higher Education and on Amendments and Supplements to Other Acts (the Higher Education Act), as amended (hereinafter referred to as the "Higher Education Act"), the MU Directive on Organisation of Working Hours at Masaryk University and the MU Collective Agreement.
- (2) For the purposes of this Regulation, the **head of the workplace** means the immediate superior of the senior employee.

Article 2

Timetabling, breaks, rest periods, overtime

- (1) **Opening hours** at FI workplaces start at 6:00 am and end at 10:00 pm on weekdays. Within these hours, the working hours of FI employees are implemented, unless it is a continuous (shift) operation.
- (2) **The fixed weekly working time** is 40 hours (Section 79(1) of the Labour Code), shorter working hours are less than 40 hours per week (Section 80 of the Labour Code), and the weekly working time in three-shift and continuous operation is 37.5 hours (Section 79(2)(b) of the Labour Code).
- (3) The working hours are spread **over five working days in a single-shift work schedule**. The working time shall be so arranged that the **duration of the 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 of the employee's return from the business trip to his place of residence.
- (4) If the employee performs work outside the FI workplace, he/she shall follow the work regime established for these workplaces by the respective organisation.
- (5) After a maximum of 6 hours of work, the employee shall take a **meal and rest break** (Section 88 of the Labour Code) of at least 30 minutes. This break is not counted as part of working time and

cannot be taken at the beginning or end of working time. Employees with working hours of less than 5 hours per day shall not be granted a meal and rest break.

- (6) **Overtime work** is not part of the shift schedule, it is exceptional, random work. Overtime work is ordered or agreed to by the employee's supervisor, who is responsible for its recording and compliance with the overtime limits set by the Labour Code. Compensatory time off for overtime work shall be given in preference to compensatory time off, if the operational conditions of the workplace so permit and if agreed with the employee, until the end of the calendar month after the overtime work has been carried out or at such other agreed time.
- (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, by working in excess of the fixed weekly working hours, takes time off work granted by the employer at the employee's request.
- (8) **Night work** is work performed between 22:00 and 6:00 (Article 94 of the Labour Code). Night work between 22:00 and 06:00 is generally prohibited, except for the two-shift work schedule, the work of employees assigned to the position of cleaner/housekeeper, or work for serious operational reasons (accidents, etc.) and overtime work.
- (9) The employer does not schedule the working hours of an employee who performs work on the basis of an agreement on work performed outside the employment relationship (hereinafter referred to as a FTE or FTE). The work shall not exceed 12 hours per day (within 24 consecutive hours), even in the case of concurrent employment with a FTE or FTE. The employee is obliged to hand in the timesheet after the work has been carried out or at the end of the relevant month to the head of the workplace, who will confirm the correctness of the data by signing it; 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/electronically approving it.

Article 3

Rules on the application of flexible working

- (1) The faculty has a **flexible working time schedule**, 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** (Section 85(3) of the Labour Code).
- (3) When flexible working hours are applied, the smooth operation of all workplaces must be ensured, including the provision of office hours through staff cover.
- (4) If shorter working hours are agreed, the basic working time is set in the same proportion as the agreed working time, i.e. the basic working time on Monday to Thursday is 75% of the average daily working time and on Friday 62.5% of the average daily working time. The basic working

time shall always start at 9:00 a.m. and the length of the working time shall depend on the amount of the employee's working time.¹

- (5) In order to qualify for the meal allowance, employees who have an employment contract with at least half of the weekly working time (i.e. 20 hours per week) must meet the condition of working at least a 4-hour shift each day (i.e. the total time of the basic and optional working time is at least 4 hours each working day).
- (6) Exceptions for individuals from the established working time schedule shall be granted by the employer upon written request of the employee. The request for an exemption shall be submitted by the employee with a justification to the head of the workplace, who shall comment on the request in writing and forward it to the employer for approval. The latter shall decide whether or not to grant the exemption. The written decision shall be forwarded in one copy to the employee, a second copy shall be kept by the head of the establishment for the use of the establishment and the working time records, and a third copy shall be filed with the personnel department. The timetable or any amendment thereto shall take effect on the first day of the calendar month following its approval.
- (7) The average weekly working time at the FI must be completed within a monthly compensation period, in the case of FI reception staff the compensation period is the calendar year.
- (8) During the compensation period, the employee is obliged to work all the working hours. In the exceptional case where, due to an obstacle to work on the part of the employee, work within the stipulated weekly working time is not performed during the compensation period, the difference will be made up in the following compensation period.
- (9) Obstructions to work on the part of the employee shall be treated as performance of work only to the extent that they interfere with basic working time. Interruptions to work which interfere with optional working time shall not be regarded as performance of work and shall not be compensated. In the case of obstructions to work defined by the exact length of the necessary working time for which the employee is entitled to time off work (Section 191 et seq. of the Labour Code) and for the purposes of leave, temporary incapacity for work and treatment of a family member, the period of one day shall be deemed to be the period corresponding to the average length of the employee's shift resulting from the agreed working time.
- (10) Flexible working hours do not apply when
 - a) on a business trip,
 - b) the need to secure an urgent work assignment,
 - c) in times of important obstacles at work (illness, sick leave),
 - 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.
- (11) If the circumstances of the job and the employee's workload allow it, it may be agreed with the 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 on his/her own at a location he/she designates (**working from home**). In particular, homeworking cannot be used for direct teaching activities, consultancy activities, scheduled meetings and other activities requiring the

¹ For example, on a 30-hour week, the average daily working time is 6 hours, of which 75% is 4.5 hours and 62.5% is 3.75 hours. Thus, the basic working hours of a 30-hour week are Monday to Thursday from 9:00 to 13:30 and Friday from 9:00 to 12:45.

employee's personal presence at the workplace. The rules set out in the MU Directive on the Organisation of Working Hours at Masaryk University apply to homeworking.

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

Article 4

Special rules for the organisation of the 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 the Higher Education Act and the MU Directive on the 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 of their direct teaching activities (mainly teaching, testing and consulting activities) and in other cases specified by the head of the workplace or the dean (participation in meetings, training courses, etc.), or at other locations.
- (3) In the case of work other than that referred to in paragraph 2, academic staff shall carry out the agreed work during their own working hours and at a place of their own choosing. In doing so, they shall be responsible for organising work away from the workplace, ensuring an appropriate working environment and the working conditions laid down by the Labour Code (maximum length of the working shift, observance of breaks, rest periods, etc.). It is understood that the possibility of working from home has been agreed for the performance of this work, and a written form of the agreement on working from home is not a requirement in this case.
- (4) Project activities are generally activities that FI does not schedule in accordance with Section 70a(2) of the Higher Education Act. In the case of special conditions for recording or reporting the time worked required by the providers of specific projects, the rules for recording the time worked are set by the project leader or the dean of the FI, who may order the employee to record the time worked.

Article 5

Non-academic staff

- (1) In the case of flexible working hours, the **basic working hours for non-academic staff at FI 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, with the exception of meal and rest breaks, which can be taken between 11:00 and 14:00. Optional working hours shall start between 6:00 am and 9:00 am and end between 3:00 pm and 10:00 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 employee's whereabouts. The staff member may leave the workplace only with the consent of his/her supervisor.

- (3) For operational reasons, there is no fixed start time for the staff of the Computer Centre (CVT). CVT staff may set their own start time between 7:30 a.m. and 2:00 p.m. unless otherwise specified in writing by the department head.
- (4) For operational reasons, flexible working hours are not applied to Building Management staff in positions:
 - a) Receptionist - the length of the working shift, including a one-hour meal and rest break, is 12 hours per day, from 6:00 a.m. to 6:00 p.m., or from 6:00 p.m. to 6:00 a.m. The meal and rest break is taken no longer than after the first 6 hours of the shift,
 - b) Cleaner - a steady working time is applied with a shift start from 4:00 to 4:30,
 - c) Technician - a regular work schedule is applied with shifts starting at 6:00 am and 7:00 am.
- (5) For the needs of ensuring the operation of the workplace and for the security of extraordinary work tasks, the head of the workplace may decide not to apply flexible working hours and to impose fixed start and end times.

Article 6
Records of working time

- (1) Pursuant to the provisions of Section 96 of the Labour Code, the employer is obliged to keep a record of working time (i.e. the time of work, not the employee's stay at the workplace) for individual employees, indicating the beginning and end of the shift worked (Section 78(1)(c) of the Labour Code), overtime work (Section 78(1)(i) and Section 93 of the Labour Code), and night work (Section 94 of the Labour Code).
- (2) The records of working time of faculty employees are recorded via the electronic application "Working Time Records" in the IS MU information system, unless otherwise specified by the head of the workplace for operational or technical reasons. The employee primarily records in the application:
 - a) start and end of work (work shifts),
 - b) a break for food and rest,
 - c) absence from the workplace due to a doctor's visit (the employee shall provide proof of the doctor's visit by a certified pass) or other personal matters.
- (3) In the case of multiple employment relationships, the employee must keep separate records for each employment relationship.
- (4) On the first working day following the end of the recorded period, the employee is obliged to hand over the completed Time and Attendance Record form to the employee responsible for managing attendance in the INET system; the employee shall confirm the accuracy of the contents of the form by signing it.
- (5) The records of working time according to paragraph 4 are the basis for the electronic application maintained in the INET MU information system. The printed attendance record, signed by the head of the workplace, is handed in by the employee responsible for managing attendance in the INET MU system no later than on the second working day following the end of the recorded period to the FI HR Department.
- (6) Properly completed timesheets are archived at the departments by the secretary of the departments, at the dean's office and at special-purpose facilities by the human resources

department for a period of 10 years; for salaries paid from projects in accordance with the rules of the provider.

- (7) The heads of departments shall monitor the time records of their departments. The control of all workplaces is carried out by the Secretary of the Faculty.
- (8) In cases where an employee is ordered to work overtime, at night, on Saturdays or Sundays, on public holidays, or on standby, the head of the workplace is obliged to forward the documents for wage claims to the Human Resources Department no later than the first working day after the end of the recorded period (calendar month) for which the wage claims are to be settled, so that the wages of the employee concerned can be duly settled and paid.

Article 7

Planning and taking holidays

- (1) FI employees are obliged to plan their leave in the INET MU electronic application "Planning and personal absence overview".
- (2) Heads of individual departments shall ensure that the leave schedule is prepared by 30 April of each year.
- (3) Each employee is required to enter the leave schedule for himself or herself or through a staff member of the department responsible for performing the tasks in the electronic attendance system. Summary leave schedules for the department, signed by the department head, will be submitted to the FI Human Resources Department by the above deadline.
- (4) The following principles must be observed when drawing up the leave schedule:
 - a) plan the full extent of the holiday entitlement, i.e. the balance from the previous year and the holiday entitlement in the year in question;
 - b) not to allow for the possibility of carrying over leave into the following calendar year in the leave schedule;
 - c) a substantial part of the staff member's leave is planned for the main holiday period (from 30 June to the beginning of the semester) and Christmas holidays so as not to disrupt the smooth running of the academic year; academic staff are expected to plan at least 25 days of leave during the main holiday period and at least 15 days of leave for non-academic staff;
 - d) Academic staff plan the remainder of their leave when classes are not in session;
 - e) any balance of leave from the previous year to be scheduled and taken by 30 June of the calendar year in question;
 - f) take into account the legitimate interests of employees.
- (5) The holiday schedules of the individual workplaces will be discussed in the trade union and will be considered as a determination of the use of holidays within the meaning of Section 217(1) of the Labour Code.
- (6) On the basis of the leave schedule, the employee is obliged to ask his/her manager to determine the use of leave, unless otherwise agreed between them. The senior member of staff may also decide on the duration of leave on the basis of the schedule.
- (7) The Employer shall not insist that leave be taken strictly in accordance with the leave schedule, provided that the change in the date on which leave is taken does not affect the employee's

obligation to take the full annual leave entitlement in the same year and that the change in date does not disrupt the smooth running of the academic year.

- (8) The full extent of the holiday entitlement must be taken by the employee in the year in which the holiday entitlement accrues, unless part of the holiday is carried over to the following calendar year
 - a) automatically if the employee is prevented from taking leave by objective and justified obstacles at work (e.g. long-term sick leave, maternity and parental leave), or
 - b) in exceptional cases, taking into account the legitimate interests of the employee on the basis of his/her written request, subject to the condition set out in Section 218 of the Labour Code.

Article 8

Performance of work online

- (1) In cases where work activity is enabled by teleconferencing, the performance of work via an online connection shall be considered equivalent to being present in person at the workplace.

Article 9

Final provisions

- (1) This Directive repeals the Dean's Directive No.1/2017 Scheduling and Recording of Working Time at the Faculty of Informatics of Masaryk University as effective from 1 July 2017.
- (2) I entrust the interpretation of the individual provisions of this Directive to the FI Personnel Department.
- (3) I am entrusting the FI Secretary with the continuous updating.
- (4) Compliance with this Directive shall be monitored by the Secretary and the FI Personnel Department.
- (5) This Directive shall enter into force on the date of its publication.
- (6) This Directive shall enter into force on 1 January 2022.

Jiri Zlatuska
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