

Directive of the Faculty of the Social Studies No. 5/2023

**Distribution and Recording of Working Hours at the
Faculty of Social Studies, Masaryk University**

(effective from October 19, 2023)

Pursuant to Sect. 28, par. 1 of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (Higher Education Act), I hereby issue this Directive:

Section 1

Subject matter

The directive regulates the distribution and recording of working hours and lays down rules for the planning and taking leave of employees of the Faculty of Social Studies (hereinafter referred to as the "FSS") in accordance with Act No. 262/2006 Coll., the Labour Code, as amended (hereinafter referred to as the "LC"), MU Directive No. 11/2013 Organization of Working Hours at Masaryk University, and the MU Collective Agreement.

Section 2

Distribution of working hours, breaks at work, rest periods, and overtime work

- 1) Hours of operation at FSS units start on working days at 6:00 a.m. and end at 10:00 p.m. The working hours of FSS staff are realized within this period.
- 2) Set weekly working hours are 40 hours (Sect. 79 par. 1 of the LC). Part-time work is less than 40 hours per week (Sect. 80 of the LC), working hours in two-shift operation are 38,75 hours (Sect. 79 par. 2 letter (c) of the LC).
- 3) The flexible distribution of working hours is introduced at FSS. Working hours are spread over five days within a one-shift work schedule. Exceptionally, work may also be scheduled for Saturday (for academic staff in accordance with the timetable), provided the staff member agrees and the principle is observed that the weekly work schedule (including work on Saturday) does not exceed the agreed working hours.
- 4) Working hours are distributed so that the length of a shift does not exceed 12 hours per day, the break between the end of one shift and the beginning of the next shift is at least 11 hours and the employee has a continuous rest period of at least 35 hours per week. Continuous rest between two shifts during a business trip is calculated from the time the employee returns from the business trip to their place of residence.
- 5) If the employee performs work outside the FSS unit, they follow the work regime which is set for these units by the relevant organization.

- 6) After 6 hours of work at the latest, the employee takes a 30-minute break for food and rest (Sect. 88 of the LC). It can be taken from 11:00 a.m. to 2:00 p.m. This break is not included in the working hours and cannot be provided at the beginning or end of working hours. Employees with working hours of less than 4 hours a day are not given a break for food and rest.
- 7) Employees in two-shift operation shall be provided with a meal and a break between 9:00 and 10:00 in the morning shift and between 5:00 and 6:00 in the afternoon shift.
- 8) Overtime work is not part of the shift timetable: it is an exceptional, occasional work. Overtime work is ordered or approved by a senior employee who is responsible for its recording and compliance with the limits of overtime work set by the Labour Code. For overtime work, compensatory time off is preferably provided, if the operating conditions of the unit allow it and if it is agreed with the employee, by the end of the calendar month after the overtime work or at another agreed time.
- 9) The employer shall not take into account any work performed in excess of the specified weekly working hours unless it is overtime work ordered.
- 10) Night work is work performed between 10:00 p.m. and 6:00 a.m. (Sect. 94 of the LC). Night work is generally prohibited at the FSS.
- 11) For work on Saturdays and Sundays (Sect. 118 of the LC), the employee is entitled to a bonus, which is paid on the basis of a time sheet (see the Annex).
- 12) The employer shall inform the employee performing work on the basis of an agreement on work performed outside the employment relationship ('DPP' and 'DPČ') of the working time schedule at least one day in advance. The work must not exceed 12 hours per day (within 24 consecutive hours), even in the case of an employment relationship concurrent with a DPP or DPČ relationship. After performing the work or at the end of the relevant month, the employee is obliged to submit a time sheet to the head of the unit, who will confirm the correctness of the stated data with their signature; this does not apply to cases involving a one-time short-term activity (e.g. a one-off lecture, internship), where the fulfilment of the task is guaranteed by the signature of the responsible person directly in the agreement.

Section 3

Rules for the application of flexible working hours

- 1) The FSS has introduced the flexible distribution of working hours, which includes periods of core working hours and the flexible component of working hours. Core working hours are set for Monday to Friday from 9:00 a.m. to 3:00 p.m.
- 2) When applying flexible working hours, the employee chooses the beginning and end of the working day within the specified periods of the flexible component of working hours so

that the length of the shift must not exceed 12 hours on individual days (Sect. 85 par. 3 of the LC).

- 3) When applying flexible working hours, the smooth operation of all units, including the provision of office hours, must be ensured.
- 4) The head of the unit sets an individual timetable for employees with part-time work.
- 5) The average weekly working hours at FSS must be completed in a monthly compensation period. In the case of FSS reception staff, the compensation period is 26 consecutive weeks.
- 6) Within the compensation period, the employee is obliged to work their entire working hours. In an exceptional case where, due to an obstacle to work on the part of the employee, work within the specified extent of weekly working hours is not completed in the compensation period, this difference will be compensated in the following compensation period.
- 7) Obstacles to work on the part of the employee are considered as the performance of work only to the extent that they affect core working hours. Obstacles to work that affect the flexible component of working hours are not considered as the performance of work and are not reimbursed. In the event of obstacles to work defined by the exact length of the necessary period for which the employee is entitled to time off work (Sect. 191 et seq. of the LC) and for the purposes of leave, temporary incapacity for work, and family member care, one day shall mean the period corresponding to the average length of the employee's shift resulting from the agreed working hours.
- 8) Flexible distribution of working hours does not apply to
 - a) business trips,
 - b) the need to secure an urgent task,
 - c) times of important obstacles at work (illness, family member care),
 - d) situations where operational reasons prevent this.

For these cases, within the working hours of 40 hours per week, working hours are set from 8:00 a.m. to 4:30 p.m. (including a break for food and rest), unless specified otherwise in specific cases.

- 9) Exceptions for individuals from the set working hours are permitted by the Dean (for academic staff) or the Secretary (for non-academic staff) on the basis of a written request from the staff member and an assessment by the head of the unit.
- 10) Failure to observe working hours can be considered unexcused absence, with all the entailed legal consequences.

Section 4

Special rules for organizing the working hours of academic staff or other employees engaged in teaching, research and other creative activities

- 1) The distribution of working hours of academic staff or other employees engaged in 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 by MU Directive No.11 / 2013 Organization of Working Hours at Masaryk University.
- 2) Academic staff are obliged to perform work at the employer's unit when this follows from the performance of their pedagogical duties (especially teaching, consulting hours), performance of other scientific, research and creative tasks, and in other cases determined by their senior employee (participation in meetings, trainings, etc.).
- 3) For the remaining part of the working time of academic staff in which they carry out teaching preparation, publishing, research and scientific activities, it is assumed that the academic staff member schedules it himself, i.e. in the form of remote work. A written remote work agreement is not a requirement in this case.

Section 5

Non-academic staff

- 1) Within the flexible distribution of working hours, the FSS sets core working hours for non-academic staff from Monday to Friday from 9:00 a.m. to 3:00 p.m. During core working hours, the employee is obliged to be at the unit, with the exception of a break for food and rest. The start of the flexible component of working hours is set from 6:00 a.m. to 9:00 a.m. and the end of the flexible component working hours from 3:00 p.m. to 10:00 p.m.
- 2) In justified cases it is possible to perform work outside the FSS building with the permission of the head of the unit, who must be informed of the employee's whereabouts. The employee may leave their unit only with the consent of their superior (e.g. events within MU units)
- 3) Due to operational reasons, the flexible distribution of working hours does not apply to FSS reception staff. The length of working hours is fixed from 5:30 a.m. to 8:30 p.m., with a two-shift work regime.

Section 6

Remote work

- 1) Where the nature of the work and the employee's job description so permit, it may be agreed with the employee that he shall schedule a certain part of his working time himself and perform it at a place of his own choosing (remote work). Remote work for academic staff is regulated in Article 4 (3).
- 2) Non-academic staff members, with the exception of staff members in the Facility Management Department, are entitled to two days of remote work per calendar month.

- 3) A written Remote Work Agreement shall be negotiated with non-academic staff.4)
- 4) Non-academic staff shall request approval for specific remote work days from their line manager via an application on the internal INET system. The line manager is entitled to refuse the request with appropriate mandatory justification.5)
- 5) Remote work is not covered by the working time arrangements, in which case the employee shall schedule his/her own work. In a remote work arrangement, the employee shall not schedule his/her own working time on days off, public holidays and night time.6)
- 6) Employees working remotely shall not be entitled to overtime pay or compensatory time off or compensatory pay or overtime bonus pay. 7)
- 7) While remotely working, an employee shall ensure that he/she is reachable by work email, work telephone via landline forwarding or, if available from the employer, by mobile telephone.8)
- 8) Employees are not entitled to travel allowances in connection with the performance of remote work (the performance of work at a place designated by the employee is not a business trip within the meaning of the relevant provisions of the Labour Code).

Section 7
Records of working hours

- 1) The employer is obliged to keep records of working hours for individual employees (Sect. 96 of the LC), i.e. the time of work, not their stay at the unit, noting the beginning and end of the shift (Sect. 78 par. 1 letter (c) of the LC), overtime work (Sect. 78 par. 1 letter (i) and Sect. 93 of the LC), and night work (Sect. 94 of the LC).
- 2) Records of working hours at the FSS are kept at individual units and separately in relation to each individual employee. In the case of multiple employment relationships, the employee is obliged to keep records for each employment relationship separately. The superior senior employee is responsible for the accuracy and completeness of records of working hours. Records must be clear, understandable, and demonstrable.
- 3) For recording working hours at the FSS, the application "Record of Working Hours" in the INET MU system is used. Records of working hours are kept at individual units based on actual circumstances.
- 4) The employee's co-operation is expected when recording working hours. The employee marks the beginning and end of the time worked, the beginning and end of the break for food and rest, periods of absence from the unit, including the reason (doctor, incapacity for work, leave, business trip, unpaid time off, compensatory time off, etc.). They shall prove a visit to the doctor by a confirmed doctor's note, a decision on temporary incapacity for work, or by confirmation of family member care.
- 5) The employee is obliged to confirm the correctness of the content on the first working day following the end of the recorded period and to submit the completed electronic form of the Record of Working Hours for further processing. After confirmation, the electronic form for the given month is closed.

- 6) The recording of working hours according to point (4) is the basis for the electronic application in the INET MU information system. The head of the unit will electronically confirm the correctness of attendance no later than the second working day following the end of the recorded period (they are invited to confirm it by a notification e-mail generated by the INET MU system).
- 7) Duly completed records of working hours are archived in the INET system for a period of 10 years; archiving of wages paid from projects is done in accordance with the provider's rules.

Section 8 **Planning and taking leave**

- 1) FSS employees are obliged to plan their leave in the electronic application INET MU "Planning and Personal Overview of Absence".
- 2) The heads of individual units ensure the processing of the leave schedule (plan) always by 30 April of the relevant year.
- 3) Each employee is obliged to enter the leave schedule for themselves. Summary schedules of leaves for individual units are electronically approved by the head of the unit by the set deadline.
- 4) The schedule of leaves for the FSS will then be submitted and discussed by the trade union, and will be considered as the determination of the taking of leave in the sense of Sect. 217 par. 1 of the LC.
- 5) The following principles must be observed when setting out the leave schedule:
 - a) plan the full scope of the right to leave, i.e. the remainder from the previous year and the leave to which the right arises in the relevant year,
 - b) not to count in the leave schedule on the possibility of transferring leave to the following calendar year,
 - c) plan and use any leave remainder from the previous year by 31 March of the relevant calendar year,
 - d) take into account the legitimate interests of employees.
- 6) Based on the leave schedule, the employee is obliged to request that their taking of leave be determined by their senior employee, unless they agree otherwise. The senior employee may decide on the period of taking leave on the basis of the schedule.
- 7) The employer does not insist on the taking of leave strictly according to the leave schedule, provided the change of leave dates does not affect the employee's obligation to use the entire leave entitlement for the calendar year in the same year, and the employee does not disrupt the smooth course of the academic year.

- 8) The Secretary can only be asked to transfer leave due to obstacles to work on the part of the employee (long-term incapacity for work, maternity and parental leave, sabbatical leave) or for urgent operational reasons (performance of term project, research and other tasks). A written request, including the assessment of the senior employee, must be submitted to the Secretary no later than on 10 December of the given calendar year.

Section 9
Final provisions

- 1) This Directive cancels the FSS Directive No.2/2018 Scheduling and recording of working time at the Faculty of Social Studies of Masaryk University.
- 2) I authorize the head of the FSS Personnel Office to interpret the individual provisions of this Directive.
- 3) I authorize the FSS Secretary to keep them updated.
- 4) Compliance with this Directive is monitored by the Secretary and the FSS Personnel Office.
- 5) This Directive becomes valid on the date of its publication.
- 6) This Directive becomes effective on October 19, 2023.

Annex: A time-sheet form for work on Saturdays and Sundays

Czech version of the contract is legally binding.

In Brno, October 19, 2023

Stanislav Balík

Dean of the FSS