

## **Organization and Record-Keeping of Working Hours at the Faculty of Science MU**

(Effective as of 1st November 2023)

In accordance with Act No. 111/1998 Sb., on Higher Education Institutions and the Modification and Amendment of Other Acts (Higher Education Act), as subsequently amended (hereinafter referred to as the "Higher Education Act"). I hereby issue this directive:

### Section 1 Initial Provisions

1. This directive sets the conditions for organizing and record-keeping of working hours applicable to employees of the Faculty of Science Masaryk University (hereinafter „the Faculty"), in accordance with the Act No. 262/2006 Coll., the Labour Code, as amended (hereinafter „the Labour Code")/ internal regulations of the Masaryk University (the MU Directive on Working Hours Organization) and the MU Collective Agreement.
2. For the purposes of this directive, the head of the workplace is defined as a direct superior of the employee as per the organizational regulations of the department/other workplace.

### Section 2 Common Provisions on Working Hours

1. The Faculty has a one-shift mode of work, except for the employees of the Facilities assigned to the position of a gatekeeper who operate in a two-shift mode.
2. The hours of operation of the Faculty departments and other workplaces are specified in the Faculty Rules and Regulations. Employees working hours shall be performed within this time, except for the two-shift operations.
3. The total length of shift shall not exceed 12 hours (except for overtime work) and the rest period between two shifts (the end of one shift and the start of next shift) shall be at least 11 hours. Shorter rest period with a minimum of 8 hours, is allowed only in specific cases stated by the Labour Code. If an employee is on a business trip, the rest period between two shifts is calculated from the time of employee's return from the business trip to his/her place of residence.
4. 4. Work between the hours of 22:00 and 6:00 is not allowed. Employees in two-shift mode, cleaning crew, employees performing work tasks that cannot be interrupted, employees performing work tasks that require to be carried out at night, employees ordered to work due to serious operational reasons (e.g., breakdowns), or to work overtime are exempt
5. Employees shall perform their work within the stated hours of operation at the workplaces of the Masaryk University or other agreed-upon places of work.

6. Employee shall notify his/her department head about a planned absence from work or planned leave from the workplace during the fixed working hours without undue delay.

### Section 3

#### One „Shift Mode of Work

#### (Flexible Working Hours Scheme)

1. Flexible working hours are available to the Faculty employees working in a single-shift mode, except for the cleaner positions whose working hours are stated in section No. 4.
2. The working hours in the one-shift mode are usually distributed over a 5-day working week (Monday - Friday), except for work tasks that are in accordance with the Labour Code scheduled to be performed on Saturday or Sunday. In such cases, these days are not considered as days of uninterrupted rest during the week (e.g., Botanical Garden).
3. The length of uninterrupted rest during the week shall be at least 35 hours per week.
4. The flexible working hours scheme consists of fixed and flexi-time. Fixed working hours are from 9:00 to 14:00 (on Fridays to 13:00).
5. Within the flexi-time, employees can decide on the start and end of their working hours, taking into consideration their duties. The total length of the shift shall not exceed 12 hours (excluding overtime work), and the fixed hours must be covered. The start flexi-time is from 6:00 to 9:00. The end of flexi-time is from 14:00 to 21:00 (on Fridays from 13:00).
6. The average weekly working hours must be fulfilled within a settlement period that is set as 2 consecutive calendar months. For the employees of the Botanical Garden, the settlement period is set as 4 consecutive calendar months. The settlement period begins from the effective date of this directive, i.e., September 1<sup>st</sup>, 2019. Employees must fulfil their mandatory working hours within the settlement period. In exceptional cases, when due to the obstacle(s) to work from employee's side the mandatory working hours are not fulfilled within the settlement period, the difference shall be settled without undue delay during the following settlement period once the obstacle(s) are removed. In such cases, the extra time worked is not considered overtime work.
7. The settlement period for employees carrying out work tasks for the project/grant is set as 2 consecutive calendar months. The settlement period begins from the effective date of this directive, i.e., September 1<sup>st</sup>, 2019. Within each calendar month, employees are obliged to fulfil at least the working hours related to their workload in the respective project(s).
8. If there is a positive difference at the end of the settlement period between the recorded working hours and the expected standard workload within the settlement period (equal to multiplying an average weekly working hours by the number of respective working week within the settlement period), such a difference is considered a voluntary stay at the workplace, not a work performed, unless classified as overtime.

9. With regard to the fulfilment of extraordinary duties, the head of the workplace may decide not to apply the flexible working hours scheme and set a fixed start and end of working hours.
10. For part-time employees, the flexible working hours scheme rules apply adequately.

#### Section 4

##### One-Shift Mode of Work

##### (Even Distribution of Working Hours)

1. Even distribution of working hours applies to cleaning crew.
2. The working hours are distributed over the 5-day working week from Monday to Friday.
3. The start of the working hours is determined by the head of the workplace with regard to operational needs. The start cannot be earlier than 5:00.
4. During the school year, the working hours of the workplaces are linked to teaching needs.
5. The length of uninterrupted rest during the week shall be at least 35 hours per week.

#### Section 5

##### Two-Shift Mode of Work

##### (Uneven Distribution of Working Hours)

1. The two-shift mode of work with uneven distribution of working hours applies to the employees of the Facilities assigned to the position of a gatekeeper.
2. The operating time for these employees starts at 5:00 and ends at 22:30.
3. The working hours of these employees are usually distributed over the 7-day working week from Monday to Sunday.
4. The length of uninterrupted rest during the week shall be at least 24 hours per week provided that its length is at least 70 hours within 2 weeks.
5. The start of the workweek begins with the start of the first shift in the calendar week.
6. The head of the workplace allocates the working hours unevenly into individual working weeks. The average weekly working hours must not exceed the standard weekly working hours for the settlement period, which is set as 1 calendar month.
7. Employees are provided with the work schedule for the full settlement period or with a change of the schedule at least 2 weeks in advance unless agreed otherwise.

#### Section 6

##### Special Provisions for Organizing of Working Hours of Academic Employees

1. Special rules, considering the specific character of their work, govern the working hours of academic employees.

2. Academic employees are obliged to perform work at the employer's workplace, or other before agreed place, during their direct pedagogical duties (mainly teaching, examination, and consultation activities).
3. The head of the workplace may specify other tasks that shall be performed at the employer's workplace.
4. The employer assigns only the part of working hours, in which duties specified in subsection No. 2 and 3 are performed. The work schedule is defined by the schedule of pedagogical responsibilities, along with additional determined parts of working hours when the presence of the academic employee at the workplace is necessary.
5. Remaining part of working hours is scheduled at the academic employee's discretion. An eventual teleworking has been agreed upon in accordance with the rules stated by the MU Directive on Working Hours Organization. A written form of the Teleworking work agreement is not required in this case.
6. It is also presumed that employees have also fulfilled, within the respective working weeks, the hours equal to the difference between the standard working hours (or part-time work if applicable) and the hours determined by the MU in accordance with the section § No. 70 a) subsection No. 2 of the Higher Education Institutions Act, This remaining part of working hours is not a subject of record-keeping, therefore not needed to be recorded when exactly it is performed.
7. Project/grant work tasks are considered a working activity for which working hours are not, in accordance with section § No, 70 a) subsection No,2 of Act on Higher Education Institutions, determined by the Faculty. If there are given special conditions for working hours record-keeping, i.e., a requirement of recording hours worked on the project requested by a grant provider, specific rules for the evidence of work hours are determined by the project lead, by the Dean of the Faculty for other projects.

## Section 7

### Work Break for Meal and Rest

1. A 30-minute work break for meal and rest is provided after an employee's continuous work for maximum of 6 hours. Part-time employees working less than 6 hours a day are provided with a work break with regard to working hour<sup>s</sup> agreement with the superior. The work break for meal and rest does the total working hours and cannot be provided at the start and/or hours. In case of duties when the work break cannot be taken at once, be divided so that at least one part of the break lasts minimally 15 minutes.
2. A reasonable time for meal and rest is provided to employees with a work whose duties cannot be interrupted. Such time counts towards hours.

## Section 8

### Work overtime, at night, on weekends, on holidays

1. Overtime work is not a standard part of the work schedule, and it shall only exceptionally. The head of the workplace can mandate or approve and is responsible for its recoding and compliance with legal limits stated by the Code. Overtime work is primarily compensated by providing time off if conditions allow so and if agreed so with the employee. Time off than the end of the 3<sup>rd</sup> month after overtime work occurred or within agreed upon period. Work performed above the standard weekly working compensation for time off provided by the employer not considered overtime work.
2. In cases of overtime work, night work, work on weekends, public holidays, the head of the workplace has to submit the request for supplemental to the payroll department by the end of the calendar month for which shall be compensated at the latest, to ensure the employee's wage is correctly and paid.
3. The supplemental pay related to subsection No. 2 is paid using the of the workplace.

## Section 9

### Obstacles at work

1. A flexible working hours scheme, according to section No. 85, subsection Labour Code, does not apply to business trips, a necessity to complete urgent task within a shift, obstacles to work on employee's side, and when it is not possible due to operational reasons. In such cases, the working hours are distributed into fixed shifts from 8:00 till 16:30 (including work breaks) in case of standard 40 weekly working hours. In the individual cases, the start and the end of the shift can be determined or agreed upon differently.
2. In the flexible working hours scheme, obstacles to work from the employee's side are considered only within the scope they affected work performance within the fixed work hours. This rule is not applicable when obstacles are defined by the exact time frame in which the employee is entitled to time off and when acting as a stand-in for a colleague. For these purposes, one working day is set as the average length of employee's average daily shift related to standard weekly working hours or part-time work.
3. All employees, irrelevant to mode of work, are obliged to provide a written document disclosing the obstacle to work to be entitled to wage compensation. This document shall be submitted to the appointed employee of the workplace.
4. The time off for an unpaid obstacle to work can be made up upon the agreement with the head of the workplace. Unpaid leave is not provided in this case.

## Section 10 Working Hours Records

1. Faculty workplaces record the presence or absence of employees in an electronic application called Attendance Administration in the INET information system. A designated employee of the workstation maintains the records in this workplace.
2. Non-academic employees enter their working hours into the electronic application called Working Hours Records in the INET information system. Employees shall record mainly:
  - a) The start and end of work (shift),
  - b) Work break for meal and rest,
  - c) Other records — obstacles to work, interruption of work, work-related errands, teleworking, and the start and end of overtime work.
3. The head of the workplace can design a different way of recording working hours for the cleaning crew positions. In such cases, the head of the workplace shall ensure an adequate format (e.g., paper forms) of working hours record-keeping, which shall include the same entries as the electronic one.
4. Academic employees shall record, using the INET electronic application called Working Hours Records, only the working hours described in section No. 6 of this Directive.
5. Employees are obliged to enter actual working hours and to confirm their correctness by the 1<sup>st</sup> working day of the following month. The head of the workplace is required to approve employee's records without undue delay.
6. Employees on standby shall record the time worked while on standby as well as the time of standby itself. The standby is recorded in a separate format as per instructions of the head of the workplace.
7. The head of the workplace is responsible for the evidence of employees' working hours record-keeping including teleworking, the start and end of the shift, overtime work, standby, and night work, and also for the verification of the facts.

## Section 11 Teleworking

1. Teleworking is regulated by the MU Directive on Working Hours Organization No. 11/2013.
2. Teleworking for non-academic employees may be agreed with the employee if the operating conditions of the workplace, the circumstances of work performance and the type of work performed by the employee allow it, as defined in the Annex, No. 4 List of SCI job positions, and if the employee has all the working and other tools provided by the employer. Exceptions are approved by The Faculty Bulsar on the recommendation of the head of the workplace.

3. Teleworking for non-academic employees is possible only after a written agreement between the employer and the employee. The employee submits a request to negotiate an agreement to the head of the workplace electronically in the INET system. In the request, the employee declares, in particular that the workplace and working environment comply with the requirements specified in the agreement on Teleworking agreement and that he/she will perform only administrative work. A sample of the application form is attached as Annex 3 to this Policy.
4. Who are working on teleworking mode is required to be available to colleagues via work email and the MS Teams application during core working hours.

## Section 12 Concluding Provisions

1. The superior is responsible for the determination of the patterns of work, working hours and work schedules, working hours record-keeping, and submission of relevant payroll inputs.
2. Other rights and obligations of employees related to working hours are stated by the current version of the MU directive on Working Hours Organization.
3. Interpretation of this directive is the responsibility of the Head of the HR department.
4. Verification of compliance with this directive is the responsibility of the Faculty Bursar and the Head of the HR department.
5. This Directive was discussed with the Faculty Trade Union on October 25, 2023.
6. This Directive enters into force on November 1, 2023.

Brno

Prof. Mgr. Tomáš Kašparovský, Ph.D. Dean

Annexes:

- Annex No. 1 - Request Form: Extra pay for night work, work on Saturday/Sunday, work on public holiday, standby
- Annex No. 2 - Request Form: Overtime pay
- Annex No. 3 - Request Form: Teleworking
- Annex No. 4 - List of Job Positions SCI