Do you suspect wrongful dismissal; did you get notice even though you were in a situation when the employer is not allowed to do so? You did not receive anything in writing?

What can you do if your employer did not pay you salary?

• If your employer did not pay you salary or part of it within 15 days after its due date, you can terminate the employment immediately. You are entitled to get severance pay equal to three months of your average monthly salary.

• Further action depends on which phase of insolvency is your employer at. In case the insolvency proceedings against your employer have not been initiated yet, you can contact the Labour Inspectorate for an inspection of your employer. If the employer refuses to pay in spite of threats of getting a fine, your only option is to file a legal action at the court.

• If the insolvency proceedings have been initiated, find out at what stage they are. You will find this information in the Labour Office of the district where your employer is registered. The Labour Office can also pay you part of your unpaid salary or severance pay, please apply in writing.

Do you suspect the confirmation of employment for you?

You can contact the Labour Inspectorate, which can check the employer or fine the employer. Nevertheless, the Inspectorate does not have other means to make the employer issue this document. Your other option is to sue the employer to issue a certificate of employment. You must file a legal action to the court whose local jurisdiction is in the area where your employer is registered.

What can you do if your employer refused to issue the confirmation of employment for you?

• You can contact the Labour Inspectorate, which can check the employer or fine the employer. Nevertheless, the Inspectorate does not have other means to make the employer issue that document. Your other option is to sue the employer to issue a certificate of employment. You must file a legal action to the court whose local jurisdiction is in the area where your employer is registered.

• You can contact the regional Labour Inspectorate (Inspektorát práce) and ask for an inspection of your employer. You have to submit documents that prove the information given in the personal records for pension insurance form (employment agreement, proof of termination of the employment, payrolls, confirmation of your income, which the employer had provided for other purposes – for example for the welfare benefits from State Social Support etc.)

The OSZZ can also help in case you did not get the confirmation about the termination of the employment. In this case you must request it in writing.

Do you suspect personal records for pension insurance form?

In case this is happening, you can seek help from the District Social Security Administration (Okresní správa sociálního zabezpečení, OSZZ) of the district your employer is based. The OSZZ can require the personal records for pension insurance form from the employer and fine him. If OSZZ fails to get the form from the employer, it can issue a replacement. You will have to submit documents that prove the information given in the personal records for pension insurance form (employment agreement, proof of termination of the employment, payrolls, confirmation of your income, which the employer had provided for other purposes – for example for the welfare benefits from State Social Support etc.)

The OSZZ can also help in case you did not get the confirmation about the termination of the employment. In this case you must request it in writing.

Do you suspect your employer did not pay the social and health insurance properly?

Ask your employer for an explanation and then contact your health insurance company and Social Security Administration in the district where your employer is registered. Ask for a written statement of paid premiums. If you find any irregularities, submit proof of the period during which you were employed.


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Your employment can be terminated only in these instances:
1. mutual agreement of both parties, 2. notice, 3. immediate termination, 4. termination in trial period, 5. the employment contract has been conducted for a specified period of time and this period ended.

The termination of employment

1. MUTUAL AGREEMENT
• The employer and the employee can come to an agreement on ending the employment on a specified day.
• The agreement on ending the employment must be in writing, otherwise it is invalid.
• You can request that the reasons of ending the employment are included in the written agreement.

2. NOTICE
The notice can be given by an employer or an employee, in writing and be delivered to the other party, otherwise it is invalid. As an employee you are not required to give reason when giving notice.

3. IMMEDIATE TERMINATION OF THE EMPLOYMENT
Both you and your employer can terminate the employment immediately. It has to be in writing and clear reasons for the dismissal have to be given.

The employer can immediately terminate the employment if you:
• were convicted of a willful offense and sentenced to imprisonment longer than one year, or you were convicted of an offense committed during the course of work and sentenced to imprisonment for at least 6 months,
• you are guilty of serious misconduct.

You as an employee can terminate the employment only if:
• your employer did not pay you salary within 15 days after the due day. /Attention! Do not confuse the due day and the pay day. The due day is the last day of the month following the month you are being paid for,/ or

4. THE TERMINATION OF THE EMPLOYMENT DURING TRIAL PERIOD
Both you and your employer can propose to end the employment without giving a reason.

Severance pay
You are entitled to get severance pay if:
• You were given notice because of organizational reasons. /Attention! You are entitled to get severance pay even if you end the employment by mutual agreement from the same reasons. The organizational reasons must be given in the written agreement/
• You are immediately terminating the employment because your employer did not pay you salary in 15 days after the due date.
• The amount paid in the severance pay equals to at least three months of average monthly salary. Your employer must pay the severance pay after the termination of the employment on the nearest pay day.
• Notice: if you have an employment contract for specified period of time and your employment will be terminated within this period from the same reasons as above, you have the same protection and you are eligible to get severance pay under the same conditions.

Employer's obligations after termination of employment
Your employer must give you:
• Original written agreement on terminating the employment or an original of written notice
• Confirmation of employment (potvrzení o zaměstnání, it was called zápočtový list before)
• Personal records for pension insurance form (Evidenční list důchodového pojištění)

You will need the confirmation of employment when starting a new job with different employer or when registering with the Labour Office. Keep one copy of the confirmation for yourself as a proof of your career. This document must contain: information whether your work was based on employment agreement or on agreement on work activities, the work duration, your qualifications, type of work performed, period of time you worked, information about deductions from your wages, information if the reason of the employment termination was serious misconduct, etc. If you need information for the Labour Office to assess if you are entitled to an unemployment benefit, ask your employer for a separate confirmation.

You will need your personal records for pension insurance when starting a new job, containing information about the period of your employment in a year, the period of your participation in sickness insurance or in pension insurance, and your earnings for social insurance premium calculation. Your employer must give you this form within 8 days after you ended the employment to your request.

• according to an assessment of an occupational physician you can no longer perform your work duties without serious danger to your health and your employer did not offer you suitable alternative position.