



## **COLLECTION OF DECISIONS AND ORDINANCES OF THE UNIVERSITY OF SOUTH BOHEMIA IN ČESKÉ BUDĚJOVICE**

Number: R 530

Date: 29 September 2023

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### **Rector's ordinance on the performance of work by employees of the University of South Bohemia in České Budějovice outside the employer's workplace – remote work**

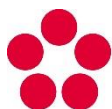
#### **Article 1**

This ordinance regulates the procedure, principles and rules for the application of a form of work performance when an employee of the University of South Bohemia in České Budějovice (hereinafter referred to as 'USB' or 'Employer') performs the agreed work fully or partially outside a USB workplace (hereinafter referred to as 'remote work'). If a USB employee agrees with the Employer to perform remote work for the Employer during working hours that he/she schedules himself/herself under agreed conditions, pursuant to Section 317(4) of Act No 262/2006, Labour Code, as amended (hereinafter referred to as 'Labour Code') shall not be subject to adjustments in working time, downtime or interruptions caused by adverse weather conditions, but the length of a shift must not exceed 12 hours; in the event of other important personal obstacles to work, he is not entitled to wage compensation, unless the implementing legislation provides otherwise (Section 199(2) of the Labour Code), or in the case of wage compensation pursuant to Section 192 of the Labour Code; for the purposes of the provision of wage compensation or remuneration under the agreement pursuant to Sections 192 and 194 of the Labour Code and the taking of leave, the employee shall be subject to a fixed working time schedule, which the Employer is obliged to determine in advance for these purposes. To the extent remaining, the Labour Code shall apply.

#### **Article 2**

Remote working is only possible on the basis of a written agreement between the Employer and the USB employee, except as provided in Article 5.

Any USB employee may apply for remote working via a form, an example of which is attached to this ordinance, in which the employee-applicant fills in the individual items that are prerequisites for remote working. The applicant shall indicate the Employer's requirements for the provision of work equipment. The application shall be accompanied by the opinion of the Employee's immediate supervisor, head of the office/unit and shall be finally approved by the USB Rector, the dean of the faculty or the director of another constituent part of USB. The Employer may provide the applicant with personal work aids (laptop, printer, telephone, etc.) for remote work. For this purpose, the applicant will receive a receipt from the person in charge of the Rector's Office or the USB unit. In this case, the employee must use only the Employer's work equipment for remote access. The employee shall discuss the remote access with the authorised IT officer or local PC administrator of his/her unit. The conditions for using information and communication technology (ICT) services, i.e. access to information systems, e-mail and other USB servers when working remotely – with emphasis on ICT security – are set out in the ISMS-S-001\_Prace\_na\_dalku\_povoleni directive, which is located on the portal <https://isms.jcu.cz> in the ISMS Documents/Internal Documents folder. The employee must prove that he/she is familiar with its content (i.e. acknowledge reading it) before starting this form of work and respect the rules set out therein. The applicant shall also agree with the OSH&FP officer on the rules for creating appropriate conditions and for checking compliance with the OSH measures. The applicant shall add to the remote work application the method of communication, reporting of time



worked, acceptance of work performed and any other necessary matters to ensure that the tasks of the unit to which the applicant is assigned are fully carried out.

### **Article 3**

The approved remote work application, together with all the particulars referred to in Article 2 of this ordinance, shall be submitted by the applicant to the Human Resources Office for the drawing up of an agreement to amend the employment contract or, where appropriate, an agreement to perform work or an agreement to perform work. With the exception of the change of the place of work and the addition of a clause stating that the employee shall not be entitled to reimbursement of expenses in connection with the remote work, the other clauses in the employment contract or, where applicable, the performance or employment contract shall not be amended by this agreement. The wages or remuneration under the agreement for these employees will be processed in accordance with the timesheet for the month in question, prepared by the applicant and agreed by the signature of the immediate superior, and will be forwarded in writing no later than the third working day of the following month to the Payroll Accounting Office at the Rectorate or to the unit designated for this purpose at USB.

### **Article 4**

Remote work may be permitted or agreed with the employee by agreement on a change to the employment contract, agreement on the performance of work or agreement on work activity for a maximum period of one year. On the basis of the identical will of the employee and the Employer, and subject to the conditions laid down in this ordinance, such agreements to amend the employment contract, the work performance agreement or the work activity agreement may be renegotiated and thus the period of remote working extended, but always for a maximum of one year.

Except as noted above, all internal USB regulations (including components) apply to remote workers unless affected by this policy.

If the employee has more than one employment or agreement for work outside the employment relationship at USB, he/she shall make 1 original attachment for each of them for which he/she works remotely and have it signed. The applicant (employee) is responsible for the accuracy of the data and the completeness of the signatures.

### **Article 5**

These principles (Articles 2 to 4) do not apply in isolated and short-term cases where the urgency of the task makes it necessary for the employee to work away from the Employer's workplace (e.g. on Saturdays and Sundays) or where it is not possible for the specific work to create adequate conditions for the employee at the Employer's workplace to perform the task properly.

These principles (Articles 2 to 4) do not apply where the performance of remote work is agreed with the employee at the time of entry into the employment relationship or a relationship based on agreements for work outside the employment relationship. In such a case, these principles will be adequately regulated directly in the employment contract, performance contract or work activity agreement. This will include, in particular, arrangements for the location of the employee's work and reimbursement of expenses. In such a case, the employee will be instructed in ICT safety, trained in OSH&FP and the rules for creating the conditions and for checking compliance with the OSH measures will be explained to the employee.

This policy (Articles 2 to 4) does not apply in the event of an emergency situation where it is necessary for faculty/departmental or University-wide staff to be absent from the workplace on the recommendation of the faculty/departmental or University management. In such a case, the annexe to this ordinance shall be considered as an agreement to amend the contract of employment and the employee performing the off-site work shall sign the annexe in duplicate and forward it to the Rector/dean/director of the unit who shall express his/her by affixing his/her signature. Both the



employee and the Employer shall retain one original hand-signed copy and the Employer shall keep the original copy in the employee's personnel file in the Human Resources Office. If the employee has more than one employment relationship at USB, he/she shall execute 2 original attachments for each one for which he/she works from home and have them signed. The applicant (employee) is responsible for the accuracy of the information and completeness of the signatures.

This Rector's ordinance shall enter into force on the date of publication in the collection of the Rector's decisions and ordinances in the public part of the USB website and shall take effect on 1 October 2023.

This measure repeals the Rector's Ordinance on the performance of work by employees of the University of South Bohemia in České Budějovice outside the employer's workplace – homeworking, No R 421 of 17 March 2020.

prof. PhDr. Bohumil Jiroušek, Dr., v. r.  
Rector

Annexe: Application for permission to work remotely

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Distribution list: Members of the USB management, deans of faculties, directors of other constituent parts, Human Resources Office, Payroll Accounting Office