

## Meeting of the FLÚ labour union committee

23. 5. 2022 10:00–12:20

Committee members present: Teresa R. Baron, Jan Frei, Juraj Hvorecký, Robert Novotný, Pavel Nývlt, Darja Zoubková.

Taking minutes: Jan Frei.

Juraj Hvorecký informed the committee that **Teresa R. Baron** is leaving the FLÚ on July 1, 2022, and therefore **resigned from membership in the committee** and in the ZOO. The Committee discussed the rules of by-elections according to the Election Rules, chap. VIII. Teresa R. Baron will resign from the committee effective June 1, so that the nominations for her replacement can take place during June. Immediately afterwards, new elections (which will take place electronically) will be announced. P. Blažek, V. Havlík and J. Černá will be asked to participate in the electoral commission. This commission determines the period for the nomination of candidates and draws up the list of candidates (a candidate can be nominated by any member; the candidate must give his / her written consent to his / her candidacy). The list of candidates will be published one week before the election.

Juraj Hvorecký acquainted the committee with a letter from the OSPVV Joint Committee, inviting OSPVV members to consider supporting CMKOS Chairman Josef Středula in the presidential election.

Juraj Hvorecký further let the committee know that the **balance** of the account as of May 23 amounts to CZK 121,004.63.

Pavel Nývlt presented the updated **draft collective agreement** based on the proposals of the FLÚ management and taking into account the debate at the membership meeting on April 7, and striving to remove declamatory passages and paraphrases of the law. In this context, the Committee discussed in particular the following issues:

a) **Appendices to the collective agreement.** Pavel Nývlt pointed out that according to the current wording, these are an integral part of the collective agreement and any changes to them should therefore be approved by the membership meeting, which is not practical. Juraj Hvorecký will find out if it would be possible to address the rules of withdrawal from and the budgeting of the social fund by the same methods as the use of leave, ie by order of the director with the prior consent of the labour union committee.

b) **Membership fees.** Pavel Nývlt pointed out that according to the current wording of the collective agreement, a membership fee other than 1% of the salary is not possible, contrary to what was said at the previous meeting of the committee. The committee decided not to change the current situation unless the change is requested by the members of the labour union.

c) **Chaining of fixed-term contracts.** Pavel Nývlt proposed new wording for the relevant points of the collective agreement, according to which the exemption from the restrictions set out in Section 39 (2) of the Labor Code would apply primarily to workers employed at the FLÚ for less than 12 years; after the expiry of the first contract of

employment exceeding this period, the staff member shall be offered a contract of indefinite duration, unless serious operational reasons prevent this. Robert Novotný drew attention to the possible risks associated with the establishment of contracts of indefinite duration and preferred its connection to the key role of the employee for the institute, but the committee agreed with the wording proposed by Pavel Nývlt. At the suggestion of Juraj Hvorecký, the decision of the attestation commission was added to the key sentence, so the resulting proposal now reads "At the end of the first employment contract that crosses the boundary of 12 years total employment, the employer, in accordance with the recommendation of the attestation commission, will offer the employee an open-ended contract, unless this is prevented by serious operational reasons." Juraj Hvorecký will consult with an OSPVV lawyer on what exactly may fall under "serious operational reasons". If necessary, the committee will discuss with the management changes to the Attestation Rules. Darja Zoubková also raised the issue of a possible limitation of the offer of open-ended and full-time contracts to the upper age limit, in the interests of younger workers. Pavel Nývlt emphasized that such a rule should not be formulated absolutely; each case should be assessed on a case-by-case basis. Juraj Hvorecký called for the search for a suitable wording.

d) **Indisposition leave:** Pavel Nývlt pointed out that the VERSO system makes it possible to apply for a indisposition allowance not only for the whole day, but also for only half a day, which the current collective agreement does *not* allow. Darja Zoubková pointed out that it is not possible for payroll/accounting to issue a half-day indisposition leave.

e) **Wage growth:** Pavel Nývlt proposed deleting the point on wage growth, stating that the management's obligation to discuss with the committee any changes to the wage regulation, including wage growth, is set out elsewhere in the contract. However, the Committee decided to keep this point, but without the introductory sentence "Wage growth should be commensurate with the employer's economic conditions," which does not commit anyone to anything. In this context, Darja Zoubková once again called for pressure to increase tariff wages.

f) **Severance pay:** The Committee decided to keep the amount of severance pay at the statutory minimum.

g) **Workplace health and safety:** The Committee decided to propose the abolition of the mandatory participation of a representative of the Committee in the regular safety inspections of workplaces and to limit it to cases requested by a representative of the Committee. The presence of a representative of the committee is not stipulated by law. In this context, Darja Zoubková pointed out that there is currently no one in FIÚ who would be responsible for health and safety control. Juraj Hvorecký assured that the management of the institute is solving this situation. Darja Zoubková also drew attention again to the unsuitable premises of the personnel department; Juraj Hvorecký stated that he had already talked to the director about this matter and promised to continue the negotiations.

h) **The problem of costs associated with working from home:** Darja Zoubková recalled the issue of agreements on working from home concluded last year. Pavel Nývlt and Juraj Hvorecký drew attention to the difficulties arising from the relevant provisions of the Labor Code. The committee decided not to address this issue in the collective agreement.

i) **Duration of validity of the collective agreement:** The Committee has decided to limit the duration of the collective agreement to two years, with automatic extension for another two years if neither party requests an amendment. The Committee also agreed with Pavel Nývlt's proposal to explicitly state in the collective agreement that its adoption would invalidate the existing collective agreement and the Agreement on the possibility of concluding scientific and university-educated experts in the scientific departments of the FIÚ.

The date of the **next meeting of the Committee** was tentatively set for Monday, June 27, 2022 at 10:00.