



Working Hours Scheduling, Flexible Working Hours and Telework of the UHK Employees

I. Introductory provisions

- 1) This Rector's Decree regulates the scheduling and recording of flexible working hours and the conditions of telework for employees of the University of Hradec Králové (hereinafter referred to as the UHK), unless specified otherwise below. It is based in particular on Sections 6 (1)(h) and 10(1) of Act No. 111/1998 Sb., on higher education institutions and on amendments and supplements to other acts (hereinafter referred to as the Higher Education Act), Sections 81(1), 85 and 317 of Act No. 262/2006 Sb., the Labour Code (hereinafter referred to as the Labour Code).
- 2) The aim of this Rector's Decree is to establish flexible working hours and telework as benefits for the UHK employees.

PART ONE

Working Hours Scheduling and Flexible Working Hours at the UHK

II. General Principles of Working Hours Scheduling at the UHK

- 1) Working hours of academicians at the UHK are scheduled in accordance with the law, especially with Section 70 of the Higher Education Act. The employer shall schedule part of the working hours in accordance with Section 2 below; other work shall be scheduled by the employee him-/herself. For other employees, working hours are scheduled primarily by means of flexible working hours in accordance with this Decree, unless this Decree provides otherwise or unless otherwise agreed between the employee and the employer.
- 2) If a flexible working hours schedule is not used or if the employee does not schedule his/her own working hours, the employer shall schedule working hours in particular in the following ways, simultaneously:
 - a) Via the STAG information system (for teaching purposes);
 - b) Through an internal work scheduling system; or
 - c) By other written means, unless there has been a scheduling under (a) or (b);

and these ways can be used side by side/in combination. It is the responsibility of the superior to ensure that the employees are familiarized with the above systems immediately upon commencement of their employment.

The working hours shall be scheduled according to this paragraph within the statutory time limit or within a time limit agreed between the employee and the employer but always without undue delay; the superior shall be responsible for the proper scheduling of working hours and compliance with the time limits. Planned, regular and foreseeable shifts shall be scheduled as soon as possible, usually no later than by the 25th day of the preceding month.

- 3) Employees working on the basis of agreements to work outside the scope of employment shall have their working hours scheduled in accordance with these agreements; if the employee does not schedule working hours on his/her own, his/her working hours shall also be scheduled in accordance with paragraph 2 above.

III. General Principles of Flexible Working Hours

- 1) Flexible working hours (hereinafter referred to as the Flexible Working Hours) include periods of core time and flexi-time.
- 2) Employees are obliged to be at their workplace during the core time determined by the UHK (except for breaks for meal and performance of work duties out of the workplace based on the instruction of the employees' superior). Within the flexi-time, employees can choose the start and the end of their working hours.
- 3) Working hours must be scheduled so as not to exceed 12 hours per day.
- 4) The Flexible Working Hours are recorded in accordance with a Rector's Decree on working hours recording.
- 5) The Flexible Working Hours shall not be applied in cases regulated by section 85 (5) of the Labour Code, i.e. in the following cases:
 - a) During important personal obstacles to work for which employees are entitled to wage remunerations as per section 192 of the Labour Code or to benefits according to sickness insurance regulations;
 - b) At sending employees on a business trip;
 - c) When it is necessary to perform an important work task during a shift with fixed beginning and end, or if the use of the Flexible Working Hours is prevented by operational reasons;
 - d) When taking leave;

- e) For employees who do not work full time; working hours are scheduled individually by agreement between the employee and the UHK. Rules applicable to full-time staff shall be applied mutatis mutandis.
- 6) The Flexible Working Hours are neither applicable to employees whose type of work does not allow flexible working hours by its nature, i.e. in particular:
- Reception staff, concierge;
 - Registrar and Registry staff;
 - Maintenance and cleaning staff and drivers of the Technical and Operational Unit;
 - Maintenance staff, concierge of the Halls of Residence.
- 7) Furthermore, the Flexible Working Hours shall not be applied to academic staff.
- 8) In cases where the Flexible Working Hours are not applied on certain days only of the employee's employment as per paragraph (5)(a) to (d), the number of hours actually worked shall be included in the weekly working hours record, up to a maximum of 8 hours per one day. More hours worked on these days shall not be taken into account unless they are overtime work.

IV. Flexible Working Hours Scheduling

- 1) The Flexible Working Hours shall be applied within the relevant calendar month. This period is considered a settlement period in accordance with Section 85(4) of the Labour Code. The employee is obliged to work the working hours in the relevant calendar month that are attributable to the scheduled weekly working hours for that calendar month. Meal and rest breaks shall not be included in the weekly working hours worked.
- 2) The core working hours, i.e., the period of compulsory presence at the workplace, are set from 9:00 to 14:00 on Mondays to Thursdays and from 9:00 to 13:00 on Fridays.
- 3) Flexi-time is set for Monday to Thursday from 6:00 to 9:00 at the start of the work shift and from 14:00 to 20:00 at the end of the work shift, and on Fridays from 6:00 to 9:00 at the start of the work shift and from 13:00 to 20:00 at the end of the work shift. Exceptions include attendance at meetings of bodies and committees within the framework of work assignments if they are held after 20:00.
- 4) The duration of the meal and rest break shall be determined by the employee; however, the employee is obliged to take it no later than after 6 hours of continuous work from the start of the shift on a particular day, and for a minimum of 30 minutes.

- 5) Heads of departments and heads of workplaces shall ensure, by agreement with subordinate staff, that the operation (including the provision of information) of the departments/workplaces under their management is maintained, especially for contact with other parts of the UHK.

V. Obstacles to Work

- 1) The employees shall arrange their personal issues that are, according to labour law, obstacles to work on the part of the employee, and/or visits to physicians etc. outside working hours or during the flexi-time. The issues may only be dealt with during the core working hours if absolutely necessary and to the extent necessary. Unless legal regulations specify otherwise, obstacles to work shall be considered performance of work to the extent in which they fall within the core working hours only.
- 2) Obstacles to work that interfere with the flexi-time are treated as excused absence but not as work performance (they are not included in the hours worked) and no reimbursement of wage shall be provided for them.
- 3) If the legislation on work-related obstacles specifies the exact duration of the necessary period of time for which the employee is entitled to leave, the entire period shall be considered as performance of work. In the case of all-day obstacles, duration of an average shift, i.e. 8 hours, shall be considered as the period of one day.
- 4) If the employee has not worked all or part of the flexi-time in a week because he/she was prevented from doing so by an obstacle to work on the part of the employee, he/she shall work the unworked time without undue delay during the following working days but not later than by the end of the next calendar month, unless another time for working-up has been agreed between the employee and his/her immediate superior. Work may be done during the flexible working hours only unless other time has been agreed. Such work is not overtime work.
- 5) Obstacles to work on the part of the UHK shall be treated as performance of work if they interfere with the employee's work shift, up to a maximum of the average duration of the work shift (8 hours) for each individual working day.

VI. Overtime work

Overtime work during flexible working hours means work performed in excess of the fixed weekly working hours within the compensation period under Article III (1) if the employee performed it on the order or with the consent of the employee's superior (Section 78(1)(i) of the Labour Code). Such order or consent must be explicit.

PART TWO

Telework (*Home Office*) at the UHK

VII. General Provisions for Telework

- 1) If the circumstances of the work performance and the employee's job description allow it, the employee may agree that he/she will schedule a certain part of his/her working hours on his/her own at a location of his/her own choosing (telework). In particular, telework cannot be used for direct teaching activities, consultancy activities, scheduled meetings and other activities requiring the employee's personal presence at the workplace. Telework shall always be agreed with the employee on the basis of an individual request.
- 2) The provisions on the Flexible Working Hours shall apply *mutatis mutandis* to telework, unless specified otherwise below.

VIII. Rules for Telework

- 1) A telework agreement must be made with the employee in writing.
- 2) Adjustment of working hours, downtime or interruptions caused by adverse weather shall not be applied to telework; the duration of a shift may not exceed 12 hours. The employee shall observe breaks and rest periods in accordance with the Labour Code.
- 3) In the event of other important personal obstacles to work, the employee shall not be entitled to compensation for wages or salary, unless provided otherwise in implementing legislation.
- 4) Teleworkers will not be ordered to work overtime and they may not schedule overtime work.
- 5) For the purposes of providing wage compensation or remuneration based on an agreement pursuant to Sections 192 and 194 of the Labour Code, and for the purposes of taking leave, the standard working hours scheduling into

average eight-hour shifts in accordance with Section 79 of the Labour Code shall apply.

- 6) The employee must keep records of work and be trained in occupational health and safety. The employee is obliged to comply with occupational health and safety regulations.
- 7) The employee shall preferably use work and other aids from the UHK for work (provided they have been given to him/her). The details of any reimbursement of extraordinary costs incurred by the employee in connection with the performance of the work shall be laid down in a written telework agreement.
- 8) The employee is required to schedule his/her work on weekdays between 6:00 and 20:00. The employee is not entitled to schedule work on holidays and public holidays. The employee shall be available during at least the core working hours as defined in Article III (2), which shall be agreed in the individual written telework agreement; this shall not apply to employees whose total work load is less than 1 and to agreements to work outside the scope of employment.
- 9) The details of telework are set out in an individual written telework agreement made between the employee and the UHK.
- 10) For the purposes of agreements to work outside the scope of employment where the employee's own scheduling of working hours is agreed, the provisions of this Decree shall apply *mutatis mutandis*.

IX. Application for Telework

- 1) The employee shall ask his/her manager or immediate supervisor for telework. In the request, he/she shall specify the specific days on which he/she will telework. The request shall usually be made 3 working days before the requested start of the telework. If relevant circumstances on the employee's part warrant so, the employee may submit the request by the day on which the telework is to take place. The telework request may be made for individual days or for the aggregate of days in a given calendar month.
- 2) If the employer orders telework, he shall do so no later than the day before the telework is ordered.
- 3) The employee's manager or immediate supervisor shall evaluate the employee's request for telework and decide on the employee's request by approving or denying it, taking into account in particular the operational needs of the employer.
- 4) In the request, the employee shall also indicate the address and contact details (including telephone number) at which he/she will be available and

where he/she will perform the telework. If the address for the requested telework is different from the employee's home address as specified in the employment contract with the employer, the employee's manager or the immediate superior shall take into account the suitability of the telework location, particularly with regard to the operational needs of the employer.

- 5) The provisions of this Article shall not apply to employees working under agreements for work performed outside the scope of employment.

X. Transitional and Final Provisions

- 1) This Decree shall enter into force on the date of signature. It shall take effect on: 13. 06. 2024
- 2) Existing agreements on telework made under the Rector's Decree No. 12/2020 remain in force and are governed by the Labour Code and this Decree. Wherever the term "*working from home*" is used, it shall now mean "*telework*" as defined in this Decree. In the event of a material inconsistency of an existing agreement to work from home made before the entry into force of this Decree, a telework agreement under this Decree shall be made without delay.

In Hradec Králové on 13. 06. 2024

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Rector