

# EMPLOYEE CARD

## 1. What is an employee card?

A new type of **single permit**, which authorises its holder to **stay** in the territory of the Czech Republic **for the purpose of employment on a long-term basis** and to **perform work** in the job, for which the card was issued.

For the purpose of **seasonal work only the long term visa are issued. Blue Cards continue to be issued** for the purpose of highly qualified work. An employee card is a **plastic card with biometric features**.

## 2. Who issues employee cards?

The Ministry of the Interior – Department for Asylum and Migration Policy.

## 3. For how long a period of time is an employee card issued?

For the duration of the employment but not for longer than 2 years, with the option of **repeated extension** of validity.

## 4. For whom is an employee card intended?

For foreign nationals from **any country in the world. But not for**

- the citizens of the Member States of the EU/EEA and Switzerland and
- their family members from among the citizens of other countries who are holders of a residence card of a family member of a citizen of the EU/EEA and Switzerland or who applied for issuance of such a card.

## 5. For what types of employment is the card intended?

For **all types of employment regardless of the level of required professional qualifications**.

However, a **job vacancy**, for which an application for an employee card can be filed, must be included in the **central register of job vacancies that can be filled with employee card holders**. These job vacancies are **published**, with the consent of the employer, **on the integrated portal of the Ministry of Labour and Social Affairs on the Internet** where you can find them: [http://portal.mpsv.cz/sz/zahr\\_zam](http://portal.mpsv.cz/sz/zahr_zam)

## 6. Where can I apply for an employee card?

You must file the written application in person at your **local embassy of the Czech Republic**.<sup>2</sup> If you are already staying in the territory of the Czech Republic on a **visa for a stay of over 90 days** or on a **permit for long-term residence for some other purpose**, you can file the application **with an office of the Ministry of the Interior**.

Administrative fee is charged with the application: 1 000 CZK (by the embassy); 1 500 CZK (by the Ministry of Interior).

## 7. What needs to be submitted with an application for an employee card?

- a valid **travel document**;
- **1 photograph** corresponding to the current appearance of the foreign national;
- **a document confirming availability of accommodation to the foreign national** for the period of his/her stay in the territory of the CR;
- **a contract of employment or an agreement on work activity** (or at least a **contract for a future contract**, in which the parties undertake to enter into a contract of employment or an agreement on work activity within an agreed time limit)<sup>3</sup>. These documents must contain a stipulation providing that, regardless of the scope of work, the agreed monthly salary will not be lower than the basic rate of the monthly **minimum wage**<sup>4</sup> and the **amount of weekly working hours will be at least 15 hours**;
- **documents confirming professional qualifications** required for the given jobs.

You may also be requested to submit

- **a document equivalent to an extract from the Register of Criminal Records** as a source material for evaluating your criminal record;<sup>6</sup>
- **a document concerning recognition of your foreign education** by the relevant authority of the Czech Republic;
- **a document confirming compliance with the requirements of the provision of the Ministry of Health of the Czech Republic against importation of an infectious disease**.

All the attached documents must be submitted as **originals, possibly as officially certified copies** (except for the travel document), and **officially translated into Czech language**. The documents required to be attached to the application must not be older than 180 days, except for the travel document and the photograph of the foreign national, provided that it corresponds to his/her current appearance.

## 8. When will I receive my employee card?

If you file an application for an employee card abroad and your application is granted, the embassy will issue **a visa for a stay of over 90 days for the purpose of collecting an employee card** for you. Before the visa is entered, you will be asked to submit a **travel medical insurance certificate** valid for the period from the date of entry into the territory of the Czech Republic to the date on which you start your employment, which will be the date on which you acquire public medical insurance in the Czech Republic.

**After your arrival to the Czech Republic, visit an office of the Ministry of the Interior** for the purpose of **providing the biometric data** necessary for production of an employee card not later than **within 3 working days**. After acquisition of the biometric data, **a certificate confirming compliance with the conditions for issue of an employee card** will be issued to you.

## 9. When can I start working?

On the date on which the Ministry of the Interior **issued the certificate confirming compliance with the conditions for issue of an employee card** provided you are holder of valid short, long-term visa or residence permit.

## 10. Can I, as a holder of an employee card, change employers or change to a different job?

**Yes** but you must file a written **application for consent** with such a change with an office of the Ministry of the Interior and your application must be approved. Once again, it must be a job vacancy included in the *central register of job vacancies that can be filled with holders of employee cards*.

It is not necessary to apply for a consent in person. It is possible to submit the application of the application form for application for an employee card.

You must attach **a contract of employment or an agreement on work activity** or at least **a contract for a future contract** (see item 7) to this application. If different qualifications requirements are set for your new job or if the document, with which you previously proved your professional qualifications, has ceased to be valid, you must submit evidence of your professional qualifications again. Further you have to submit **the document proving you are still currently employed you terminated your employment less than 60 days ago** (for instance by confirmation of employer, agreement of termination/ notice or eventually by last pay slip).

Application for consent should be submitted 60<sup>th</sup> day after the termination of employment at the latest, otherwise your employee card will cease. The reason of the termination of the employment has no relevance in this respect.

If the application for consent is submitted in the period of 120 days before expiry of the current employee card, the Ministry of the Interior will examine this application also as an application for renewal of the employee card.

<sup>1</sup> An employer is required to report a job vacancy which the employer intends to fill with a foreign national to the regional office of the Employment Agency of the Czech Republic.

<sup>2</sup> You are only entitled to file the application at the embassy of the Czech Republic in the country of which you are a citizen or else, if applicable, in the country which issued the travel document of which you are a holder or in the country in which you have a permitted long-term or permanent residence. This requirement is waived if the foreign national is a citizen of a country on the list of countries whose citizens are entitled to file an application for a long-term visa at any embassy of the Czech Republic (Ordinance No. 429/2010 Coll.).

<sup>3</sup> An employee card cannot be issued for performance of a job under an agreement on performance of work.

<sup>4</sup> As of 1 January 2017, the minimum monthly wage in the Czech Republic 11 000 CZK = ca 420 EUR/495 USD.

<sup>5</sup> A document proving education acquired (such as diploma). A document proving professional qualifications, if required according to other legal regulations (for example the appropriate driving licence for tram/bus drivers, etc.). In the case of occupation referred to as a "regulated occupation", you must submit a document confirming that you meet the requirements for performance of the regulated occupation. Therefore, after filing an application for an employee card, you must also apply for recognition of your professional qualifications with the relevant recognition authority of the Czech Republic. Issue of an employee card is contingent on your submitting an affirmative decision of the recognition authority.

<sup>6</sup> Issued by the country of which you are a citizen as well as by the countries in which you stayed for a period longer than 6 months without interruption during the last 3 years, or a statutory declaration, if the country concerned does not issue such a document

### 11. Can I have several jobs as a holder of an employee card?

**Yes.** But you will **only have one employee card at all times.** You will be able to perform another job only if you obtain **the consent of the Ministry of the Interior**, for which you must apply (see *item 10*). At least one job must meet condition of 15hour working week and minimum monthly wage.

### 12. What shall I do if I left my job and I want to get another ?

If you are a holder of a valid employee card or you apply for prolongation of its validity, you are allowed to submit the application for a consent of Ministry of Interior with the change of the employer still in the period of 60days following the termination of you current job (see *item 10*). If you choose not to use this option, the validity of your employee card will cease, same as the right of the legal stay on the territory under the § 47 par. 4 of Act on Residence of Foreign Nationals (so called fiction of validity of employee card)

### 13. On what conditions can I renew my employee card?

An application for renewal of an employee card is to be filed in the period of 120 days before expiry of the existing employee card. The application is to be filed with the Ministry of the Interior and it does not have to be filed in person. If the application is filed within the specified time limit, you can stay in the country's territory during the proceedings regarding the application and you can also be employed in the job, for which the employee card had been issued to you. However, the authorisation to have the employment will be terminate, if your further employment in the existing job is no longer possible in the opinion of the Employment Agency of the Czech Republic. The required particulars of an application for renewal of an employee card are the same as the required particulars of an application for an employee card; a document on professional qualifications only needs to be submitted if the previously submitted document has ceased to be valid.

## SPECIAL CASES

In some special cases, which are listed below, a foreign national who **wishes to stay in the territory of the CR on a long-term basis for the purpose of employment** and has **the right of free access to the labour market or continues to be subject to the obligation to obtain an employment permit** issued by the Employment Agency of the CR can also apply for an employee card. In these cases, the right of free access to the labour market or an employment permit entitles the foreign national to perform work and **the employee card serves merely as a long-term residence permit for him/her.**

### a) Free Access to the Labour Market of the Czech Republic

According to a special Act<sup>7</sup>, the right of free access to the labour market of the CR is held, for example, by a foreign national who

- acquired secondary or tertiary vocational education or tertiary vocational education at a conservatory<sup>8</sup> or university education<sup>9</sup> in the Czech Republic, or who
- wishes to be employed in the Czech Republic as a pedagogical employee or an academic employee<sup>10</sup> of a university<sup>9</sup> or as a cleric of a church or a religious organisation registered in the Czech Republic, or who
- has been posted to the Czech Republic by his/her foreign employer based in some other Member State of the EU/EEA or Switzerland as part of provision of services, or for whom
- a valid international agreement so provides.

An employee card can be issued for a foreign national for the duration of contractual employment according to the submitted documents (such as a contract of employment) but **not for longer than 2 years**, with the option of **repeated extension** of its validity.

As a mandatory attachment, the foreign national must also attach a document proving his/her right of free access to the labour market along with his/her application for an employee card, in addition to the other documents (specified in *item 7*). A document confirming the professional qualifications for performance of the given job or a document on recognition of foreign education will not be required from the foreign national.

If this foreign national changes his/her employer or job or finds an additional job, he/she must **notify the Ministry of the Interior** of this fact **within 3 working days** from the date, on which such a change occurred.

### b) Employment Permit

A foreign national who wishes to stay in the CR on a long-term basis for the purpose of employment with an employee card must apply with the relevant regional office of the Employment Agency of the CR for an employment permit **only if**,

- he/she has been **posted** by his **foreign employer** based outside the territory of the EU/EEA or Switzerland **to perform work in the CR** (to perform tasks here arising from a contract entered into between this employer and a Czech legal entity or a Czech natural person), or
- he/she is a **seasonal employee** performing work dependent on seasons of the year, employed for a period not exceeding 6 months in a calendar year; or
- he/she works as an **intern** in an employment relationship with an employer in the Czech Republic, or
- an international agreement so provides in his/her case.

In these cases, a foreign national will apply for **an employment permit** for a **job which is not included in the central register of job vacancies that can be filled with holders of employee cards.**

As a mandatory attachment, the foreign national must also attach the issued **employment permit** to the **application for an employee card**, in addition to the other documents specified in item 7, or he/she must at least provide **the reference number of the filed application for an employment permit** in the application for the employee card.

An employee card can be issued for a foreign national **for the period of validity of his/her employment permit**. Renewal of the validity of his/her employment permit is a condition for possible renewal of the validity of his/her employee card.

After his/her arrival to the Czech Republic, a foreign national can start performing a job, if he/she has a valid employment permit and a visa for a stay of over 90 days for the purpose of collecting an employee card.

**In case you are partner, member or statutory body of a business company or a cooperative** and you perform tasks arising from the type of activity of this legal entity you will still need employment permit to perform this activity. **However it is not possible to issue the employee card for the purpose of performance of these activities or even to prolong the validity of employee card.** If you were issued employee card for this purpose in the past you can find yourself other job different from performance of activities in a range of the business activities of your company or cooperative and apply for the consent of the Ministry of Interior with the change of employer or job position. To get employee card or a consent of the Ministry of Interior with the change of job position for the performance of tasks arising from the business activity of the company or cooperative is possible only when you are not member of such cooperative, partner or member of statutory body of such company.

### Where can I get more information on an employee card?

On **the website of the Ministry of the Interior**:

<http://www.mvcr.cz/cizinci>

Or on the **information line of the Ministry of the Interior**:

**e-mail:** [pobyty@mvcr.cz](mailto:pobyty@mvcr.cz)

**telephone:** (+420) 974 832 421,

(+420) 974 832 418

(Monday–Friday; 8:00–15:00)

Or on the **Integrated Portal of the Ministry of Labour and Social Affairs:** [http://portal.mpsv.cz/sz/zahr\\_zam](http://portal.mpsv.cz/sz/zahr_zam)