

GETTING TIME OFF TO GO CAMPING

With the summer holiday season approaching, people often ask about the rules for employees getting time off to go to children's & training camps. This issue is addressed in an amendment to the Labour Code, Act No. 285/2020 Coll., which came into effect on January 1, 2021, specifically in § 203a. It focuses on leave of absence related to events for children and young people. Employees are granted leave for reasons of general interest, and entitlement to this leave arises only to the necessary extent.

When it comes to time off to go camping, certain rules apply to both employees and employers. In the following section, we are going to focus on the conditions that must be met by employees in order to be eligible for this type of leave, and what conditions for granting or denying time off to their employees there are for employers.

Conditions for Employees

In one calendar year, an employee can take a leave of absence to go camping for a maximum of 3 weeks. One of them is fully paid, while the remaining two are an excused unpaid leave from work. Prior to the aforementioned amendment of the Labor Code, such leave of absence was seen entirely as an employee's unpaid impediment to the performance of work. The currently provided pay compensation is subject to all statutory deductions on both the employee and employer's part.

The employee must hold the post of a children & youth camp or training camp leader, a deputy leader for economic and health matters, a group leader, educator, instructor, or mid-level health worker. To be granted time off to go camping, they must also have continuously and voluntarily worked with children or young people for at least one year.

The camp or training camp must be organized by a legal entity that has been registered in the public register of legal and natural persons for at least 5 years. This establishment must also list working with children and young people as its main activity. Employees must prove to the employer that this condition has been met, ideally in their leave of absence request. The request should contain all necessary information, including a confirmation from the organizer of the event.



Conditions for Employers

An employer may refuse to provide their employees with time off if it would prevent or seriously jeopardize the operation of the company. The law describes this situation as operational reasons. They are, however, not further specified, and the employer's decision depends on the specific situation and company.

Employers can also request recompense for their employees' pay compensation from the corresponding Czech Social Security Administration branch (PSSZ, MSSZ, OSSZ), according to the company's main office location. To do that, they need to complete and submit a prescribed form published by the Czech Social Security Administration, together with a proof of employees' pay compensation payment and entitlement to leave of absence. An application for recompense can be submitted within three years of the date of payment to the employee.

Lastly, it is necessary to mention that the compensation can only be provided up to the average wage in the national economy in the first to third quarters of the calendar year preceding the calendar year in which the corresponding leave of absence is granted. In 2022, it added up to 39,306 CZK. In addition to the wage recompense, employers are also reimbursed for social security insurance, contributions to the state employment policy and public health insurance.

The official form that employers must provide in case of applying for a refund of their employees' pay compensations and related contributions is available here <https://eportal.cssz.cz/web/portal/-/tiskopisy/zoupnm>.

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