

EMPLOYMENT OF PEOPLE WITH DISABILITIES

If an employee joins your company and informs you that they have a physical disability, do you know when they can apply a tax rebate and what supporting documents you need from them? And should this even matter to you?

Before we describe the documents needed for a tax rebate to be approved, it is essential to mention the fact that a person with a disability can also be a person who has not been granted any degree of disability and thus does not receive a care allowance. These persons are referred to as health disadvantaged (*osoby zdravotně znevýhodněné – OZZ*), followed by persons in the first, second, and third degree of disability in the categorization according to the law, ordered by their reduced ability to work.

While the Labor Office is responsible for issuing physically disabled (*tělesně postižený – TP*), health physically disabled (*zdravotně tělesně postižený – ZTP*) and health physically disabled with a guide (*zdravotně tělesně postižený s průvodcem – ZTP/P*) certificates, the assessment of entitlement to a disability pension based on the assigned degree of disability falls exclusively within the authority of the District Social Security Administrations. It is necessary to state that these institutions do not cooperate in these matters, even though the matters are very closely related. It is therefore possible for a person to be allowed to apply a tax rebate for owning a ZTP or ZTP/P certificate, but a rebate for the first and second degree of disability or the third degree of disability cannot be applied. This means you need a different supporting document for each of the rebates – either a ZTP or ZTP/P certificate, or a confirmation of a disability pension granting or the pension assessment, which are issued by the District Social Security Administrations if requested.

Both the aforementioned certificates and disability pension are granted based on different criteria. The entitlement to the former is assessed mainly by an employee's reduced ability to move, the main deciding factor for the former is whether the person has experienced a decrease in their work ability, and if so, how significant.

Tax advantages for having children

An employee can also claim a higher tax advantage for their child who has been granted a ZTP/P certificate. This tax benefit can be claimed even when the child reaches adulthood, provided they meet the conditions laid down in the income tax law. This means that they do not receive a third-degree disability pension and

are systematically preparing for a future occupation (they are a student) or cannot prepare for a future occupation due to illness or injury, or their health condition does not allow them to do so in the long term.

Health insurance when receiving a disability pension

There are also specific rules for disabled employees in terms of health insurance contributions to the minimum assessment base (*minimální vyměřovací základ – MVZ*). Employees receiving a disability pension are also insured by the state, and for this reason, their health insurance is not calculated to the MVZ. This does not apply to first and second degree ZTP employees without a disability pension, while third degree ZTP employees, even without receiving a disability pension, are also insured by the state.

Employers' view of employees' health disabilities

Employing people with disabilities brings several benefits to their employers. The primary benefit is expanding diversity and inclusivity in the team, which can bring new perspectives, improve the atmosphere in the workplace, and enhance cooperation quality within the team. Employing people with disabilities also fulfils corporate social responsibility and contributes to a positive public perception of the company.

Another advantage for employers is the possibility to obtain state financial incentives and subsidies. As part of promoting the employment of people with disabilities, companies can apply for grants to retrain their employees, adjust the working environment, or to be able to afford assistants or interpreters. These financial incentives can reduce the costs associated with adjusting the workplace for disabled employees.

An integral part of employing people with disabilities (*osoby se zdravotním postižením – OZP*) is fulfilling the compulsory quota of OZP employment. This obligation arises for all companies that employ an average of 25 or more employees, with the Employment Act stipulating a mandatory quota of 4% of the total number of employees. An employer who records an average annual equivalent of 100 employees should therefore employ 4 OZPs. If this is not the case, there are further options to fulfil this obligation (purchasing goods or services from given companies, or contributing to the state budget, or a combination of both). We will have a more detailed look at this in the future.



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