




# National Programme of Inspection Actions 2022

## Protecting workers from Ukraine

### Czech Republic

	<p><b>Summary</b></p> <p>Under the adopted legislative Act No. 65/2022 Coll. ("Lex Ukraine") and related laws Ukrainian refugees/displaced people have been granted temporary protection status allowing them to enter the Czech labour market more easily. This has resulted in broadening the Czech Labour Inspectorate's national programme of inspection actions for 2022 to include a focus on ensuring compliance with working conditions of Ukrainian workers with temporary protection status.</p>
<p><b>Title of the practice in original language</b></p>	<p><i>Kontrolní akce Státního úřadu inspekce práce</i></p>
<p><b>Name(s) of authorities/bodies/ organisations involved</b></p>	<ul style="list-style-type: none"> <li>▶ The Czech State Labour Inspection Office (<i>Státní úřad inspekce práce</i>);</li> <li>▶ Foreign Police Service (<i>Služba cizinecké policie</i>);</li> <li>▶ National Centre against Organised Crime (<i>Národní centrála proti organizovanému zločinu</i>);</li> <li>▶ The Polish and Slovakian Labour Inspectorates.</li> </ul>
<p><b>Sectors</b></p>	<p>All</p>
<p><b>Target groups</b></p>	<ul style="list-style-type: none"> <li>▶ Ukrainian displaced persons involved in undeclared work (directly targeted);</li> <li>▶ Labour inspectors, also from Poland and Slovakia (indirectly targeted).</li> </ul>
<p><b>Purpose of measure</b></p>	<p>Deterrence: improve detection</p>

	<p><b>Aims and objectives</b></p> <p>The aim of the measure granting Ukrainian refugees/displaced people with temporary protection status was to ensure that they could enter the Czech labour market more easily while protecting them against exploitation and preventing undeclared work. The measure was then implemented through the National Programme of Inspection Actions for 2022 where an additional focus on the working conditions of Ukrainian workers was incorporated.</p>
<p><b>Background context</b></p>	<ul style="list-style-type: none"> <li>▶ Act No. 65/2022 Coll. ("Lex Ukraine") outlines certain measures to be taken in connection with the armed conflict in Ukrainian territory as a result of the Russian invasion and regarding other related laws - for example, the recognition of education (Act No. 66/2022 Coll.; Act No. 67/2022 Coll.). Under the Act the Ministry of the Interior has issued special visas to Ukrainian refugees/displaced people affording them temporary protection, and under which they can freely participate in the labour market;</li> <li>▶ As a result of the legal changes and regulations, the labour inspection authorities now for the purpose of preventing the abuse of this vulnerable group of employees incorporate them into their inspection activities;</li> <li>▶ The National Programme of Inspection Actions for 2022 has an additional focus on compliance concerning the working conditions of Ukrainian workers with temporary protection.</li> </ul>
<p><b>Key objectives of the measure</b></p>	<p><b>General Objective:</b></p> <ul style="list-style-type: none"> <li>▶ To prevent illegal employment of Ukrainian refugees/displaced people granted temporary employment status.</li> </ul> <p><b>Specific Objectives:</b></p> <ul style="list-style-type: none"> <li>▶ To provide integration assistance to displaced people from Ukraine;</li> <li>▶ To prevent exploitation of Ukrainian workers by placing additional focus on remuneration, length of working time, comparable working conditions, occupational safety, temporary agency employment.</li> </ul>
<p><b>Main activities</b></p>	<ul style="list-style-type: none"> <li>▶ A new legal framework implies the need to focus on helping displaced Ukrainians in order to prevent illegal employment, and is also likely to support the Czech Labour Inspectorate in their activities to combat undeclared work among displaced Ukrainian people;</li> <li>▶ To identify inspection targets, the General Directorate of the Labour Office provides the Labour Inspectorate with a list of</li> </ul>



	<p>employers who employ persons from Ukraine with a status of temporary protection;</p> <ul style="list-style-type: none"> <li>▶ Measures are targeted at making the labour market accessible for Ukrainians, and include projects offering job counselling, training, and financial contributions to travel expenses to commute to work or a place of voluntary activity;</li> <li>▶ An important factor is the close cooperation of Czech labour inspectors with the Foreign Police Service, the National Centre against Organised Crime, and Polish and Slovak labour inspectors<sup>i</sup>.</li> </ul>
<b>Funding/organisational resources</b>	The funding for inspections was within the general budget allocation of the Labour Inspectorate.



### Outcomes

The inspection programme initiated 57 targeted inspections, of which 16 were completed. Even though there have been cases of illegal working, no major violation of displaced Ukrainians' rights has been reported.

### Achievement of objectives

- ▶ Currently, 57 targeted inspections have been initiated, of which 16 were completed by May 2022. Although there were instances of illegal or disguised/dependent self-employment and information breaches, no refugees from Ukraine were found to be working for lower wages or under worse conditions than normal;<sup>ii</sup>
- ▶ The targeted inspections revealed the following type of breaches: in total, 45 displaced Ukrainian citizens in inspected workplaces were found to be engaged in illegal work, i.e., working without a contract; 5 employers concealed the employment of 25 Ukrainian temporary protection status holders; when employing Ukrainians with this type of status, 29 employers failed to report them to the Czech Labour Office, and 16 employers failed to keep copies of documents proving that an employment relationship with the Ukrainian temporary protection holders existed at the workplace;<sup>iii</sup>
- ▶ Applicants are not asked to provide details of their nationality or residence permit but can voluntarily provide this information when making a complaint to the Labour Inspectorate. This means that the information on the number of complaints submitted by refugee persons is not automatically available (for example, in 2021 there was a total of 5 318 referrals for



	<p>inspection, of which only 45 were made by third-country nationals);</p> <ul style="list-style-type: none"><li>▶ Except for the targeted inspections, the labour inspection authorities received 11 requests for inspections related to the employment of temporary protection status holders from Ukraine<sup>iv</sup>;</li><li>▶ A statistical system has been implemented to track whether a complaint highlights possible violations of the working conditions of Ukrainians under the temporary protection status;</li><li>▶ The Labour Inspectorate launched an investigation into one case of suspected labour exploitation which came under the competence of the police.<sup>v</sup>.</li></ul>
<p><b>Lessons learnt and success factors</b></p>	<p>The most important lesson is that timely, considered, and complex measures supported by legal regulation and cooperation of all relevant institutions can significantly assist the work of inspectorates.</p> <p>Success factors:</p> <ul style="list-style-type: none"><li>▶ The proactive and timely introduction of the measure along with the immediate incorporation of the new focus into the National Programme of Inspection Actions for 2022 avoided a serious and significant increase of cases of undeclared work and labour exploitation;</li><li>▶ Close cooperation of the of Czech labour inspectors with the Foreign Police Service, the National Centre against Organised Crime, and Polish and Slovak labour inspectors contributed to increasing the probability of undeclared work detection;</li><li>▶ The legal weight of the act mitigated the challenges from the start and contributed to the smooth implementation of the action;</li><li>▶ A holistic approach to the integration of displaced people from Ukraine;</li><li>▶ The list of employers who employ persons from Ukraine with a status of temporary protection provided by the General Directorate of the Labour Office facilitated the labour inspectorates to plan targeted field inspections.</li></ul>



**Transferability**

This measure is easily transferrable. It requires a Member State to put in place a similar legislative framework (set of laws “Lex Ukraine”) reflecting its own national situation.

**Further information**

**Contact**

Andrea Veselá, Ministry of Labour and Social Affairs, Czech Republic

Email: [andrea.vesela@mpsv.cz](mailto:andrea.vesela@mpsv.cz)

**Useful sources and resources**

**Legislative Acts**

Act No. 65/2022 Coll. (<https://www.zakonyprolidi.cz/cs/2022-65>);  
Act No. 66/2022 Coll. (<https://www.zakonyprolidi.cz/cs/2022-66>);  
Act No. 67/2022 Coll. (<https://www.zakonyprolidi.cz/cs/2022-67>)

**State Labour Inspection Office website**

<https://www.suip.cz/>

<sup>i</sup> The Czech Labour Inspectorate has general cooperation Agreements with both the Slovak Republic and Polish Labour Inspectorates. So far there has been no joint action regarding refugees from Ukraine (correct at time of writing - November 2022).

<sup>ii</sup> Veselá, A. (2022). Ukrainian refugees in the Czech Republic: Finding the right solutions. Presentation from the Platform subgroup on tackling undeclared work among displaced persons/refugees from Ukraine, 19 May 2022, Warsaw (Poland).

<sup>iii</sup> One inspected employer could violate more than one regulation. Therefore the number of employers breaching the rules exceed the number of inspections completed (based on the phone consultation with the contact person on 7 October, 2022)

<sup>iv</sup> At the time of writing, 3 inspections have already been initiated based on these requests.

<sup>v</sup> At the time of writing, the police have not yet confirmed the suspected labour exploitation; the inspection still in progress.