

Agreement on Fixed-Term Employment Contracts

concluded in accordance with § 39 Paragraph 4 of Act No. 262/2006 Coll., the Labour Code, as amended, between the following contracting parties:

Tomas Bata University in Zlín

Public higher education institution established in compliance with Act No. 404/2000 Coll., on the Establishment of Tomas Bata University in Zlín

Identification No.: 70883521

Registered office: nám. T. G. Masaryka 5555, 760 01 Zlín

represented by Rector, Prof. Mgr. Milan Adámek, Ph.D.

(hereinafter referred to as “the Employer” or “TBU”),

and

Basic Organization of the University Trade Union Association of Tomas Bata University in Zlín

Included in the Company Register kept by the Regional Court in Brno, Section L, Entry 24812

Identification No.: 04698622

Registered office: nám. T. G. Masaryka 5555, 760 01 Zlín

represented by Ing. et Ing. Jiří Konečný, Ph.D., Chairperson

and

Trade Union of Employees of Tomas Bata University in Zlín

Included in the Company Register kept by the Regional Court in Brno, Section L, Entry 29669

Identification No.: 21233632

Registered office: nám. T. G. Masaryka 5555, 760 01 Zlín

represented by Ing. Pavlína Egner, Ph.D., Chairperson

(hereinafter also jointly referred to as “contracting parties”)

Preamble

In accordance with Act No. 262/2006 Coll., the Labour Code, as amended (hereinafter referred to as the “Labour Code”), the contracting parties agree to enter into this Agreement on Fixed-Term Employment Contracts (hereinafter referred to as the “Agreement”), which sets out the rules for the procedure of TBU as an Employer in concluding and renewing of fixed-term employment contracts for the following specified group of TBU employees referred to in § 39 Paragraph 4 of the Labour Code.

Article I

Fixed-Term Employment Relationship

(1) The contracting parties have agreed that, due to the specific nature of work at a public higher education institution and for operational reasons, the procedure stipulated in § 39 Paragraph 2 of the Labour Code does not have to be followed when entering into and renewing fixed-term employment contracts for the category of employees specified in Paragraph (3) of this Article. The specific nature of the work and operational reasons, as well as the conditions and rules for a procedure other than that referred to in § 39 Paragraph 2 of the Labour Code, are specified in the following paragraphs of this Article.

(2) The specific nature of work at a public higher education institution and the operational reasons consist in the performance of work tasks within research, development or creative projects with earmarked resources, with the funding being defined both in terms of time and type of work activities.

(3) The restriction on fixed-term employment relationships does not apply to all staff (academic staff, researchers and other staff) who have been employed for specific project activities for which earmarked funds have been provided, with the funding being defined both in terms of time and type of work activities.

(4) The following common rules apply to the alternative procedure for concluding and renewing of fixed-term employment contract:

- a) The Employer is entitled to conclude a fixed-term employment contract, as referred to in the preceding paragraphs, for a period exceeding three years, but no longer than the duration required by the project – i.e. in accordance with the terms of the subsidy, the funding rules and the project staffing plan.
- b) The Employer is entitled to conclude fixed-term employment contracts, as referred to in the preceding paragraphs, for a minimum period of one year. Exceptionally, a shorter period may be agreed if this corresponds to the needs of the project – i.e. in accordance with the terms of the subsidy, the funding rules and the project staffing plan.
- c) The Employer is entitled to repeatedly conclude fixed-term employment contracts, as referred to in the preceding paragraphs, without limitation on the number of renewals.
- d) In the case of the final extension of a fixed-term employment contract under the above provisions, the Employer is obliged, before the agreed fixed term expires, to offer the employee another suitable permanent position corresponding to their education and health condition, provided the Employer's circumstances allow for this.
- e) The agreed scope of working hours (workload/FTE) under the employment relationship specified in Paragraph (3) must correspond to the relevant position within the project –

i.e. in accordance with the project staffing plan. The alternative procedure described in this Paragraph (4) does not apply where an employee has agreed to a higher FTE than the project position allows, unless the entirety of the increased FTE falls under the employment arrangement defined in the preceding Paragraph (3).

- f) If the employee performs work for the Employer in several employment relationships in compliance with § 34b Paragraph (2) of the Labour Code, each employment relationship shall be assessed separately.

III Final provisions

- (1) This Agreement shall come into force on the date of signature by the last of the contracting parties, shall take effect on 1 June 2025, and is concluded for a fixed term until 31 May 2026.
- (2) This Agreement shall also apply to employment relationships concluded under this regime prior to its effective date, provided that such relationships were entered into in accordance with the previously agreed Agreement on Fixed-Term Employment Contracts that preceded this Agreement.
- (3) This Agreement may be amended or supplemented only by mutual agreement of both contracting parties, by means of written amendments numbered in ascending order.
- (4) The Agreement shall be drawn up in three copies, each of which shall have the force of an original. Each party shall receive one copy thereof.

In Zlín on

In Zlín on

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Prof. Mgr. Milan Adámek, Ph. D.
Rector
Tomas Bata University in Zlín

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Ing. et Ing. Jiří Konečný, Ph.D.
Chairperson
BO of the UTUA of Tomas Bata University
in Zlín

.....
Ing. Pavlína Egner, Ph. D.
Chairperson
Trade Union of Employees of Tomas Bata
University in Zlín