

Abstract

The thesis “Employment of foreigners” analyses individual aspects of current legislation in the area of employment of foreigners. It is primarily focusing on nationals from non-EU countries.

The thesis is divided into five parts. The first chapter focuses on defining the basic terms typical for the employment of foreigners and often used in the whole thesis. Their precise definition is crucial for a comprehensive analysis of the issue of employing foreigners.

The second chapter provides a brief overview of the individual types of residence permits, on the basis of which a foreigner may reside in the Czech Republic. Although the thesis is mainly focused on the employment of foreigners from third countries, it also includes EU citizens and their family members for the sake of complexity. The thesis defines the basic difference between the certificate of temporary residence and the temporary residence permit, including the particulars that the foreigner must submit to obtain it. At the end of the first part of the chapter are summarised the basic conditions of permanent residence. The second part of the chapter is devoted to the conditions of entry of foreigners from third countries in the Schengen area, as well as the basic definition of short-term, long-term and permanent residence in the Czech Republic.

The third part of the thesis is devoted to a detailed analysis of the employee card. The first part of the chapter analyses the steps that need to be taken in the process of obtaining the card. The procedure includes job vacancy notice to the Regional Office of the Labor Office of the Czech Republic, negotiation of working conditions between a foreigner and a domestic employer, submission of an application for issuing an employee card and subsequent collection of a biometric card at the Department for Asylum and Migration Policy of the Ministry of the Interior of the Czech Republic. The second part of the chapter contains the basic characteristics of the employee card in a non-dual regime, including the conditions for obtaining a work permit. Finally, there is a procedure to extend the employee card and change work in the Czech Republic. The fourth part of the thesis contains the basic characteristics of the blue card and intra-company employee transfer card, legal regulation of the dispatch of foreigners in the Czech Republic and seasonal employment.

The last part of the thesis deals with issues related to the employment of foreigners in the Czech Republic. They are the obligations of the employer, linked to the employment of EU citizens and their family members and foreigners from third countries and the penalties associated with their breach. Specifically, it is information, registration and reporting obligation. At the end of the thesis is an outline of the issue of illegal work and agency employment.