

# **STATUTES OF THE COUNCIL OF ECONOMIC AND SOCIAL AGREEMENT OF THE CZECH REPUBLIC (RHSD CR)**

## **Article 1 Functions and Objectives of the RHSD CR**

The Council of Economic and Social Agreement of the Czech Republic (hereinafter the "RHSD CR") shall be a joint voluntary negotiating and initiative body of trade unions, employers and the Government of the Czech Republic for tripartite negotiations aimed at reaching an agreement in essential issues of economic and social development. The RHSD CR shall enable to maintain, through mutually respected form of the dialogue, social peace as a basic precondition of positive development of economy and living standards of citizens.

## **Article 2 Contents of the Activity of the RHSD CR**

The RHSD CR shall discuss selected problems which are a matter of mutual interest, namely in the following areas:

- economic policy
- labour law relations, collective bargaining and employment
- social issues
- wages, salaries
- public services and public administration
- labour safety
- human resources development
- integration of the CR to the European Union

## **Article 3 Bodies of the RHSD CR**

The bodies of the RHSD CR shall be:

- Plenary Session
- Presidium
- Working Teams and Groups
- Secretariat

**Article 4**  
**Plenary Session of the RHSD CR**

- (1) The Plenary Session of the RHSD CR shall be the top negotiating body of the RHSD CR. It shall discuss concepts and selected draft laws, the main tendencies and trends of development, settle principal disputes among partners, solve serious concrete problems issuing from the Article 2 of these Statutes. It shall solve situations endangering social peace. It shall determine the agenda of the session proposed by the RHSD CR Presidium. It shall, on the proposal of the RHSD CR Presidium, appoint heads of individual Working Teams and Groups of the RHSD CR.
- (2) Plenary Session of the RHSD CR shall be attended by:
  - delegation of the Government consisting of five ministers and two deputy ministers,
  - seven representatives of trade union confederations which meet criteria set in the Annex 2 to the Statutes,
  - seven representatives of employers' associations which meet criteria set in the Annex 1 to the Statutes.
- (3) Individual delegations shall consist of four permanent members and three members alternating according to the discussed issues. Personal representation of delegations of social partners of the Government shall be regulated by Annex 3 to these Statutes "Personal Representation of Delegations in the Bodies of the RHSD CR".
- (4) In case that other employers' or trade union entities meet the representation criteria set in the Annexes 1 and 2 to these Statutes, the Plenary Session of the RHSD CR shall discuss their participation in the bodies of the RHSD CR.
- (5) Personal changes in delegations' composition shall fall into the competence of each of the three delegations in the RHSD CR. The changes in delegations shall be announced in writing to the Chairperson and Secretariat of the RHSD CR.

**Article 5**  
**Presidium of the RHSD CR**

- (1) The Presidium of the RHSD CR shall be the executive body between the Plenary Sessions of the RHSD CR. The Presidium of the RHSD CR shall discuss the strategic documents, especially in the spheres set in the Article 2 of these Statutes, it shall debate principal differences which occurred at Plenary Session, consider and assess the development of social partnership, solve situations endangering social peace. It shall inform Plenary Session on results of its negotiations.

- (2) In urgent cases it shall inform respective state, trade union and employers' bodies.
- (3) On the recommendation of the Working Team for Tripartite and Organisational Matters of the RHSD CR it shall draft the agenda of the Plenary Session and determine the date of its holding. It shall propose to the Plenary Session the appointment of heads of individual Working Teams and Groups. According to the needs it shall establish temporary Working Groups.
- (4) The Presidium of the RHSD CR shall consist of a Chairperson and two Vice Chairpersons who shall be appointed by their delegations. Only members of the delegations to the RHSD CR may be members of the RHSD CR Presidium. After mutual agreement of all three parties also other members of the delegations to the RHSD CR may take part at the session of the RHSD CR Presidium.
- (5) Personal representation of delegations in the RHSD CR Presidium shall be regulated by Annex 3 to these Statutes "Personal Representation of Delegations in the Bodies of the RHSD CR".

#### **Article 6**

#### **Working Teams and Groups of the RHSD CR**

- (1) The Working Teams of the RHSD CR shall be its permanent expert bodies for dealing with the matters set by Article 2 of these Statutes. The Working Groups of the RHSD CR shall be its expert bodies which shall for the same purpose and with the same level of responsibility extraordinarily and temporarily deal with topical matters of common interest of participating delegations over the framework of the issues set in Article 2 of these Statutes.
- (2) Working Teams and Groups of the RHSD CR (maximum 9 members) shall pre-discuss the submitted materials, prepare and provide expert opinions to them and other background documents for the bodies of the RHSD CR. They shall cooperate in creation of draft legal regulations.
- (3) Delegations in Working Teams and Groups of the RHSD CR shall be represented by one - three of their members with a special regard to:
  - labour law relations, collective bargaining and employment
  - economic policy
  - wages, salaries and related matters
  - social issues
  - public services and public administration
  - labour safety
  - human resources development
  - integration of the CR to the European Union
  - tripartite and organisational matters

- (4) The Working Team for Tripartite and Organisational Matters of the RHSD CR shall consist of the Executive Secretary of the RHSD CR, heads of individual Working Teams and, if needed, also by heads of temporarily established Working Groups.

### **Article 7** **The Secretariat of the RHSD CR**

- (1) The Secretariat of the RHSD CR shall ensure the preparation of the draft agenda of the RHSD CR bodies and provide technical and organisational preparations of the sessions of the RHSD CR. It shall produce minutes from the sessions of the RHSD CR bodies, organise press conferences and provide information from the sessions of the RHSD CR bodies to the Government of the CR and mass media. It shall hand over final wording of the governmental drafts including the introducing reports submitted to the Parliament of the CR to the secretariats of social partners of the RHSD CR. The Secretariat of the RHSD CR shall be managed by the Executive Secretary of the RHSD CR. He/she is appointed by the Government of the CR on the basis of consensus of all three delegations.
- (2) The Executive Secretary of the RHSD CR and other members of the staff shall be employees of the Office of the Government of the CR.

### **Article 8** **Sessions of the Bodies of the RHSD CR**

- (1) The Plenary Session of the RHSD CR shall meet usually once in two months, according to the adopted work plan. If asked by one of the delegations the Chairperson of the RHSD CR shall convene an extraordinary Plenary Session of the RHSD CR.
- (2) The Presidium of the RHSD CR shall meet usually once in a month, at least 14 days before the Plenary Session of the RHSD CR. In a situation threatening social peace, the Chairperson of the RHSD CR shall, after consulting the Vice Chairpersons, convene an extraordinary meeting.
- (3) The Working Teams and Groups shall meet and discuss issues as needed. Their meetings shall be convened by their heads after an agreement with the Secretariat of the RHSD CR.
- (4) At the sessions of the RHSD CR bodies invited guests may take part, after an agreement of the delegations of the RHSD CR.

**Article 9  
Financing**

- (1) Individual delegations after mutual agreement shall take part in the organisational and financial arrangements of the activity of the RHSD CR.

**Article 10  
Standing Orders**

- (1) More detailed procedural conditions of the negotiations of the RHSD CR bodies shall be regulated by Standing Orders of the Council of Economic and Social Agreement which is a part of these Statutes.

**Article 11  
Final Provision**

- (1) The Statutes of the RHSD CR were agreed by all three delegations of the Presidium of the Council for the Dialogue of Social Partners of the CR at its session on 24th July 1997 and this document was adopted by the Plenary Session of the Council of Economic and Social Agreement of the CR on 13th November 1997 and entered into force by this date.
- (2) Changes and amendments to the Statutes of the RHSD CR, including Annexes, were adopted by the Presidium of the RHSD CR at its session on 22nd August 2000 and their validity was confirmed by the RHSD CR Plenary Session held on 12th September 2000.

**Criteria for Employers' Representativeness  
in the Council of Economic and Social Agreement of the CR**

- 1) Representatives of large, medium and small businesses in industry, building industry, transport, agriculture, trade and services, which employ or associate the decisive part of employees and members of cooperatives within the above areas.
- 2) The organisations the representatives of which participate in the RHSD CR have a nation-wide scope of activities, associate employers' organisations in regions and various branches.
- 3) The organisations have been established and filed according to the Act No. 83/1990 Coll. on Association of Citizens, in its valid wording.
- 4) The organisations are not engaged in political activities within the meaning of the Act on Political Parties and Movements.
- 5) Any employers' representation applying for the participation in the RHSD CR has to prove the employment of minimum 200 000 employees in its organisations.

**Criteria for Trade Unions' Representativeness  
in the Council of Economic and Social Agreement**

- 1) The organisations have been established and filed according to the Act No. 83/1990 Coll. on Association of Citizens, in its valid wording, and are not engaged in political activities within the meaning of the Act on Political Parties and Movements.
- 2) Organisations are engaged in trade union activities consisting in promoting economic and social interests of their members, especially they lead collective bargaining at the company and branch level.
- 3) Organisations are independent of the government and employers.
- 4) Organisations have a confederation structure, i.e. associate at least three trade unions which represent different branches.
- 5) Organisations have a nation-wide scope of activities.
- 6) Each trade union entity applying for the participation in the RHSD CR has to prove the membership of at least 150 000 organised members.

**Personal Representation of Delegations in the Bodies of the RHSD CR  
Agreed in Accordance with Article 4 of the Statutes**

**Plenary Session of the RHSD CR shall be attended by delegations consisting of:**

- seven representatives of the Government, five of them ministers and two of them deputy ministers as statutory representatives of the members of the Government,
- seven representatives of confederations, six of them delegated by the Czech-Moravian Confederation of Trade Unions and one representative delegated by other entity meeting criteria in the sense of Annex 2, one of them shall be the Vice Chairperson of the RHSD CR,
- seven representatives of employers associations delegated by the Union of Industry and Transport of the CR and by the Confederation of Employers' and Entrepreneurial Unions of the CR, one of them shall be the Vice Chairperson of the RHSD CR.

**The Presidium of the RHSD CR shall consist of:**

- a member of the Government who shall be at the same time the Chairperson of the RHSD CR
- Vice Chairperson of the RHSD CR for the side of trade unions
- Vice Chairperson of the RHSD CR for the side of employers.