

# News Flash

10 August 2023



**How to employ refugees from  
Ukraine in the Czech Republic?**

## How to employ refugees from Ukraine in the Czech Republic?

On 21 March 2022, Law No. 65/2022 Coll. and Law No. 66/2022 Coll. were promulgated in the Collection of Laws, granting free entry to the Czech labour market to Ukrainian citizens who have fled to the Czech Republic in connection with the conflict in Ukraine. These regulations have now been amended and the temporary protection of Ukrainian refugees **is extended until 31 March 2024**, subject to the conditions described below.

### Types of residence permit

Persons who have fled from Ukraine before the armed conflict can currently reside in the Czech Republic on the basis of different types of residence permits. In addition to ordinary residence permits, such as an employment card, a large number of Ukrainian citizens reside in the Czech Republic on the basis of:

- temporary protection - codes: D/VS/U or D/DO/667, D/DO/668, D/DO/669, D/DO/767, D/DO/768, D/DO/769, D/DO/867, D/DO/868, D/DO/869
- long-term visa for the purpose of toleration - codes: D/VS/91, D/VC/91, D/SD/91.

Example of a temporary protection label:



This type of residence will generally be given to those who fled Ukraine after the invasion by the Russian Federation. Alternatively, those whose residence permits have expired but cannot return for the time being due to the situation in Ukraine.

Please note that persons who have obtained temporary protection in another Member State cannot obtain temporary protection in the Czech Republic. At present, it **is not even possible** for persons with temporary protection or a visa for the purpose of toleration to switch to **the employment card regime**.

The most significant change is the possibility for persons with temporary protection granted in another country to apply for **a blue card** at the embassy in Ukraine.

We would like to remind you that holders of temporary protection issued by the Czech Republic can only stay in the Schengen area countries in a limited regime according to the so-called 90/180 rule. Thus,

within any 180 days they can stay outside the territory of the Czech Republic in another Schengen area country only for 90 days.

### Extension of temporary protection

Temporary protection was granted until March 31, 2023. Those who wished to continue to reside in the Czech Republic had to register online by March 31, 2023.

If the registration was not carried out, **the temporary protection expired**. In this case, the person can reapply for temporary protection. If he or she continues to meet the conditions, temporary protection will be granted.

If the registration has been duly and timely carried out, this extends the validity of the temporary protection until **September 30, 2023**. Until then, the holder of temporary protection is obliged to appear in person at the Asylum and Migration Policy Department of the Ministry of the Interior (OAMP) and have a new visa affixed. This will be valid until **March 31, 2024**. The date at the OAMP is assigned during online registration.

As part of the in-person visit to OAMP to mark the new visa, you must also provide the necessary documents. These are:

- passport,
- proof of accommodation - this can be presented either as a rental agreement or as a written confirmation from the property owner.

### New application

If the deadline for extending temporary protection has been missed, any entitlement to benefits (e.g. humanitarian benefits, housing assistance, free access to the labour market, access to health insurance) has also been lost.

The foreigner has the possibility **to reapply** for temporary protection if the circumstances that led to the first application continue to exist.

More information can also be found on the [website of the Ministry of the Interior of the Czech Republic](#).

### Visa for the purpose of toleration

If you do not meet the conditions for temporary protection, you can apply for a tolerance visa. In this case, the person **does not automatically have free access to the labour market** and must obtain permission from the Labour Office.

Those who already have a tolerance visa in connection with the conflict in Ukraine have their visa **extended automatically** until 31 March 2024 and do not need to take any further steps. However, in order to avoid inconsistencies and uncertainty when dealing with the authorities, it is recommended to request a new sticker with an updated validity date. This label is marked with the code D/SD/91. A prior order is required for its marking.

There is also an exception for visas issued in connection with the armed conflict in Ukraine in relation to exit from the territory. Persons holding this type of visa for the purpose of toleration do not lose their visa by leaving the territory.

## Employer obligations - new and existing

Since the employer is obliged to keep a copy of the documents proving the alien employee's eligibility to stay, the employer should take a proactive interest in whether employees who hold temporary protection have applied for its extension in a proper and timely manner.

By March 31, 2023, temporary protection holders should have completed online registration. By doing so, they extended their temporary protection until September 30, 2023. They must then appear in person at an OAMP office to have their visa affixed by that date. The visa will be valid until March 31, 2024.

The employer can then verify the validity of the authorisation with the newly affixed visa. Between the online registration of the person with temporary protection and the affixing of the visa, the employer should request **a confirmation of registration** from the person with temporary protection in order to check his/her residence (see image below). The registration number can be read from this confirmation. The employer can use the registration number to check the validity of the registration [online](#).



### Potvrzení o provedení elektronické registrace k prodloužení dočasné ochrany

Dne **DD. MM. 2023 ve 00:00** byla provedena elektronická registrace k prodloužení dočasné ochrany v souladu s ustanovením § 7b odst. 3 zákona 65/2022 Sb., o některých opatřeních v souvislosti s ozbrojeným konfliktem na území Ukrajiny vyvolaných invází vojsk Ruské federace.

Dle **ustanovení § 7b odst. 1** výše citovaného zákona je na základě elektronické registrace provedené do 31. 3. 2023 oprávněn cizinec pobývat na území České republiky za účelem dočasné ochrany **do 30. 9. 2023**.

(*vyznačením vízového štítku na pracovišti Ministerstva vnitra v uvedeném termínu bude dočasná ochrana na území ČR prodloužena až do **31. 3. 2024***)

Držitel dočasné ochrany, který byl elektronicky registrován k prodloužení dočasné ochrany:

Jméno:

Příjmení:

Datum narození:

Adresa pobytu v České republice:

Na základě elektronické registrace k prodloužení dočasné ochrany bylo přiděleno číslo jednací:

**OAM-000000/DO-2023**

As of April 1, 2023, employers are obliged to **register all employees** who have temporary protection **with the CSSA**. This obligation now also applies to employers who have a work performance agreement or a work activity agreement with a holder of temporary protection. The deadline for registering a person is normally 8 days.

Otherwise, the same rules apply to the employment of persons with temporary protection as to the employment of other foreigners with free access to the labour market, e.g. the employer's obligation to report the start of employment of the foreigner and other changes to the Labour Office or to keep a register of foreign employees.

We are ready to help you with the employment of refugees from Ukraine, do not hesitate to contact us.

### Disclaimer

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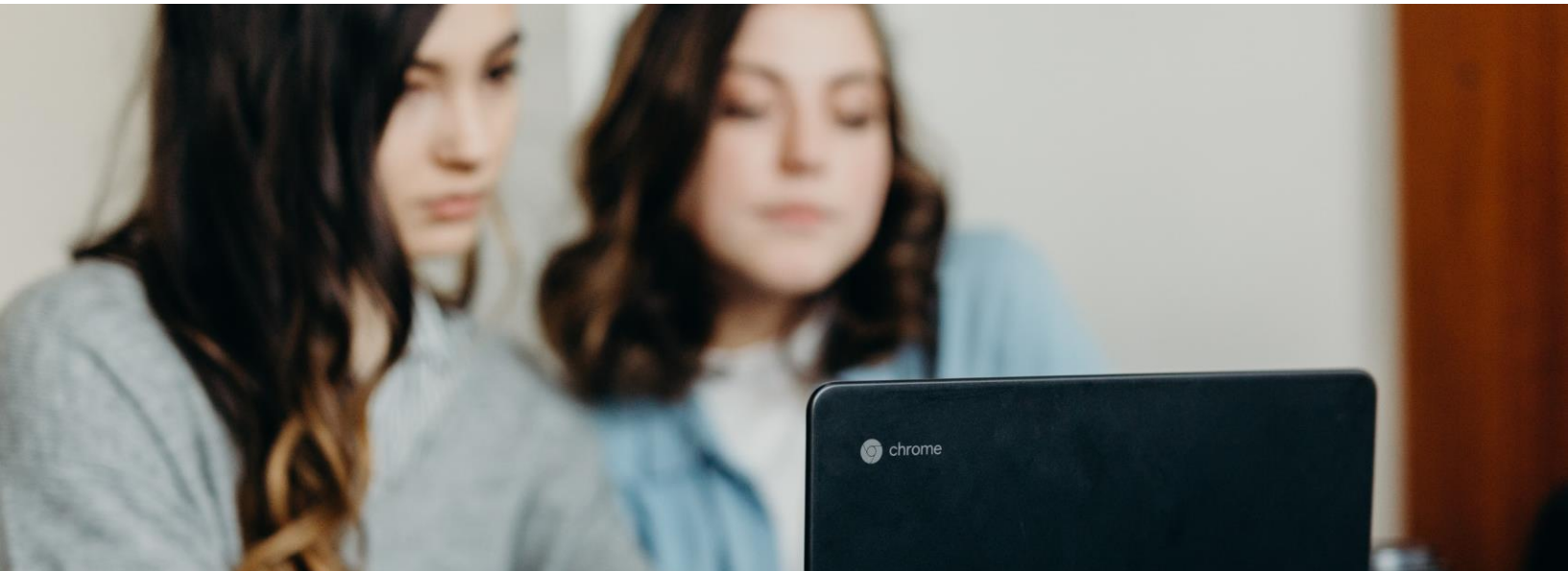
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