



# ARE YOU A MIGRANT WOMAN AGED 40 YEARS AND MORE?

**ARE YOU TACKLING ANY  
OF THESE ISSUES?**

Residence permits in the CR  
Czech citizenship  
Employment or entrepreneurship  
Retirement pension or social benefits  
Health and insurance  
Housing or family issues  
Free time and public life



**SDRUŽENÍ ASSOCIATION  
PRO INTEGRACI FOR INTEGRATION  
A MIGRACI AND MIGRATION**



Association for Integration and Migration (SIMI)  
Prague 2016

## DEAR LADIES,

You are opening a practical guide, in which counsellors from the Association for Integration and Migration (SIMI) have collected information, advice and tips for you on how to find the best way to deal with various life situations during your stay in the Czech Republic.

The SIMI has provided legal, social and psychosocial counselling to migrants in the CR since 1992, having encountered almost 50,000 of you during this time. Despite the fact that during our day-to-day work we give equal attention to both men and women, this material is intended predominantly for women – migrants or Czechs with migration background, who have crossed the threshold of their forties. You may be asking why. The reason is simple. Our long-lasting experience shows that women (and migrant women in particular) are subject to discrimination more often, be it in the labour market, family or society.

One of the topics which our female clients have tackled widely over several past years is ageing and the fact how and who will take care of them when they reach pension age. We and they have come to realize that both the Czech society and they themselves are not ready for this new life situation and issues related with it. On the outside, these women may often make an impression that they do not need anything, because they are expected to manage everything on their own, “like all the time”.

Because we are convinced that this is not the case and that it is important to get acquainted with the issues of women, associated with migration and ageing, we have gradually recorded experience and issues of migrant women of middle and higher age during our 2-year project, entitled **Women at the sidelines (?)**, financed by the Norway Grants. Now we present to you a brief guide on how to proceed when tackling some frequently repeating situations. The handbook thus provides an overview of individual types of residence permits in the CR as well as advice on how to obtain them and information on submission of application for a state citizenship in the CR. The handbook contains examples on how to solve a divorce of marriage, arrival of ageing parents in the CR or options for your already adult children to arrive here. In addition, we also describe procedures for obtaining health insurance, social benefits or retirement pension. We have not omitted issues such as employment and entrepreneurship, housing or tips for free time or involvement in public life in your municipality or city part. Advice on how to tackle some family difficulties is included, too.

We believe that our handbook will become a practical source of information and advice. If something is still not clear to you, we at SIMI will be happy to advise you or you can follow our website [www.migrace.com](http://www.migrace.com). If you want to share your own experience, stories or tips with us or other women, you can discuss about it in our **blog No wrinkles** at <http://bezvrasek.migrace.com>.

SIMI Team

## LIST OF TERMS

**Third country nationals** – all individuals who are not nationals or family members of nationals of the EU, Switzerland, Lichtenstein, Norway and Iceland.

**EU nationals** – individuals who are nationals of some EU country. Nationals of Switzerland, Lichtenstein, Norway and Iceland also have the same rights.

**Family member of an EU national** – a spouse; registered partner; partner; parent, if an EU citizen below 21 years is concerned and is cared for; a descendant below 21 years or such a descendant of a spouse of an EU national; a descendant or ancestor of an EU national or descendant or ancestor of a spouse of an EU national, if he/she depends on the alimentation or other necessary care provided by an EU national or their spouse to satisfy his/her basic needs or depended on this alimentation or other necessary care before entering the country of his/her nationality or in a country where he/she had a residence permit.

**Sponsor of residence permit** – an individual residing in the CR, on whom your residence permit depends (typically a long-term residence for the purpose of family reunification or a temporary residence of a family member of an EU national).

**Funds for a long-term visa** – 15 times the amount of the subsistence level (in 2016: **CZK 2,200**), for business 50 times the subsistence level for the first month of residence, for every whole month of the expected residence in the CR 2 times the subsistence level is added (e.g. a stay for 6 months:  $(15 \times 2,200) + (5 \times 2 \times 2,200) = 33,000 + 22,000 = \text{CZK } 55,000$ ). To be proven by an account statement or international payment card.

**Funds for a long-term residence** – the total net monthly income must equal at least the sum of the subsistence level amounts (in 2016: **CZK 3,420**/person) and housing costs. If you live with your family, the amount to be documented depends on the number of persons living with you; family income is counted, too.

**Housing costs** – the rent and fee for services are to be documented.

**Funds for a permanent residence** – like a long-term residence, they are also evaluated retroactively.

**Document evidencing accommodation** – a rental agreement; document evidencing property ownership; confirmation of accommodation from the owner (a certified signature of the owner is needed).

**Residence purpose** – a reason why you stay or wish to stay in the CR (business, family reunification, studies, invitation, others – e.g. culture, studies at a non-accredited school, sports).

**Documenting residence purpose** – the fact confirming your purpose is to be documented always (e.g. family reunification – a birth certificate of child, marriage certificate to be submitted).

**Employee card (EC)** – a type of a long-term residence, based on which a third country national may work in the CR.

**Exit order** – a special residence permit, issued for 2 months at most. It is intended for arranging to all the matters related with leaving the CR.

**DAMP** – the Department of Asylum and Migration Policy of the Czech Ministry of Interior, a public body which grants, renews or cancels most residence permits.

## RESIDENCE PERMITS

- If you are an **EU national** or a family member of an EU national, you may stay in the CR based on a temporary or permanent residence.
- If you are a **third country national**, you may stay in the CR based on a short-term visa, long-term visa, long-term residence or permanent residence.

**Short-term visa** – a visa for stay of up to 90 days. It is usually used for tourism or short-term visits.

### **Long-term visa (LV)**

If you wish to stay in the CR for the period **over 90 days** and **1 year at the longest**. In most cases, this visa is to be applied for at a Czech embassy in the country of origin (exempted are countries specified in the Decree 429/2010 Coll.). Upon application, **a purpose is to be documented**, based on which you will stay in the CR and which is to be fulfilled thorough the entire course your LV stay. If you cease to fulfil the purpose, this is a reason for cancelling your visa. The application is to be **accompanied by**: a filled form; funds for stay; confirmation of accommodation; valid travel document; photographs; extract from criminal record upon request and a document evidencing prevention of infectious diseases.

**LV renewal** – If your visa ends, renewal is to be applied for **90 days at the earliest** and **14 days at the latest** before the expiration of its validity.

### **Long-term residence (LR)**

If you have a long-term visa (LV), but want to stay in the CR for the same reason for **longer than 1 year**, you need to apply for a LR at the DAMP. LV must be **applied for at the time of visa validity**. The application is to be **accompanied by**: a filled form; funds for stay; confirmation of accommodation; valid travel document and purpose of stay.

#### **Example:**

*You stay in the CR based on a LV with a business purpose valid for 1 year and you want to stay here longer. You may thus apply for a LV with a business purpose. **ATTENTION!** In case of a LV with a business purpose you may not apply for a LV with the purpose of family reunification, for exmple!*

**Application rejection** – If your LV application is rejected by the DAMP, you may **appeal within 15 days** from the delivery of decision. If it is rejected, you may take **legal action within 30 days** from the delivery day (in parallel, suspensory effect of the legal action is to be applied for).

**LR renewal** – If the validity of your LR ends and you want to stay in the CR, you need to apply for its renewal **120 days** prior to LR validity expiration **at the earliest** and **on the last day of LR validity at the latest**. **ATTENTION!** The renewal of an **employee card** is to be applied for **30 days prior to its expiration at the latest!**

**Change of LR purpose** – In the course of LR its purpose can be changed.

**Example:**

*During your residence with a business purpose, your business no longer thrives, and you have the opportunity to get employed. Then you need to apply for a change of residence purpose at the DAMP, specifically for the employee card. The application is to be accompanied by all formalities, which are required for the employee card.*

**ATTENTION!** During some types of LR the purpose may only be changed after a certain period of time. Always get informed upfront on the change of purpose in your particular case.

## STATE CITIZENSHIP

Czech state citizenship represents the highest possible degree of your integration in the Czech society. It may be **granted** to you under the following conditions:

- You have stayed in the CR based on a permanent residence permit for **5 years** (only 3 years for EU citizens); or you have stayed in the CR for **10 years**, having had a permanent residence at the time of application.
- If you have passed a **test in Czech language and culture** (this condition may be pardoned exceptionally, e.g. when you are over 65 years);
- In the past, you did not have any insurance or social security debt. This will be evaluated by the Ministry of Interior as part of your application. It is advisable to make all the payments duly during your residence in the CR to avoid any debt. A long-term dependency on social benefits may also be detrimental.

State citizenship may not be granted to you, even though you fulfil all legal requirements, because there is no legal entitlement to it. You may file a **remonstrance to the Minister of Interior** against the negative decision **within 15 days** from the day of delivery. If the decision of the Minister is negative, you may take **legal action** against his decision **within 30 days**.

# SELECTED TYPES OF RESIDENCE PERMITS OF THIRD COUNTRY NATIONALS

## EMPLOYEE CARD (EC)

If you want to work in the CR, you usually must apply for an EC as follows:

- **dual EC** (it contains a residence permit and employment permit concerning a job listed in the registry of free jobs for EC applicants);
- **non-dual EC** (a residence permit for those with a free access to the labour market or those who need an employment permit).

For an EC, you need that the employer conclude a **work contract, agreement to perform work** or **preliminary contract** with you, stipulating a **wage in the minimum amount set out by law for minimum wages** (for 2016: CZK 9,900), the **weekly working hours will be 15 hours as a minimum**. In addition, upon applying you need to **submit**: a confirmation of accommodation, filled form and travel document. Once an EC has been granted, you may change your job or leave your employer. In case of a dual EC, the DAMP must agree and it must concern a job in the registry of free jobs for the EC applicants. In case of a non-dual EC, you are obliged to report this change to the DAMP within 3 working days. **ATTENTION! The EC renewal must be applied for 30 days before expiration of its validity at the latest.**

## LONG-TERM RESIDENCE FOR THE PURPOSE OF FAMILY REUNIFICATION (LR REUNIFICATION)

A residence permit when you want to reside in the CR with your family member who already has a certain type of residence permit or your family member wants to reside with you in the CR and you already have a residence permit. LR reunification may be applied for by your husband; minor or adult and dependent child; minor or adult and dependent child of your husband; your parents if they are lonely and over 65 years or regardless of age, unable to take care of themselves for health reasons.

Your relatives may apply for a LR reunification if you have resided in the CR for **at least 15 months**. If you reside in the CR based on your EC, you must have resided here for **at least 6 months**; if you have a blue card, you may apply for a LR reunification **immediately**.

## PERMANENT RESIDENCE (PR)

A PR may usually be applied for **after 5 years** of an uninterrupted residence in the CR. **Without any prior residence** you may apply for PR **for humanitarian reasons; due to a special consideration; minor or adult and dependent child**, whose parent resides in the CR based on a PR permit and will live with the child. PR may also be applied for **after a procedure for granting international protection** (particularly minor children and their parents or persons aged over 65). You must fulfill the following: **2 years of an ongoing procedure** on international protection and **4 years of residence** in the CR. The DAMP may exempt you from these conditions. The application is to be filed within 2 months from the end of procedure.



**The formalities of application** are similar to LR applications; you must **document** the required length of stay and regular income in the required amount. For most PR applications you need to prove **knowledge of Czech language**.

## SOLUTIONS TO SELECTED SITUATIONS FOR THIRD COUNTRY NATIONALS

### DIVORCE

If you have difficulties in marriage and wish for a divorce, you need to seek **specialised legal assistance** (lawyer) to establish what legal system (country) the divorce will be governed by and which court is competent.

If you reside in the CR based on a **permanent residence**, the divorce **will not have any impact on your stay**.

If you reside in the CR based on **LR reunification**, your particular situation and options need to be considered (length of your residence, any children and their residence type):

- If you have been in the CR **for more than 3 years**, you can change the purpose of your stay.
- If your **marriage has lasted for 5 years and you have resided in the CR for 2 years**, you may change the purpose of residence earlier than after 3 years. Such a change must be applied for **within 1 year from divorce at the latest**.

***Example:** You have resided in the CR for 2 years based on LR business and 1 year based on LR reunification. After a divorce you may change the LR purpose to e.g. business if you can run a business. If you have a job offer, you may apply for an EC. All the conditions for the relevant residence type must always be fulfilled.*

**ATTENTION!** You are **obliged to report to the DAMP** that you have divorced **within 3 working days** from the legal force of the divorce decision. If the DAMP wants to cancel your residence, **the impact of such a decision on your family and private life must always be evaluated**.

### DEATH OF SPONSOR OF RESIDENCE PERMIT

In such a situation you can **change the purpose of residence**, if you have lived in the CR at the time of death of your sponsor for at least **3 years**.

You may change the purpose of residence **earlier than after 3 years and within 1 year from the death of sponsor at the latest if:**

- You have lived in the CR continuously for 2 years as of the day of death of your sponsor.
- Your sponsor died as a result of an occupational injury or disease.

# SELECTED TYPES OF RESIDENCE PERMITS OF EU NATIONALS AND THEIR FAMILY MEMBERS

## TEMPORARY RESIDENCE OF EU NATIONALS (TR)

If you are an EU citizen, you may reside in the CR **without any residence permit**. If you want to stay here for more than 30 days, you are obliged to **report your stay within 30 days from entering the CR at the relevant Department of Aliens Police**. If you fail to fulfil your reporting requirement, you may be fined.

If you plan to stay in the CR for **longer than 3 months**, you may (and are not obliged) to apply at the DAMP **for a confirmation of temporary residence**. This registration has benefits if you want to obtain permanent residence in the CR or need to document your presence here to obtain social benefits.

To obtain a confirmation of residence you need to **submit**: a travel document, confirmation of accommodation and confirmation of insurance (only if you do not perform a gainful activity – employment or business).

## PERMANENT RESIDENCE OF EU NATIONALS (PR)

Permanent residence (PR) will be granted to you if you have resided **in the CR for 5 years**. You may also apply for PR if:

- You had a gainful activity in the CR and now you have a gainful activity in another EU country, assumed that you return to the CR;
- In the CR, you have been granted the entitlement to pension, you performed gainful activity 12 months prior to the PR application and you have resided here for at least 3 years;
- Your gainful activity was terminated due to a disability of 3rd degree and you have lived in the CR for at least 2 years (the condition of 2 years of residence does not apply if the disability resulted from an occupational injury or disease); or
- You fulfil humanitarian reasons, special considerations and reasons taking account of interests of the CR (discretion of DAMP).

## TEMPORARY RESIDENCE OF FAMILY MEMBERS OF EU NATIONAL (TR)

If you are a family member of an EU national and you want to reside in the CR more than 3 months, **you must apply for a temporary residence** of family member of EU national.

The application is to be **accompanied by**: passport, confirmation of insurance, confirmation of accommodation and a document proving that you are a family member of an EU national. **Evidencing a family bond** is a condition for temporary residence. If you do not have an official document (marriage certificate, birth certificate), you need to submit proof that you share a household with your



partner and have a permanent relationship (e.g. rental agreement, common photographs, shared account).

### **PERMANENT RESIDENCE OF FAMILY MEMBERS OF EU NATIONALS (PR)**

You may obtain a permanent residence **after 5 years** of a temporary residence; **or after 2 years** of a temporary residence if you have been a family member of an EU national for 1 year. Family bonds over 1 year may be proven by a marriage or birth certificate; for unmarried couples this period is counted from the day of temporary residence permit of a family member of an EU national.

Other ways for obtaining a permanent residence are **humanitarian reasons** (e.g. care for an EU national who cannot take care of themselves alone due to a negative long-term health condition or a minor or adult, dependent child of a CR/EU national, who is registered in the CR with a permanent residence permit if their co-existence is a reason for the application); **special considerations** and reasons taking note of **interests of the CR**. Discretion of the DAMP.



## SOLUTIONS TO SELECTED SITUATIONS FOR FAMILY MEMBERS OF EU NATIONALS

### DIVORCE

In some cases, divorce may result in the **DAMP terminating your residence here**. In this case, **you position is that of a third country migrant**. During the period of your residence in the CR based on a removal order (granted by the DAMP after cancellation of TR) may apply for the relevant PR (depending on your residence purpose) or TP, if you fulfil the relevant conditions.

***Example:** You stay in the CR based on a temporary residence. You and your boyfriend did not get married and separated. Your residence was cancelled and you obtained a removal order. If you work, you may apply for an EC (mostly dual) during the validity of removal order. If you run a business, you may apply for LR business.*

The divorce **will not result in cancellation** of your temporary residence as follows:

- You care for a child you have with the EU national or it was entrusted to your care for the period of its education at a primary, secondary and higher vocational school, conservatory or college;
- You have been granted the right to a regular personal contact with the child of the EU national only in the CR;
- Your marriage lasted at least 3 years before the divorce procedure; at the time of marriage your residence was permitted for at least 1 year;
- If you have fallen victim of domestic violence (more on that see the Handbook of the SIMI ***I will not be a victim!*** at [www.migrace.com](http://www.migrace.com) – Publication).

**ATTENTION!** You are obliged to report to the DAMP that you have divorced **within 15 working days** from the legal force of the divorce decision. If the DAMP want to cancel your residence, **the impact of such a decision on your family and private life must always be evaluated**.

## DEATH OF SPONSOR OF RESIDENCE PERMIT

- You are a **widow of a Czech national**, who was registered for a permanent residence in the CR; you may apply for a permanent residence;
- You are a **widow of an EU national**, who is not a Czech national; you may apply for a permanent residence if he performed gainful activity in the CR and resided in the CR at the time of death continuously for at least 2 years; he died as a result of an occupational injury or disease; you lost your original citizenship as a result of marriage;
- The **temporary residence will not be cancelled** if you have resided here for **at least 1 year** at the time of death of sponsor.



# PENSION INSURANCE BENEFITS

## PENSION RETIREMENT

Old age is a period in life, for which we may **prepare in advance**. Besides the upbringing of children, saving and investing in property, **pension insurance** is the most frequent instrument. It is obligatorily paid for you as for every employee by your employer or you pay it yourself if you are a self-employed person. When certain conditions are fulfilled, you are entitled that the Czech government pays you a retirement pension regardless of citizenship or a type of residence permit.

The first condition is the **retirement age**. For women born before 1939 this is the age of 57 years, for younger women it increases; date of birth 1 year later means a pension entitlement shifted by 4 months (for a woman born in 1947, the retirement age is 60 years, in 1965 65 years, in 1977 and later 67 years). This basic pension age is set according to the date of birth and is reduced with every child, whom the woman has had, by 1 year and 4 months.

The second condition is a **sufficient time period**, for which social (pension) insurance has been paid (plus a substitute insurance period, i.e. a period of registration at a Labour Office or a parental leave). If you reach a retirement age in 2016, the necessary **period of pension insurance** is 32 years; in 2017 it will be 33 years, in 2018 34 years and later 35 years. You may establish your insurance period by requesting the informative personal sheet of pension insurance from the Czech Social Security Administration (contact details at [www.cssz.cz](http://www.cssz.cz)).

If you have worked and paid pension insurance in a part of your life in the CR and a part in another country, you may find it difficult to reach the whole period of pension insurance. Some countries have therefore concluded an agreement that the period of pension insurance obtained in both countries will be added. Their citizens may thus fulfil the condition of the total insurance period and draw a **partial pension** from both contractual countries.

*The Czech Republic has concluded such international treaties with: Australia, Austria, Bulgaria, Canada, Chile, Croatia, Cyprus, France, Germany, Hungary, India, Israel, Japan, Korea, Latvia, Luxembourg, Moldova, Poland, Quebec, Romania, Russia, Slovakia, Spain, Switzerland, Turkey, Ukraine, USA and the former Yugoslavia (in relation to Macedonia, Slovenia, Bosnia and Herzegovina, Serbia and Montenegro).*

**Example:**

*You were born in May 1959, today (2016) you are 57 years. You have two children. Your retirement age is 61 years and 4 months, i.e. in September 2020. You have been employed in Ukraine for 24 years, and in the CR for 5 years, 1 year registered at a Labour Office, and now you have been self-employed for 2 years. You have fulfilled 32 years of insurance, you will reach obligatory 35 years in 2019, when you may apply for an early pension, which will be lower, or you will apply for a regular pension in 2020, when you reach the retirement age. You will present the required documents to the CSSA, which will contact the Ukrainian Pension Fund. If the required period of pension insurance in the Ukraine is confirmed, the CSSA will grant you a partial pension for your 11 years of insurance in the CR. The Ukrainian Pension Fund will decide upon the Ukrainian partial pension. It will be paid out to you to your account or through the CSSA, if you ask for it.*

The pension is applied for at the Prague or District Social Security Administration. The application is to be accompanied by:

- Passport or residence permit,
- Documents proving employment abroad (work journal),
- Study or apprenticeship documents (including not completed),
- Documents evidencing the upbringing of children (men present a document on military service),
- Form *Application for pension payment to account*,
- Documents evidencing employment if any employment is missing in the registry – e.g. confirmation of employer, work contract, witness memorandum of former colleagues
- Other documents upon request of the CSSA.

It is important to prepare for pension upfront. The key is to work legally and have your entire income in the work contract and on payment slips. Employees pay higher social insurance than the self-employed, therefore they have a higher pension. If you run a business and make minimal pre-payments, consider it. If you do not have any other option but run a business, consider saving or an investment in your own housing for old age. There is a wide range of commercial pension insurance products with a state contribution.

If you are not entitled to pension (e.g. because the countries where you have worked earlier do not have a social security agreement concluded with the CR or you were granted asylum or a complementary protection and may not contact your country of origin) or your pension is very low, there is a protective system of social benefits – see Chapter Social Benefits.

## OTHER PENSION BENEFITS

Besides retirement pension, there are two types of benefits paid based on pension insurance in specific life situations as follows:

- Disability pension when you are acknowledged disabled;
- Widow's/widower's pension in case of death of the husband/wife.

Keep in mind that all the pension insurance benefits are granted and paid by the **Czech Social Security Administration (CSSA)**. Several conditions are to be fulfilled for individual pension benefits (see below). The pension is calculated by the CSSA and paid upfront (by bank account transfer or in cash at the post offices).

### DISABILITY PENSION

If your ability to work has dropped due to a long-term negative health condition by at least 35 %, disability may be acknowledged to you. If you have not reached retirement age yet and have had a pension insurance for at least 5 years over the past 10 years or 10 years of pension insurance over the past 20 years, you may apply for a disability pension at the CSSA. The insurance periods are added if you have been insured in another contractual country besides the CR as in the case of retirement pension.

### WIDOW'S PENSION

It may be drawn by a wife in case of death of her husband on the condition that the deceased husband had or would have an entitlement to retirement or disability pension at the time of death, i.e. he had pension insurance. Similarly, this applies to a man whose wife died. He has a right to a **widower's pension**.





## SOCIAL BENEFITS I.

If you or your household do not have enough money for housing or other basic needs, you may consider applying for social benefits.

### STATE SOCIAL SUPPORT BENEFITS

**Entitlement to these benefits** have EU nationals working in the CR, third country nationals with a permanent residence or international protection or after 365 days of residence in the CR and applicants for international protection after 365 days of stay outside the asylum procedure. You may apply for welfare benefits at the **Labour Office** (LO) at the place of your official registered residence.

**Housing allowance** – To be entitled hereto, you need to live in a rented flat of a landlord or in your own flat/house, where you have an official registered address of residence in the CR. To determine the entitlement and calculate the benefits, the income of all the persons living with you in the household and registered there for residence is taken into account. Therefore, you cannot apply for this benefit if you live in co-housing, where everyone has their separate budget. The benefit can be drawn for **8 years at most**.

The application is to be **accompanied by**: forms *Application for Housing Allowance, Document on Quarterly Income, Information on the Flat*; lease agreement (or ownership document if you live in your own flat); document on payments of rent and fees for the past calendar quarter (i.e. January–March, April–June, etc.).

**Child allowance** – You may apply for this benefit if you care for a child below 18 years or a student in day studies aged below 26 years and have a low income. You must prove that **the income of your family** in the previous calendar month was **less than 2,4 times the subsistence minimum** of your family (incl. parental allowance). The subsistence minimum can be counted at the website of the Ministry of Labour and Social Affairs or using calculators on the internet. The allowance is paid in three amounts according to the age of a dependent child: 0–6 years CZK 500, 6–15 years CZK 610, student 15–26 years CZK 700.

**Example:** *The subsistence minimum for a family with both parents and one child below 6 years is CZK 7,710. They may receive child allowances when their total net income is below CZK 18,504).*

**Parental and childbirth allowance** – These are additional family allowances to be drawn by a mother or father after the birth of child and care for a child below 4 years of age.

To get a rough idea about your entitlement to social benefits you can use a calculator on the internet (e.g. servers idnes.cz or finance.cz).



## SOCIAL BENEFITS II.

### **BENEFITS IN MATERIAL NEED**

These benefits pertain to people who **do not have a sufficient income** for their most basic needs and who **cannot increase it on their own** (by work, sale/lease of their property or recovering their claims, i.e. outstanding maintenance for a child), or when this financially critical situation occurred **as a result of a natural disaster** (flood, fire).

Entitlement to these benefits have EU nationals and their family members after 3 months of residence in the CR if they document a factual residence here; third country nationals with a permanent residence or international protection or a status of a long-term resident of another EU country. Exceptionally, persons with another type of residence or without a residence permit may apply for an extraordinary assistance if low income threatens their health.

When applying for these benefits, you **document your income** for the period of 3 calendar months before the application, while in the course of drawing for 1 previous month. You indicate the income of **all persons evaluated together** with you (family and other persons living in a joint household with you).

**Allowance for living** – A basic allowance in a material need, its size depends on the amount of subsistence minimum. Adequate housing costs are deducted from the income of your family (your real housing costs up to the amount of 30 %, in Prague 35 % of the income of person/family). The resulting amount is compared to the amount for living, which is set for every person in your family separately based the evaluation of their efforts and possibilities. The amount missing for the subsistence minimum of you and your family is the actual living allowance.

**Supplement for housing** – You may apply for this benefit if housing allowance does not suffice you or you do not have any entitlement to it. You must either draw or apply for a living allowance. This benefit is bound to a property, for which you can submit a written lease agreement and costs you pay for living there. As a rule, this is a house or flat, in cases of special consideration and upon individual evaluation, the Labour Office may grant you the allowance also for using a part of a flat, hostel or other than a living space and for housing in social services (e.g. asylum house, senior home, protected housing). The supplement is calculated by reducing the amount of justified housing costs for the current calendar month (minus housing allowance for the previous calendar month) by the amount by which the income of you and other persons (incl. the living allowance) exceeds your living costs.

**Extraordinary immediate assistance** – A one-off benefit intended for exceptional, negative situations when urgent help is needed, as follows:

- **Threatening severe health damage** – when you are threatened by severe health damage due to a lacking finance and you do not fulfil the conditions for repeated benefits in material need (living allowance/housing supplement), the Labour Office may provide you an amount to complement your income up to the subsistence minimum, i.e. CZK 2,200.
- **Costs for education or children's hobbies** – If you cannot pay these costs due to your income and overall property, the Labour Office may make you a contribution or pay them for you;
- **Necessary one-off expense** – The Labour Office contributes in exceptional situations, i.e. if you were without any means and had to pay an administrative fee upon a proven loss of personal documents, issuance of a duplicate of birth certificate or documents needed for employment or payment of accommodation;
- **Purchase or repair of necessary objects of long-term need** – In exceptional and justified cases the Labour Office may contribute to a purchase/repair of a refrigerator or washing machine for a family with children;
- **Natural disaster** – in case of serious consequences of natural disasters (floods, storm) you may obtain an allowance in the amount of 15 times the subsistence minimum;
- **Absolute absence of home** – the homeless, people released from prison or institutional care may receive an exceptional immediate care in the amount of up to CZK 1,000.

**Care allowance** – When **you need long-term help of another person** for health reasons to meet your basic vital needs (movement, hygiene, preparation of food) or household (cleaning, washing), the Labour Office may pay you a contribution for a nursing or another nursing service or someone close helping you. The amount depends on the number and type of tasks you cannot do alone and may account for CZK 800, 4,000, 8,000 or 12,000 monthly. **Entitled** to this contribution are EU nationals working in the CR, third country nationals with a permanent residence or international protection upon fulfilment of specified conditions. The application is to be **accompanied** by a statement of your GP or a specialist. During the procedure, a social worker first performs an inspection in your home, evaluating your dependence on other persons and medical disability committee will also make a statement on your health condition.

## HOUSING

It is an individual responsibility of everyone in the CR to secure housing. There is a right to housing, which may be protected in specific situations by courts. This does not mean that housing should be provided and guaranteed to everyone by the government. It may help in some situations.

### FLAT OR HOUSE OWNERSHIP

As a citizen of another EU or third country, you have the same options as Czech national to acquire real estate (plot, house, flat). We recommend you to cooperate with an experienced and reliable attorney or realtor, so that the whole procedure from signature of purchase agreement up to the entry of ownership right at the Land Register is done duly. Mortgages (loan to purchase or renovate a real estate) are purely upon the discretion of a specific bank. They take into account whether you are an EU national or a national outside EU and type of residence in the CR. Income and the overall financial situation is evaluated more strictly than in case of Czech nationals. A loan will as a rule not be provided to you for the whole 100 % of the value.

### LEASE

You may rent a flat from the owner (**lease**) or a tenant or member of a housing cooperative (**sublease**). Both, the lease and sublease agreements must be concluded **in writing**. The agreement may end with the expiration of a contractual period or based on a written agreement of the landlord and the tenant or notice of termination. The landlord may give you a notice for certain reasons only (gross breach of tenant's duties, when they need the flat for themselves or a close relative, in other serious justified situations). If you breach your obligations of tenant in a particularly serious way (failure to pay rent for at least 3 months, serious damage to flat or other inhabitants of house), the landlord may give you a notice without a notice period. Otherwise, a notice period, agreed in the contract or set by the Civil Code, is to be complied with (3 months for lease agreement). During the notice period you have the right to use the flat and obligation to pay the rent and other fees. At the end of rental, the landlord must return you the deposit (principal), including interests. They may deduct from it any outstanding amounts for rent and service fees. If you use the flat 3 months after the original end of lease and the landlord has not asked you in writing to leave, the lease is extended for the same period as concluded originally (2 years at most).

Besides the agreement concluded in writing, keep an eye on written confirmations of all payments and settlements. Terminate the agreement as well as all the services you registered for you (electricity, gas, internet) in writing in time. If you do not have enough money for rent, you may apply for a housing allowance or housing supplement (see *Social benefits*).

If you have problems with housing, you may apply for support of the municipality where you live. The Capital City of Prague offers seniors an affordable lease of small-sized flats, conditioned by the minimum age of 65 years, residence in Prague for the past 5 years as a minimum and a retirement pension of at least CZK 6,000 monthly. In addition you may apply for a lease of flat for social reasons. However, the waiting time for these flats in Prague is very long, even many years, and the chance is very low.

## **SOCIAL SERVICES**

For seniors who are not fully self-sufficient for health reasons and need help of another person, there are the social services with housing. They are run most often by municipalities or charities (non-profit organisations). They are paid by the service users themselves. If you fulfil the conditions, you may apply for a contribution for care (see *Social benefits*) and use them to pay for it.

**Nursing service** – Offers assistance of a professional carer on agreed days and hours in your home. It consists in help with regular activities, such as personal care, personal hygiene, preparation or bringing of food, household activities (shopping for groceries, regular cleaning, washing), accompaniment to a GP or authorities. As of 2016, a care charges around CZK 120 per working hour.

**House with nursing care** – It provides accommodation in small flats, regularly visited by a carer and, if needed, by a nurse. It is intended for seniors who are self-sufficient in basic day-to-day activities, but need help with some other activities for health reasons, which cannot be covered by an occasional visit of a carer in their home. The number of those interested is higher than that of flats, therefore, it is usual that one may wait for a fairly long time after the application.

**Retirement home** – It is intended for seniors who cannot do without a regular help of another person in view of their health condition. The condition is a granted retirement pension and a contribution for care, used to pay for the accommodation in the maximum amount of CZK 180, food in the maximum amount of CZK 150 daily and care of staff in the amount of contribution for care. There are municipal as well as private retirement homes, where a price for above-standard accommodation and services may be higher. Generally, waiting time for retirement homes tends to be longer due to lacking places.

## HEALTH INSURANCE AND HEALTH

As any Czech citizen, every foreigner residing in the CR must have a health insurance. For foreigners there are 2 types of health insurance in the CR: **commercial** or **public**.

### COMMERCIAL COMPLEX HEALTH INSURANCE FOR FOREIGNERS

This type of insurance is intended **particularly for foreigners** and will apply to you if you have:

- A long-term visa or long-term stay and are not employed with an entity seated in the CR;
- A temporary residence of an EU family member.

You must pay this insurance for the entire length of your stay in the CR. You may conclude it **only with one out of 6 insurance companies**, entitled to provide this insurance in the CR: Maxima, Uniqa, Slavia, ERGO, P VZP, and AXA.

Prices of a complex health insurance start at around CZK 900 monthly and go up with rising age. **ATTENTION!** The insurance company has the right not to insure you. This may be a problem if you want to bring your old parents to the CR to take care of them and they would apply for a visa or residence for family reunion. It could be a problem if you did not have a permanent residence or international protection and fell ill in the long term.

### Carefully read the agreement and general insurance conditions before signature!

The agreement on complex health insurance of foreigners contains a **number of exemptions**. Some medical interventions and treatment of certain diseases and injuries are not covered by this insurance and the insurance company will not cover them. One of the most important exemptions is that a health insurance company does not cover health care provided to you in connection with a disease or injury which has already occurred before the completion of insurance agreement for the first time. You cannot change the exemptions, and should know about them.

Insurance companies also offer foreigners **health insurance for the case of necessary and urgent care**. It is intended in particular for foreigners who intend to stay in the CR for 90 days at most with a short-term visa. In addition, it may be used by foreigners with a temporary residence of a family member of Czech/EU national. This health insurance covers much less health care and is cheaper than complex insurance. It cannot be used as insurance for applications for long-term visa and long-term residence or their prolongation at the DAMP.

### PUBLIC HEALTH INSURANCE

You are in the system of **public health insurance** as a third country national if:

- You have a permanent residence in the CR;
- You are employed with an entity seated in the CR;
- You have a submitted application for international protection;
- You have a granted asylum or complementary protection;
- In some cases, if you have acquiescence visa;
- You are a citizen of an EU country and are economically active in the CR (em-

ployed or in business); or your husband is economically active; or you can prove in retrospect that you have a factual residence and key interests here (confirmation of temporary residence, rental agreement, a GP registration, bank account, agreement with a telephone provider or other proof that you live here in the long term) – the last option is rather exceptional and is upon the discretion of insurance company, there is no entitlement to it.

The public health insurance is **paid** on your behalf by:

- Your employer if you are employed;
- You yourself if you run a business as a self-employed person;
- You yourself as a person without taxable income if you do not work and are not registered at a Labour Office;
- The government if you have been granted pension, you are a job seeker registered at a Labour Office, draw benefits in material need, draw financial support in maternity or a parental contribution, are on a maternity or parental leave, care for a child below 7 years of age or at least two children below 15 years, depend on the care of another person in the degrees II, III or IV or care for a dependent person, you were acknowledged disability in degree III, draw sickness insurance benefits, but are not employed.

You may select **one out of 7 public health insurance companies**: Vseobecna zdravotni pojistovna (VZP), Oborova zdravotni pojistovna zamestnancu bank, pojistoven a stavebnictvi (OZP), Vojenska zdravotni pojistovna CR, Zdravotni pojistovna ministerstva vnitra CR, Ceska prumyslova zdravotni pojistovna, Zamestnanecka pojistovna Skoda, Revirni bratrska pokladna, zdravotni pojistovna. The scope of health care covered by insurance is the same, set by the law. The insurance companies differ through networks of contractual physicians and healthcare facilities and offers of bonus and motivational programmes (contribution for vaccination or sports).

The public health insurance provides **regular preventative check-ups**:

- General preventative check-up at a GP – once in two years
- It includes a chemical urine analysis – once in two years
- Examination of cholesterol and fats in blood – at the age of 40, 50 and 60
- ECG examination – at the age of 40 and then once in four years
- Check-up of glycaemia (level of sugar in blood) – at the age of 40 and then once in two years
- Screening of tumour in the large intestine and anus using a fecal occult blood test – from 50 to 55 years once a year; from 55 years either once in two years this test or a screening colonoscopy once in 10 years
- Preventative gynaecological examination – once a year
- Including a screening for cervical cancer using a cytological examination of cervix swab – once a year
- Screening of breast tumours using mammography – from 45 years once in two years – your gynaecologist will give you a referral and will refer you to a clinic with a mammograph
- Preventative dental check-up – once a year (+ a regular check-up once a year)

## BUSINESS

If you cannot find a job or want to work independently, you may start to run a business based on a trade licence or by establishing a corporation (trading company).

### BUSINESS BASED ON A TRADE LICENCE

If you set up a **trade**, you become a **self-employed person**. Applicants for international protection and migrants with a short-term visa/residence permit cannot run a business in the CR. If you have a LR or LV, you must fulfil the purpose of stay (your main activity must be the one, for which a residence permit has been granted to you), but you may set up a trade as a complementary activity.

There are **free, fixed, craft and licensed trades**. There are 80 free trades and are easy to be set up. For fixed (massage, care for children below 3 years), craft (bakery and sweet shop, cosmetic services, inn keeping) and licensed (travel agency, road transport) trades you must prove your professional eligibility (required education or practice). If you cannot prove it yourself, you may find a **responsible representative**, fulfilling it. A trade licence may be applied at a **trade department** of any municipal office. If everything is all right, the issuance of licence takes 5 working days at most. To be **submitted** with your application: Uniform Registration Form for individuals; consent of property owner with placing the seat of your business at their address; confirmation of administrative fee of CZK 1,000; excerpt from the criminal record for third country nationals from the given country not older than 3 months; residence permit in the CR.

As a self-employed person you are obliged to:

- Make monthly **pre-payments for social insurance** of at least CKZ 1,972. If you are insured with a public health insurance company, monthly **health insurance pre-payments** of at least CZK 1,797 (the amounts differ slightly every year). If you are employed in addition to your trade, draw a parental allowance/pension, care for a close person at home, who is acknowledged as dependent on the care of another person, you may register your trade as a **complementary activity**, which may reduce your obligatory pre-payments a lot.
- Once a year (until 31 March at the latest) submit an **income tax return** for the previous calendar year at the revenue office. Then, within 1 month you must submit an **income review** for the previous year at the CSSA and your health insurance company. We recommend that you find an accountant who will prepare all the documents correctly based on your invoices and receipts.



## RUNNING A COMPANY

Another form of business is **setting up a trade corporation**, most often a limited liability company (LLC). Your role in it may be that of a partner, managing director or employee. Setting up a LLC includes writing articles of incorporation, their entry by a notary, payment of capital of the company, obtaining trade licences for activities of LLC, entry in the Trade Register and registration at the revenue office. It is a rather complex process, a lawyer or specialized company may help you with it.

Besides administration, it is reasonable to get prepared for your business, i.e. elaborate at least a brief **business plan**, which will help you think through the individual steps, clarify your position at the market, calculate initial and other investment and their rate of return, staffing and to have realistic expectations.

If you are registered at a Labour Office as a job seeker, you may apply for a requalification course or financial support to start your business – **contribution for a set-up of a workplace to perform self-employment activity**. It covers initial costs, purchase of equipment to set up a workplace and may reach over CZK 90,000. There is no entitlement to it, you must convincingly justify your business proposition and fulfil certain conditions.



## EMPLOYMENT

**If you are an EU national/family member** (or have applied for a temporary residence of a family member of EU national), **you have the same access to the labour market as Czech nationals.**

**If you are a third country migrant and want to work in the CR, you must have:**  
**a)** residence permit if you have a free access to the labour market (free access to the labour market is set by the law) or **b)** employee card (see Sheet 2) or **c)** residence and employment permit (the law sets who needs an employment permit) or **d)** blue card.

As an employee you have the right for **the same work conditions and the same wage**, as are **usual for Czech nationals!** You entitled to **equal conditions like other employees** (Czech citizens) and you **may not be discriminated against** by anybody. When your rights are breached you may complain at a Labour Office or demand in court: a) abandonment of breach of law; b) removal of consequences of breach; c) provision of adequate satisfaction (public apology); or d) compensation of immaterial damage in money if your human dignity has been significantly undermined (compensation to be set by court).

Molestation is also considered to be **discrimination** (sexual molestation, discrimination through a third person or following). If you feel discriminated against, i.e. due to age, you may contact Alternativa 50+, Czech Helsinki Committee or the ombudsman for advice.

**The employer** has a number of duties to you and may not dare a number of things towards you:

- **They are obliged to give** you one copy of **work contract**;
- You cannot be forced to do work which is not specified in the contract (work tasks can only be changed in writing);
- **You cannot be dismissed** at a time of your illness (you must have an illness confirmation from your GP), pregnant or on a maternity/parental leave (3 years at most);
- **They cannot cancel the work relationship with you immediately** if you are pregnant or on a maternity/parental leave (3 years at most);
- Upon termination of work relationship or agreement to perform work **they are obliged to issue you a Confirmation of Employment.**

You as an **employee** have a number of rights, such as:

- You have the right to a **break at work** for food and relaxation, after 6 hours of uninterrupted work at the latest (the break must be at least 30 minutes);
- Do not work as an employee based on your trade licence, this would be “**Schwarz System**” and that means illegal work!
- **You may immediately terminate your work relationship** if the employer failed to pay you your wage within 15 days after due date. Then you are entitled to a compensation of wage in the amount of average earning for the period equaling the length of notice period.
- If you are convinced that **the employer terminated the work relationship in an invalid manner** with you, you may inform them in writing that you want to continue employment. In such a case the work relationship continues and the employer must pay you a compensation of wage in the amount of average wage until the court decides about a valid termination of work relationship. The complaint must be filed within 2 months from the day on which the work relationship was supposed to end. An invalid termination of work relationship can only be decided by court!

If you are an EU national or a family member of EU national, you have a permanent residence or international protection, you may register at a Labour Office as a **job seeker** if you do not have work, do not perform another gainful activity or do not draw any pension. When you fulfil the condition of at least 12 months at work over the past 2 years, you are entitled to a monetary **support in unemployment**. After several months of registration at the Labour Office you may apply for a **requalification course** if it increases your chances of finding a job.



## FAMILY ISSUES

Even though nobody wishes for it, serious disagreements and problems in a family can happen to any of us. Home and family are there to provide safety, support and comfort, therefore it is necessary to address any difficulties that occur.

### RELATIONSHIP PROBLEMS

You can discuss your relationship issues free of charge with experts from **family counseling centers** located in almost every major town (in Prague: Social Services Centre Prague, [www.csspraha.cz](http://www.csspraha.cz)). Or, find a **psychotherapist** to help you better understand what is happening, your feelings, wishes and decisions. You can take part in couples therapy or family therapy with your children. If you wish **to divorce**, and one, or both of you, are migrants, see more in *Solutions to selected situations*.

### CHILDCARE

When parents divorce, **child custody** is always specified in the court decision. The law's highest priority is to protect the **interests of a child**. Generally, it means to maintain contact with both parents, and for both parents to take care of the child as they have an equal right to care for their child, regardless of their citizenship/residence in the CR. If this is not possible, the court takes into account what support (not only material) each parent can give to their child as well as the child's wishes (after a certain age). A child may be entrusted into the **sole custody** of one of the parents while the times of contact with the other parent are defined, or into the **shared custody** of both parents. If the greater part of the care falls on one of the parents, or if his/her income is considerably lower, then the court determines the **alimony** to be paid by the second parent for the care of the child.

The rights and interests of all children are overseen by the **Municipal authority department for the social and legal protection of children** (OSPOD), which can work with parents on issues related to child upbringing, meet with parents or visit families at home, issue educational measures, issue applications for interim measures/statements at courts, etc. Parents are obliged to cooperate with OSPOD. **The Office for International Legal Protection of Children** (<http://www.umpod.cz/en/>) in Brno oversees the observance of the rights and interests of children when one parent lives abroad, esp. in the case of a parent's right to contact a child, or the obligation to pay alimony. It also addresses so-called international kidnappings, when a parent takes a child abroad without the consent of the other parent. **ATTENTION! A written consent of both parents is always required when one parent travels with a child outside the CR.**

### DOMESTIC VIOLENCE

**Domestic violence** (DV) is a very serious problem in any family. It can be physical, psychological or sexual violence between people, which occurs repeatedly in private and in secret, and is beyond public control. The intensity of violent incidents can intensify over time. The roles of the abuser and the person threatened remain stable, DV is not about mutual quarrels and assaults when both parties can potentially win.

The law stipulates several ways to fight DV or break free from it. Police may **expel the abuser** out of the house for 10 days and the court may extend this period up to 30 days. The purpose of this is to give the victim the time to think about what to do next and to arrange for the necessary practical steps without coercion. DV can also qualify as a **crime** of cruelty directed towards a person living in the joint household punishable by imprisonment of up to 4 years.

**If you are dealing with DV, do not expect it to resolve itself!** Do not hesitate to use free **professional assistance** at an Intervention Centre ([www.domacinasili.cz](http://www.domacinasili.cz)) or other legal, social and psychological counseling service, a crisis accommodation at a secret address, or contact a free non-stop phone line **116 006** at White Circle of Safety, **737 234 078** Magdala project or **283 892 772** at Acorus. If you are facing a threat, call directly **the police at 158**. More information and advice on how to address DV can also be found in SIMI's handbook *I will not be a victim!*

## FREE TIME AND PUBLIC LIFE

Of course life consists not only in work and duties. It is up to you whether you want to use your free time for hobbies, education, meeting people or activities for your surroundings. If you do not know where to begin, want to meet people with a similar outlook and want to have some support for your activities, you can try some of the following activities:

- **Community centres, senior clubs** – They offer a variety of activities and are usually run by NGOs – in Prague **Remedium** and **Život 90**, specifically for migrant women there is a club Babi léto of the **Inbáze** organisation;
- **Education** – a rich programme is offered by the **Municipal Library in Prague** and **third age universities**, organized by public universities (in Prague: the Charles University, University of Economics, Czech Technical University, Czech University of Life Sciences, and University of Chemistry and Technology) for fees amounting to hundreds of CZK per semester;
- **Voluntary work** – If you want to use your time and abilities to help others or improve something in your locality, get involved as a volunteer in a community service (e.g. organisations providing services to people with a health/other disability, children, ecological organisations, cultural initiatives, etc.). Voluntary activities especially for migrants are organized by **Amiga** in their Club of Active Old Age.
- **Own NGO** – You may also set up your own non-profit organisation and pursue some collective or public community activity. To do so, there need to be 3 people, a Statute, consent of property owner with registering a seat of organisation at their address and a fee of CZK 1,000 for entry into the register of organisations. A foreign citizenship is not an obstacle in this respect.
- **Social media** – To share ideas, experience and opinions with other women aged 40+, both migrants and Czechs, the SIMI runs a **blog No wrinkles** for you. Our second blog called **Foodblog SIMI** focuses specifically on cooking and world gastronomy, linking unique recipes with personal stories of migrants. Get involved, too!