QUESTIONS RECOMMENDED TO THE WRITTEN SUMMARY TO BE PŘEPARED BY THE COUNTRIES

CZECH REPUBLIC

I. ECONOMIC DATA OF THE SECTOR

1) Companies in the sector mining

• Middle size company (number of employees):

Name of company	2000	2001	2002	2003	2004
OKD, DPB, a.s. Paskov (11)-gas extraction	126	113	111	105	111

o OKD, DPB, a.s. Paskov – gas extraction,, drilling, engineering

• Other companies extracting raw materials on the territory of the Czech Republic and having more than 250 employees

Name of company	2000	2001	2002	2003	2004
MND Hodonín (11) oil and gas extraction	412	412	338	322	340
DIAMO, s.p (13) –uranium extraction	3 560	3 283	3 398	3 227	3 307
Lignit Hodonín, s.r.o. (10) – lignite extraction	442	420	412	405	400
SU Sokolov, a.s. (10) – brown coal extraction		5 591	5 450	5 373	5 194
SD Chomutov, a.s. (10) – brown coal extraction		5 510	4 154	3 934	3 724
MUS Most, a.s. (10) – brown coal extraction	6 480	5 801	5 108	4 667	4 668
ČMD Kladno, a.s. (10) – black coal extraction	5 146	5 036	4 117	3 543	3 455
OKD, as. (10) – black coal extraction	19 997	19 614	18 349	17 107	15 724

- Moravské naftové doly, a.s.(MND) crude oil and natural gas extraction, drilling
- DIAMO, s.p. state owned company, uranium extraction, rehabilitation of old mining burdens
- o Lignit Hodonín Ltd., lignite extraction
- o Sokolovská Uhelná Sokolov, a.s.(SU) brown coal extraction
- o Severočeské Doly Chomutov, a.s. (SD)– brown coal extraction
- Mostecká Uhelná Společnost Most, a.s. (MUS), including. Důl Kohinoor mine
 brown coal extraction
- Českomoravské Doly Kladno, a.s. (ČMD)
 – bituminous coal extraction owned by the same owner as the Ostravsko-karvinské Doly, a.s. (OKD) (at the end of 2002 mines in Kladno region were closed down, in 2005 merger with OKD, a.s.)
- OKD, a.s. bituminous coal extraction
- 2) Companies in the sectors on the basis of ownership relations, i.e. majority (more than 50%)
 - State ownership
 - DIAMO state owned company
 - SD Chomutov, a.s. company owned by the electricity company ČEZ, a.s.
 - Domestic private ownership
 - Moravské naftové doly, a.s.,

- Lignit Hodonín, s.r.o.,
- SU Sokolov, a.s.,
- MUS Most, a.s.,
- Domestic private ownerhsip with foreign partcipation of some 20%
 - DPB Paskov, a.s.,
 - ČMD, Kladno, a.s., (since 25. 11. 2005 merger with OKD, a.s.)
 - OKD, a.s..

The above named companies were until 2005 owned by domestic owner.

3) Number of employees in the sectors according to the ISCO 88 categories

- **Physical workers** (main group 4-9.) - extraction:

Mineral extracted	Number of employees									
Willieral extracted	2000	2001	2002	2003	2004	2005				
Bituminous coal	23 727	22 870	22 084	22 502	21 615	18 509				
Brown coal and lignite	16 217	15 697	13 330	12 240	11 884	13220				
Crude oil and nat. gas	351	288	234	288	332	338				
Ores, uranium	538	531	475	519	488	480				

- **Intelectual workers** (main group 1., 2., 3.). Such data are not followed by us

4) Sector of mineral extraction:

Index	2000	2001	2002	2003	2004
Production value at comparative					
prices /in Mio CZK/	49 343	54 154	54 246	56 033	55 029
including:					
domestic sales	37472	40 931	43 875	45 192	41 970
export	11 871	13 223	10 371	10 841	13 059
in percentages within the					
industry structure	2,79	2,91	2,73	2,66	2,36
coal import	1 323	1 898	1 573	1 621	2 760

Seleable extrakt	t Bituminous coal				Brown coal and lignite					
in tausend pieces	O.K. coal field	other coal field	total	SHR	Sokol. coalfield	Lignite	total	Rep. total		
2000	13 855	1 000	14 855	39 510	10 300	453	50 263	65 118		
2001	14 246	892	15 138	40 096	10 970	507	5 1573	66 711		
2002	14 200	270	14 470	38 371	6 608	501	45 480	59 950		
2003	13 614	29	13 643	39 725	6 045	470	46 240	59 883		
2004	13272	30	13 302	37 984	6 064	450	44 498	57 800		

Extracted mineral	Extraction										
Extracted illineral	$[10^3]$	2000	2001	2002	2003	2004	2005				
Hard coal	[t]	14855	15138	14470	13643	13302	13242				
Brown coal and Lignite	[t]	46655	47960	45480	46240	44498	48777				
Crude oil	[t]	168	172	245	316	305					
Natural gas	$[10^3 \text{ m}^3]$	204	187	175	201	244					
Ores Radioactive materials	[t]	99	136	137	131	134					

5) Developments unter points 1 - 4

The information provided under 1-4 was collected from Mining yearbook, from data published by Czech Statistical Office, OS PHGN statistics, from Státní Energy Concept (EP) data, as well as from other documents, especially from those provided by Czech Ministry of Industry and Trade (MPO). In the Czech Republic the statistical data do not cover the number of employees under "physical and intellectual workers" categories. The developments in production and employment in the mining industry since 2000 is result of the restructuring process in the mining industry in the past, started in 1991 and followed during privatisation period. The production volume depends on the acting and export policy of the main customer for coal: electricity company ČEZ, a.s. The fact that the Temelín Nuclear Power Station (JETE) was put into operation also had some impact.najetím JETE. The privatization process will be described under chapter III.

6) Written opinion on the situation of the industry

Ores production:

In the Czech Republic, the ores extraction was terminated in 1994. All needs are covered by imports. In 1990 in the Czech ores industry there were some 5.600 employees and the production was organised by two state owned companies: Rudné doly Příbram and Rudné doly Jeseník. The company DIAMO, s.p. became later their legal successor.

Uranium production:

In the past, the company Československý uranový průmysl, s.p. (ČSUP) was in charge of extraction of radioactive raw materials. In 1990 some 35.000 workers were employed by this company. Gradually, the production was subject to downsizing for economic reasons, as well as for diminishing deposits. Nowadays, all activities linked with the extraction and liquidation are performed by the company DIAMO, s.p. Stráž pod Ralskem, legal successor of ČSUP. There is still uranium extraction in Rožná deposit. The present production is result of this extraction ad of the sewage disposal of minig water within the project of ecological rehabilitation of the deposit in Stráž pod Ralskem.

Production of crude oil and gas:

Until 2003 the crude oil extraction was increasing. In 1990 some 50 thousand tons and in 2003 some 315,5 thousand tons of crude oil were extracted. The production in 2004 was 305,4 thousand tons. This extraction is limited by the yield of the deposits on the territory of the Czech republic. There is little stability in the production of natural gas oscillating between 100 mio. m 3 \pm 40 mio. The extraction is organised especially by the company MND, a.s. Hodonín. As special extraction can be considered the DPB Paskov production of gas coming out of gas

producing coal deposits in Ostrava region. This extraction is subject to a slight decrease from 154 mil. m³ in 1990 to 113 mio. m³ in 2004.

Coal production:

In the Czech Republic the coal industry has always been and still is an important part of the national energy balance. It includes the bituminous coal: in 1990, prior to the beginning of transformation process 63.170 workes were employed in the Ostrava-Karviná coalfields and 5 additional companies also extracted bituminous coal. At that time, the total number of employees was 71.666 and total coal production was 23,18 mio. t . The following companies extracted brown coal: Severočeský hnědouhelný revír, Sokolovský revír and Jihomoravské lignitové doly. In 1990 in brown coal production, there were 41.377 workes and the total extraction amounted to 74,3 mio. t of brown coal and lignite. The total number of workers in the coal production in the Czech Republic in 1990 was 113,043 tis. pracovníků and the total production was 113,183 mio. tons of coal.

In 1991 and 1992, when the transformation process started in the Czech economy to adapt the conditions of market economy, the starting position of the coal industry was subject to negativ impact of economic pressure without any form of protection of this industry.

The allocation of financial resources from other energy sectors was stopped In automn 1992, in spite of the protests of the trade unions, the Government of the Czech Republic elaborated a restructuring program setting up three major goals:

- To carry out the privatization of coal industry
- To stop any subsidies for production programs and investments
- Price liberalization

Under the above mentioned program the organizatiaonal restructuring of companies was performed on the basis of proposals made by Belgian adviser of Czech Ministry of Industry and Trade, Mr. T.O.J. Gheyselinck and of privatization projects. The companies were divided into three groups. The first group included companies that had no chance to survive economically even from short time perspective and they started to implement downsizing very intensively. The second group consisted in companies with no urgent need of downsizing for economic reasons. The third group included companies considered to have a perspective and possibility of economic strenght. In most cases, the decision of T.O.J. Gheyselinck was to merge the strong companies with those that would be subject to downsizing or closing down. By adopting this measure, the State transfered to the new companies also the obligation to share the costs for downsizing of the economically weaker operations. The State accepted the financial responsability for the costs from the past, for costs to cover social debs from the past, as well as for the technical liquidation of useless capacities. But it became clear later, that the State was able to cover only a part of such costs and the remaining costs were borne from the operation costs of the newly established companies. In spite of the promises to share costs of implementation of downsizing programs, the State fulfilled them just partially. The Government of the Czech Republic adopted its Resolution No. 691/92 on restructuring program of the Czech coal mining industry but it covered especially the underground mines. The restructuring process and downsizing in the open část mines was mostly carried out and financed from own resources of the companies. On this background, the privatization was organised using the form of so called "vourcher privatization".

On the basis of these circumstances the bituminous coal company Českomoravské doly Kladno, a.s. was established as merger of ČSM mine in Karviná region, Kladno mines and Tuchlovice mine. Also the company Ostravsko karvinské doly was established organizing 13 mines fromi Ostrava, Frýdek-Místek a Karviná region. The following mines: Východočeské doly Trutnov, Západočeské doly Zbůch and Rosické uhelné doly Zbýšov were subject to an accelarated downsizing.

When it comes to the brown coal, the Severočeský hnědouhelný revír was split into two companies: Severočeské doly, a.s. having registered seat in Chomutově (SD) and Mostecká uhelná společnost, a.s. having registered seat v Most (MUS). Aditionally to the open část mines, MUS, a.s. took over also the underground brown coal extraction in Most region. In Sokolov coalfield the Sokolovská uhelná, a.s. was established. The open část mines subject to downsizing in Ústí nad Labem region were taken over by PKÚ Ústí which is – additionally to DIAMA, s.p. – another state owned company focusing at rehabilitation after the end of mining activity. The company Jihomoravské lignitové doly was split into JLD Hodonín which started downsizing process and into Lignit Hodonín, s.r.o. which continues extracting until now.

The dynamics of downsizing has been increasing gradually since 1992. In 1992, 6 sites were subject to downsizing, in 1995 15 sites, in 1998 33 sites and in 2002 the number of sites subject to downsizing was more thant 40 – including 30 coal mines and quarries in full activity.

In 1995 the development within restructuring process exceeded the framework set up by the Government in 1992 and it was necessary to complete its concept by new elements. It became clear that the downsizing process would go over the year 2001. The resolutions adopted by the Government of the Czech Republic in 1995, 1998, 1999, 2001 and 2002 included further specification of the downsizing program and the possibility of having some costs borne from the state budget.

The employees of the companies for extraction of the below specified mineral are not affiliated to the OS PHGN.

Mineral	unit	2000	2001	2002	2003	2004	2005				
Kaolin	tsd.t	5 573	5 543	5 261	4 154	3 408					
Building Stone	tsd.m ³	10 111	10 445	10 505	12 163	12 960					
Stone for	tsd.m ³	320	300	294	296	295					
stonemansory											
Gravel sand, sands	tsd.m ³	12 640	12 081	11 504	13 473	14 630					
Glass and foundry	tsd.t	1 814	1 745	1 540	1 618	1 659					
sands											
Limestones	tsd.t	11 376	10 523	10 146	10 236	10 395					
Brisk raw materials	tsd.m ³	1 843	1 879	1 706	1 799	2 012					
Clays and	tsd.t	881	809	702	753	714					
bentonites											
Other minerals	tsd.t	1 006	1 169	858	1 326	1 362					
Number of workers	Number of	5 586	4 933	5 750	5 309	5 336	5 303				
	persons										

Non-ore Raw Materials Extraction

II. LEGAL FRAME

- Act No. 44/1988 Coll., on protection and use of mineral resources (Mining Act), as amended.
- Act No.61/1988 Coll., (adopted by the Czech Parliament) on mining activity, explosives and state mining administration, as amended.
- Act No. 62/1988 Coll., on geology activities, as amended
- Act No. 174/1968 Coll., on State professional supervision over health and security od work
- Act No. 65/1965 Coll., Labour Code, as amended.
- Act No. 2/1991 Coll., on collective bargaining, as amended.
- Act No. 18/1997 Coll. on Nuclear Energy, as amended.
- Act No. 500/12004 Coll., Administrative Code, as amended.
- Act No. 64/1965 Coll., Civil Code, as amended.

- Act No. 51/1991 Coll., Commercial Code, as amended.

The legal framework for industrial relation in the mining industry is also governed by a number of Decrees passed by the Czech Government and by implementation regulations issued by different ministeries, by Czech Authority for Labour Inspection and Czech Mining Authority.

III. PRIVATISATION

- 1.) With regard to the Chapter I. Para 6 of the Qustionaire: within restructuring process 5 new joint stock companies were established and it was decided to downsizi 5 companies. This information is of little relevance, because from the total number of employees in the mining industry in 1994 (74.097) when the privatization process started the number of employees in 5 companies designed to close down was 4.301.
 - It concerned 94,2 % of employees.
 - What % were involved in the so-called outsourcing? This information is not available.
 - What % of employees in former companies have become unemployed? This information is not available.

2.) Foreign capital

We believe that 20% of capital in the bituminous coal sector comes from USA. Any additional information is subject to business secret.

3.) Privatization in 5 mining companies was started as of 1st January 1994 mostly within the second round of the voucher privatization and in 2003 the situation with regard to privatization was as follows:

MUS, a.s.	majority: minority:	Investenegry SA 0	96,37 % Appian Group
	other:	municipalities, communities, natural entities (PO)	persons (FO) and legal
			3,63 %
SD, a.s.	majority:	Fund of National Property of the Czech	Republic(FNM ČR)
			55,38 %
	minority:	ČEZ, a.s.	37,21 %
	other:	municipalities, communities, FO	7,40 %
SU, a.s.	majority:	FNM ČR	50,01 %
,	minorita:	Metalimex and other PO	43,25 %
	other:	municipalities, communities, FO	6,74 %
OKD, a.s.	maiority:	KARBON INVEST, a.s.	51,00 %
,·	minority:	FNM ČR	45,88 %
	other:	municipalities, communities, $PO + FO$,
ČMD, a.s.	maiorita:	K.O.P., a.s. 79,89 %	
22.22, 200	other:	municipalities, communities, PO + FO	20,11 %

Situation as of February 2006:

MUS,a.s. majority: The company is owned by 4 FO

SD,a.s. majority: ČEZ, a.s.

SU, a.s. majority: The company is owned by the management of SU, a.s.

OKD, a.s. and ČMD,a.s. have majority and joint owner: RPG Industrie (some 20 % American capital).

Lignit Hodonín s.r.o. – owned by the management.

In all the above said companies the majority has already exceeded 95 %.

4.)

- When the privatization was under preparation, the trade unions could submit their comments with regard to the privatization projects and such comments were taken into account.
- When it came to the specific change of owners, the trade unions were not allowed to have any comments on the such changes that had resulted from business operation and acquisitions in capital markets. This was the case of **MUS**, **a.s.**, **ČMD**, **a.s**, **and OKD**, **a.s**. The trade unions had very much to say in the process of privatization finilizing of **SD**, **a.s**, whn the trade unions favoured the new owner, ČEZ, a.s. which made the acquision in 2005. The trad unions played a decisive rol in the final process of privatization of SU, a.s., supporting the privatization by the management of **SU**, **a.s.** in 2004.
- Zástupci zaměstnanců mají ze zákona nárok na obsazení 1/3 členů dozorčí rady společnosti. Volby do DR organizují odbory a ve většině případů také obsazují v akciových společnostech místa v dozorčích radách.
- **5.)** Privatization of the Czech mining industry was carried out paralelly with its restructuring process. The basic facts of the privatization implemented can be summarized in the following points:
 - Transfert of industrial-commercial companies from the state ownership to the new owner motivation especially by the profit
 - Establishment of business companies with the perspective of rentability, having similar structur and identical relations to the state administration
 - Division of three independent subjects/entities:
 - o Owners interested mostly in the profit
 - o Government protecting the interests of its citizens
 - o Trade unions protecting the interests of the employees.

When it comes to the duration of privatization and to the way it was done: privatization was launches in the way as decided by the Czech political representatives at that time. Of course, other steps could have been made, but it will be a matter of future economic and political analyses to evaluate it. It is true that due to the link between the privatization and restructuring some people suffered personal tragedy caused by the loss of job, loss of prestige, necessity to modify the personal values etc. In spite of this fact, it has to be stated that the whole process has met its goal consiting in the transformation of the mining industry of the Czech Republic to become a competitive sector under the market conditions, and this also after the Czech Republic has joined the EU.

IV. SOCIAL DIALOGUE – TRADE UNIONS, EMPLOYER ORGANISATION

1.) In the sector, the workers are represented by "Odborový svaz pracovníků hornictví, geologie a naftového průmyslu" (OS PHGN – National TU of Mining, Geology and Oil Industry), with registered seat in: náměstí W. Churchilla 2. 113 59 Praha 3. Most of the trade union members in this sector are affiliated in OS PHGN. In 2005 OS PHGN had 39 970 members, including 4 940 retired workers. The employer organisation is called "Zaměstnavatelský svaz důlního a naftového průmyslu – Společenstvo těžařů

ČR"(ZSDNP – Employers' Association of Mining and Oil Industry of the Czech Republic), with seat at: Rumunská 12, 120 00 Praha 2. Not all the employers from the sector are affiliated in ZSDNP. The collaboration between OS PHGN and ZSDNP is at a good level.

- **2.)** Employment in the period from 2000 to 2005 in % of the total number of emplyees. See date in Part I.
- **3.**) The workers from all the companies are affilited in the trade unions. OKD, a.s., ČMD, a.s. and Lignit Hodonín, s.r.o. are not affiliated in the employers' association.
- **4.**) Are there any other worker's representations parallel to the trade unions at the workplaces?
 - Works councils are not organised in the mining sector.
 - Labour safety committees are not organised. The health and safety issues are covered by the trade unions
 - The workers elect 1/3 of members of Supervisory Board as their representatives. The elections are organised by the trade unions. But the workers' representatives in Supervisory Board do not represent the workers in the collective bargaining, in labour conflicts and in negotiations with employer. These activities are done by the trade unions and their bodies.

5.)

- Between the Government and the national employers' organisations there are no agreements covering the whole of the national economy.
- The collective agreement at the branch level for the mining sector is the collective agreement signed between OS PHGN and ZSDNP for the year from 2001 to 2006, that included wage, social, working and other conditions.
- At the company level the company there are collective agreements, including provisions on wages. The wage level or other conditions at the company level can't be lower than those included in the collective agreement at brach level.
- Collective agreement at branch level is applicable for 5 companies out of 9, covering 55,5 % of companies.
- In all the companies the collective agreements at company level are signed.
- Collective agreements at branch level cover more than 17 thousand of workers of the sector, i.e. some 47 %.
- Collective agreements at company level in the sector cover all the workers. odvětví.

6.)

- Bipartite negotiations are organised between OS PHGN and ZSDNP. At similar basis, there are negotiations at the company level between the company trade unions and employer.
- OS PHGN is represented in the so called "Council for economic and social cohesion" at the level of government, employers' organizations and trade unions.
- Bipartite negotiations are organised between OS PHGN and Prime Minister, as well as between OS PHGN and different ministeries: including especially Ministry of Industry and Trade (MPO), Ministry of Laobur and Social Affairs (MPSV), Ministry of Finances (MF), Ministry of Environment (MŽP), Ministry of Public Health (MZ) and Ministry for Local Development (MMR).

V. PROPOSALS

1.) Vision of the sector with some characteristics

Energy policy of the Czech Republic adopted in 2004 set up the framework for undertaking in the sector of energy resources and in coal mining on the basis of so-called na tzv. energy mix (see the Table at the end of this Chapter). It is necessary to have a different vision of the bituminous and of the brown coal.

The bituminous coal extraction will continue to be limited by the competion with regard to the possible import. The production will be influence by the policy of the state in the field of supllies of domestic raw materials. The further approach to the possible future reserves is as a matter of fact limited by the production costs, as it is impossible to start the extraction without benefiting from important state subsidies (the mine Důl Frenštát has reserves of some 1 526 mio. tons of bituminous coal). The present extraction of energy and coking coal is influenced by the situation and price level at the European market and it will be developped on this background..

The production of brown coal is substantially influenced by the fact that brown coal is not considered as trade commodity and major part of the production is used as energy raw material for heating plants, power stations and small consumers in the Czech Republic. The price of brown coal is competitive and the reserves are sufficient from the medium-term perspective. In spite of this fact the extraction of brown coal may be influenced by some territorail limits set up in 1992 and may be subject to important changes. The development may be also influence by EU policy in the field of greenhouse gas limits and by the further development of clean technologies in burning of brown coal. Also the acting of major consumer of brown coal, the company ČEZ, a.s. and his investment policy aimed to replace the obsolete power stations may also be important for the development. Aditionally to the reconstruction of some power stations burning coal, ČEZ, a.s. is planning to build up at least two new power stations. If the territorial ecology limits are increased, ČEZ, a.s. would erect some more power station blocks

The future of Czech coal mining is now very dependent on political decisons of our present national politicians, as well as on the general energy policity of the enlarged EU. The Czech Republic has extractable reserves of brown coal until 2100 and of bituminous coal until 2040.

Expected coal productio according to EP (mio. tons)

Bituminous coal	2010	2015	2020	2025	2030					
Production - total	10,8	8,8	7,8	5,2	2,6					

Brown coal	2010	2015	2020	2025	2030
Production - total	41,1	39,6	35,3	33,7	30,9

Expected volume and structure of electricity production according to EP

	<i>U</i> .			0				
	2000	2005	2010	2015	2020	2025	2030	
TOTAL (TWh)	73,71	78,44	82,11	79,39	84,95	93,23	90,83	
including:								
Brown coal	43,6	37,42	38,16	33,69	32,32	32,79	32,35	
Bituminous coal	8,94	6,56	7,54	6,48	7,95	5,89	4,17	
Other fossile fuels	0,14	0,12	0,10	0,11	0,07	0,06	0,06	
Gas fuels	4,68	3,28	4,07	6,47	6,60	6,58	6,11	
Liquid fuels	1,59	0,86	0,65	0,60	0,48	0,41	0,34	
Nuclear fuels	13,59	26,04	26,04	26,04	30,24	38,64	38,64	
Renewable resourcese	1,71	4,15	5,55	6,02	7,29	8,86	9,16	

- **2.)** Important goals and requirements of the unions in our country:
 - To conserve the sector in sequence on Energy policy of the Czech Republic and EU
 - Social security of the employees
 - Pension systems for miners, including the possibility of pre-retirement without cutting the amount of the pension to be received.