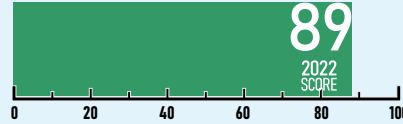


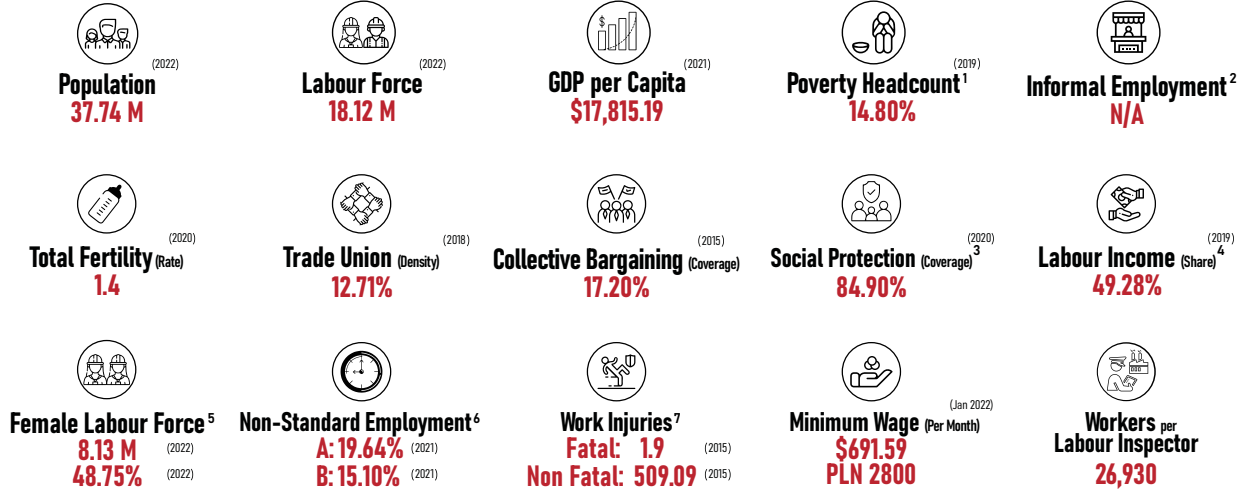


Poland



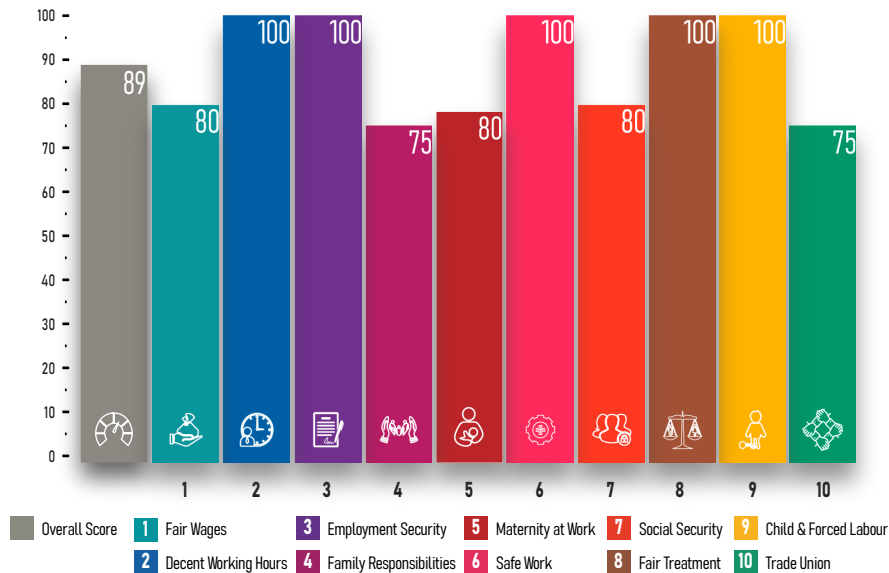
91 2020 SCORE
Eastern Europe
High Income
Approaching Decent Work
LRI RATING

Contextual Indicators



Sources: World Bank
International Labour Organization
WageIndicator Minimum Wages and Living Wages Database
M = Million

Legislative Performance Indicators



Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Poland's overall score is 89 out of 100. The overall score for Poland is higher than the regional average observed across Eastern Europe (88). Within the Eastern European region, the highest score is observed for Greece (96).

¹ Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

² Share of informal employment in total employment (%), as measured under SDG 8.3.1

³ Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

⁴ Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

⁶ Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

⁷ Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

LABOUR RIGHTS INDEX 2022

	Question ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§2, 5 & 6(2) of the Law on Minimum Wage, 2002; §13, 67, 81, 87 and 282 of Labour Code, 1974	●
	Does the law require regular payment of wages?	Yes	§86 of the Labour Code, 1974	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§151(1) of the Labour Code 1974	●
	Does the law require additional compensation for working on a weekly rest day?	No	§132 & 15(11-12) of the Labour Code, 1974	●
	Does the law require additional compensation for night work?	Yes	§151(7-8) of the Labour Code, 1974	●
2. Decent Working hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§129 & 151(1) of the Labour Code, 1974	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§131 of the Labour Code 1974	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§132-134 of the Labour Code, 1974	●
	Does the law require paid public holidays?	Yes	§151(9) of the Labour Code, 1974; §1 of the Non-Working Days Act, 1951	●
3. Employment Security	Does the law require at least three working weeks of paid annual leave?	Yes	§152-154 & 155(1) & 171 of the Labour Code, 1974	●
	Does the law require written employment contracts or at least written employment particulars?	Yes	§25, 29, 97, 104 and 281 of the Labour Code, 1974	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§25 & 25(1) of the Labour Code, 1974; The Act of 7 April 2017 (Dz.U. 2017 poz. 962)	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§25(2 & 3) of the Labour Code, 1974	●
	Does the law require a 30-day notice before contract termination?	Yes	§32-36 & 52 of the Labour Code, 1974	●
4. Family Responsibilities	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	Yes	§77(3) & 92(1) of the Labour Code, 1974; §8 of the Collective Dismissal Act, 13 March 2003	●
	Does the law require parental leave for parents?	Yes	§186 of the Labour Code, 1974	●
	Does the law require at least one week of paid paternity leave for fathers?	Yes	§182(3) of the Labour Code, 1974	●
	Does the law require flexible work arrangements for workers with family responsibilities?	No	§188 of the Labour Code, 1974	●
5. Maternity at Work	Does the law require paid nursing breaks?	Yes	§187 of the Labour Code, 1974	●
	Does the law prohibit inquiring about pregnancy during recruitment?	No	No applicable legal provisions could be located	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§180-182 of the Labour Code, 1974	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§29-31, 36 & 47 of the Social Insurance Benefits in case of Sickness and Maternity Act, 1999	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§29-31, 36 & 47 of the Social Insurance Benefits in case of Sickness and Maternity Act, 1999	●
6. Safe Work	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§177 & 186(1) of the Labour Code, 1974	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§237(6)-237(11) of the Labour Code, 1974	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§237(2-5) of the Labour Code, 1974	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§176-179 of the Labour Code, 1974; Regulation on list of works prohibited for pregnant and breastfeeding women	●
	Does the law provide for employment injury benefit?	Yes	Act of 2002 on social insurance against accidents at work and occupational disease; MISSOC Compa. Table for Poland	●
	Does the law provide for an old age pension?	Yes	§24-26 of the Pensions from Social Insurance Fund Act, 1998; MISSOC Compa. Table for Poland	●
	Does the law provide for a dependants/survivors' pension?	Yes	§93 of the Pensions from Social Insurance Fund Act, 1998; MISSOC Compa. Table for Poland	●
7. Social Security	Does the law provide for unemployment benefit?	Yes	§72-73 of the Act on Promotion of Employment and Labour Market Institutions 2004	●
	Does the law require paid sick leave for the first 6 months of sickness?	No	§92 of the Labour Code, 1974; §4-17 of the Act on Cash Benefits from Social Insurance in case of Sickness and Maternity 1999	●
	Does the law provide for invalidity benefit?	Yes	§92(1) of the Labour Code, 1974; MISSOC Compa. Table for Poland	●
	Does the law require equal remuneration for work of equal value?	Yes	§11 & 18(3c)(1) of the Labour Code, 1974	●
	Does the law prohibit sexual harassment in employment?	Yes	§3-4 & 13 of the 2010 Act on Equal Treatment; 18 (3a) (6 & 7) of the Labour Code, 1974; §218 of the Penal Code, 1997	●
8. Fair Treatment	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	§6-8, 11, 13 of the 2010 Act on Equal Treatment; §18 (3a) (1) of the Labour Code, 1974	●
	Does the law allow women to do the same jobs as men?	Yes	§65(1) of the Polish Constitution, 1997; 104(1) & 176 of the Labour Code, 1974	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	Pensions from Social Insurance Fund Act, 1998; MISSOC Compa. Table for Poland	●
	Does the law prohibit employment of children?	Yes	§190-203 of the Labour Code, 1974	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§70 of the Constitution, 1997; §190-203 of the Labour Code, 1974; §35 of Education Law 2016	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§200 & 203-204 of the Labour Code, 1974	●
	Does the law prohibit forced labour?	Yes	§65 of Polish Constitution, 1997; §10 of the Labour Code, 1974; §115(22) of the Penal Code, 1997	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§59 of the Polish Constitution, 1997; §181 of the Labour Code, 1974; §2 of the Trade Union Act of 1991	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	§4 & 59(2) of the Polish Constitution, 1997; §18-20 of the Collective Labour Disputes Settlement Act, 1991	●
	Does the law provide for the right to strike?	No	§78(3) of the Act on Civil Service 2008 ; §17-20 & 26 of the Collective Labour Disputes Settlement Act, 1991	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§59 of the Polish Constitution, 1997; §18-20 & 26 of the Collective Labour Disputes Settlement Act, 1991	●

Covid 19 and Labour Market in Poland*

Total Covid Cases	6.04 Million
Total Covid Deaths	116,475
Partial Vaccinated	60.0%
Fully Vaccinated	59.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✗
Telework/flexible work	✓
Improved Health Access	✗
Training (activation measures)	✗

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

¹¹ A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Poland on SDG 8.8.2 is 1.1 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

¹² In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change