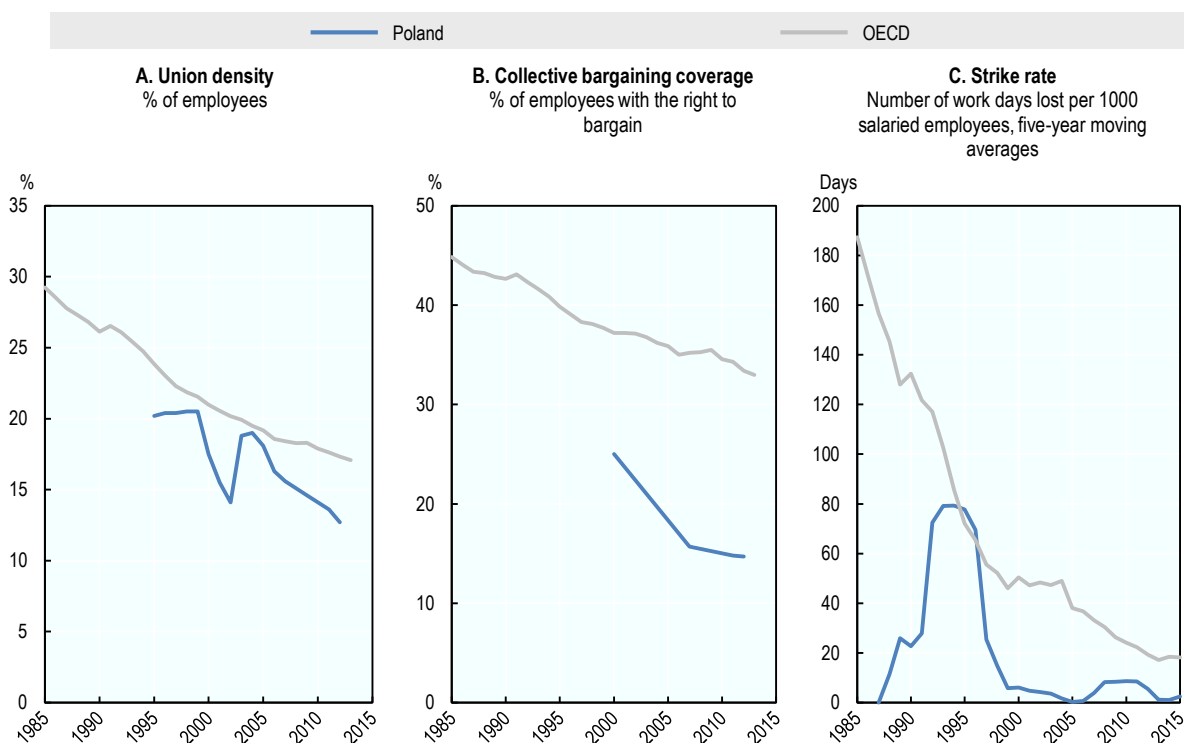


Poland

KEY FEATURES OF THE COLLECTIVE BARGAINING SYSTEM IN 2015

Predominant level	Company
Degree of centralisation/decentralisation	Decentralised
Co-ordination	No
Trade union density in the private sector	5-10%
Employer's organisation density	20-30%
Collective bargaining coverage rate	10-20%
Quality of labour relations	Low

TRENDS IN INDUSTRIAL RELATIONS IN POLAND, 1985-2015



BUILDING BLOCKS OF COLLECTIVE BARGAINING

The detailed description of the building blocks of collective bargaining mainly relies on information provided by the responses to the policy questionnaires that were sent to Labour Ministries, employer organisations and trade unions in 2016. The information reported in the questionnaires represents the situation in **December 2015**.

Use of *erga omnes* clauses

Legal application of a sector level agreement in the absence of administrative extensions	Not relevant
Legal application of a firm-level agreement	All workers

Use and coverage of extensions

Use of extensions of sectoral collective agreements	Not relevant
Procedure	Not relevant
Representativeness criteria	Not relevant
Public interest criteria	Not relevant
Exemptions or possibility of appeal	Not relevant

Duration of collective agreements

Average duration	Information not available
Maximum duration of collective agreements	No, can be either fixed term or indefinite
Can contracting parties terminate an agreement before its expiry date?	Valid until notice is given or mutual agreement

Ultra-activity of collective agreements

Is maximum duration of after-life/ultra-activity of agreements fixed by law?	Not relevant
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Retroactivity of agreements

Do firms have to pay arrears in case of late renewal?	Not relevant
Does retroactivity apply only to members of signatory parties or does it cover all parties?	Not relevant

Use of the favourability principle

Favourability principle always applies.

Use and scope of derogations and opt-out

Derogations from the law	No
Derogations from collective agreements	
Scope	Opt-out
Topics	Entire agreement or parts of it.
Rationale	Defensive measure.
Criteria	In case of financial difficulties of the employer the parties may suspend the application of a collective agreement or parts of it.
Other	Not relevant

Forms of co-ordination

Mode of co-ordination	Not relevant
Degree of co-ordination	Not relevant

Enforcement of collective agreements

	Sector-level agreements	Firm-level agreements
Do agreements typically include a peace clause?	Not relevant	Information not available
Do agreements typically include a mediation/arbitration procedure?	Not relevant	No
Is it compulsory?	Not relevant	No

Worker representation at the workplace

Work council and union or union representatives but union predominant.

Board-level employee representation

Public sector	Yes
Private sector	Yes
Scope	“Commercialised” and privatised companies. N.B: within state-owned companies WC’s have substantial managerial powers.
Proportion/number of workers’ representatives	<ul style="list-style-type: none"> • In “commercialised” companies: 2/5 of the supervisory board. • In privatised companies: min. two-four members of the supervisory board (depending on supervisory board size). • Additionally, in companies>500: one member of management board
Nomination of candidates	No restrictions.
Appointment mechanism	

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