



EMCC

European Monitoring Centre on Change

## Poland: Notice period to employees

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Poland

Phase:

Management

Type:

Notice period to employees

Last modified: 25 October, 2017

Native name:

Ustawa z dnia 26.06.1974 - Kodeks Pracy

English name:

Act of 26.06.1974 - Labour Code

### Article

25, 36

### Description

The notice period for the termination of all kinds of employment contracts (permanent, fixed-term, for probationary period) depends on the employee's length of service with the employer.

A two-weeks notice period is required if the employee has been employed for fewer than six months, and one month notice period is required if the employee has been employed for at least six months. If the employee has been employed for at least three years, a three-months notice period should be given.

The probationary contract can be concluded for a maximum of 3 months. With the same employee, another probationary contract can be signed only:

- if it concerns a different workplace,
- after 3 years.

The probationary contract may be terminated and the period of notice is

- 3 working days if the probationary period does not exceed 2 weeks;
- 1 week if the the probationary period is longer than two weeks;
- 2 weeks if the probationary period is 3 months.

During collective dismissal notice period is the same. Notice period can be extended in the labour contract or collective agreement but in an asymmetric way what means it can be extended only for situations when the contract is terminated by the employer, not by the employee.

### Comments

Unifying the notice period for all kinds of employment contracts (excluding probationary period) was introduced in 2016 after the trade union NSZZ Solidarnosc had complained to the European Commission for improper implementation of the Fixed-term Work Directive 90/77/EC in Poland.

#### Cost covered by

Not applicable





#### Involved actors other than national government

National goverment only

#### Thresholds

No, applicable in all circumstances

## Sources

-  Ius Laboris (2011), Individual Dismissals Across Europe, Brussels.
-  Ius Laboris (2009), Collective Redundancies Guide, Brussels.
-  Labour Code (in Polish)
-  NSZZ Solidarnosc, Skarga dot. umow na czas okreslony

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