

WORK REGULATIONS
Centre for Theoretical Physics of the Polish Academy of Sciences

Chapter I
Introductory provisions

§ 1

1. These Regulations establish the organisation and order of the work process and the rights and obligations of the employer and employees.
2. In matters not regulated by these Regulations, but concerning the employment relationship, the relevant provisions of the Labour Code and the Act on the Polish Academy of Sciences are applicable.

§ 2

The provisions of the Regulations apply to all employees, irrespective of the type of work performed, working hours and position held.

§ 3

Whenever the Policy refers to:

1. Employer or CFT - it shall be understood to mean the Centre for Theoretical Physics of the Polish Academy of Sciences.
2. Employee – shall be understood as a person having an employment relationship with the employer.

Chapter II
Basic rights and obligations of the employer

§ 4

The employer is, in particular, obliged to:

1. Familiarise employees who take up work with the scope of their duties, the manner of performing work at designated positions and their basic rights.
2. Organise work in such a way as to ensure full use of working time, as well as the achievement by employees, using their talents and qualifications, high productivity and due quality of work.
3. Prevent discrimination in employment on the basis of gender, age, disability, race, religion, nationality, political opinion, union membership, ethnic origin, religion, sexual orientation and on the basis of employment for a definite or indefinite period of time or on a full-time or part-time basis.
4. Provide safe and hygienic working conditions and conduct systematic training of employees in occupational health and safety.
5. Pay remuneration in a timely and correct manner.
6. Enable and facilitate employees to acquire and improve their professional qualifications.
7. Meet, to the extent of available social resources, the needs of employees
8. Influence the establishment of rules of social co-existence in the workplace.

9. Issue an employment certificate to an employee without delay in connection with the termination or expiry of the employment relationship, without making this dependent on the employee's prior settlement.
10. Apply objective and fair criteria for evaluating the work performed by individual employees.
11. Maintain employee documentation and personnel files correctly.
12. Not to use or allow any form of discrimination.
13. Prevent mobbing.
14. Appoint a research supervisor for each auxiliary employee who is also the employee's immediate superior.
15. Adhere to the recognised standards, practices and ethical rules relating to the scientific discipline practised, as contained in the Code of Ethics for Research Employees and the European Charter for Researchers.

§ 5

The employer is entitled in particular to:

1. Benefit from the results of the work performed by employees.
2. Issue binding work orders to employees to the extent that such orders do not contradict the rules in force or the rules of social coexistence.
3. Determine the scope of each employee's work responsibilities in accordance with the provisions of employment contracts and applicable regulations.

Chapter III

Basic rights and obligations of the employee

§ 6

Employees are entitled in particular to:

1. Be employed in a position in accordance with the provisions of the employment contract and their qualifications.
2. Receive timely remuneration for work.
3. Rest on days off, at the end of working time on working days and during periods of leave.
4. Be treated equally by the employer for performing equal duties.
5. Perform work in conditions that comply with health and safety rules.

§ 7

The employee's basic duties:

6. Respect the working hours established in the CFT.
7. Observe the regulations and order established by the employer.
8. Observe the rules and regulations of occupational health and safety and fire safety.
9. Take care of the welfare of CFT, protect its property and keep confidential any information which, if disclosed, could expose CFT to damage.
10. Observe the rules of social coexistence at CFT.
11. Research employees are obliged to carry out scientific work in accordance with the CFT's research plan, and teaching work carried out within the framework of the commitments accepted by the CFT.

12. Research employees are obliged to participate in the organisational work ordered by the Director.
13. Assistants and assistant professors are obliged to improve their qualifications for the purpose of obtaining scientific degrees, and independent scientific employees are obliged to actively participate in training and take part in the proceedings aimed at granting scientific degrees.
14. Scientific work carried out as part of the scientific activities of the CFT or on additional order of the CFT Directorate should be discussed at scientific meetings.
15. A research employee has the right to apply for scientific scholarships and to take scientific internships in other scientific institutions under the rules applicable to scientific institutions of the Polish Academy of Sciences.
16. An employee whose employment is terminated is obliged to hand over to CFT the property entrusted to him/her with immediate effect.

§ 8

Employees are prohibited from:

1. Consuming alcoholic beverages and taking intoxicants on the Premises and being on the Premises under the influence of such beverages or drugs.
2. Smoking on the Premises, except in places designated for this purpose, which shall be clearly marked.
3. Leaving the place of work during working hours without the permission of the immediate superior.
4. Taking out of the place of work, without the permission of the superior, any items that are not the employee's property.
5. Using the employer's equipment and materials for non-work related activities without the superior's permission.

Chapter IV

Working time

§ 9

1. Working time is the time during which an employee is at the disposal of CFT in the place designated for the performance of work.
2. The working time is 8 hours per day and an average of 40 hours in an average five-day working week in an adopted one-month settlement period.
3. If an employee's daily working time: is at least 6 hours - the employee is entitled to a break of at least 15 minutes, included in the working time; if the daily working time is longer than 9 hours - the employee is entitled to an additional break of at least 15 minutes, included in the working time; if the daily working time is longer than 16 hours - the employee is entitled to another break of at least 15 minutes, also included in the working time.
4. The working week shall comprise days from Monday to Friday.
5. Administrative employees should start work between 7:30 a.m. and 9:00 a.m. and finish work by 5:00 p.m. at the latest.

6. Research employees should start work between 7:30 a.m. and 10:30 a.m. and finish work by 6:30 p.m. at the latest.
7. The Director of the CFT may establish an individual working time schedule for an employee, other than those set out in sections 4 and 5, if the nature of the work or the employee's personal situation so requires and this does not disrupt the CFT's workflow.
8. An employee who has been employed at CFT for at least 6 months may request, in paper or electronic form, the Director to change the type of work, to change the type of employment contract to an indefinite contract or to employ the employee on a full-time basis. This does not apply to an employee on a probationary period employment contract.
9. Night time is defined as the hours between 10:00 p.m. and 6:00 a.m., work on Sundays and public holidays is defined as work between 7:00 a.m. on a public holiday or Sunday and 7:00 a.m. the following day.
10. If required by the needs of the CFT, employees may be employed outside the working time standards established in the regulations.
11. An employee is entitled to remuneration for overtime work in accordance with Article 151¹ of the Labour Code.

§10

1. An employee shall be entitled to at least 11 hours of uninterrupted rest in each 24-hour period.
2. An employee shall be entitled to at least 35 hours of uninterrupted rest in each week, including at least 11 hours of uninterrupted daily rest.

§11

1. An employee shall be entitled, during a calendar year, to a leave of absence from work of either 2 days or 16 hours for reasons of force majeure for urgent family matters caused by illness or accident, if the employee's immediate presence is required.
2. During the period of this leave of absence, the employee shall retain the right to half of his/her remuneration.

§12

1. An employee raising at least one child up to the age of 14 shall be entitled to a leave of absence from work of 2 days or 16 hours during a calendar year and shall retain the right to remuneration.

§ 13

1. The working time of research employees includes time spent in libraries, laboratories and other scientific research facilities (including any necessary travelling time), but this should be agreed with their superior or the Director of CFT.

2. Employees' working time includes time spent attending training courses, conferences and external seminars to improve their scientific qualifications and personal competencies, but this should be agreed with their superior or the Director of the CFT.
3. In special cases (performance of complex compilations, analyses, etc. requiring a high degree of focus), employees, upon agreement with their superior or the Director of the CFT, may perform remote work and this time is counted as working time.
4. The conditions for remote work are defined in separate regulations.

§ 14

The method of confirming the arrival and presence of an employee is determined by a separately issued decision of the Director of the CFT.

§ 15

1. An employee leaving his/her place of work during the working day for business or other matters is obliged to inform the Director or superior of this fact and state the place of stay.
2. An employee leaving his/her place of work shall:
 - a. secure all files and documents from unauthorised access,
 - b. check that devices that could cause a fire have been switched off and that the water supply has been shut off.
3. At the end of the working day, the employee leaving the CFT last is obliged to lock all the premises of the CFT and hand over the keys to the reception.
4. An employee may enter the CFT outside working hours or on non-working days by signing in the book located in the reception area and stating the date and time of arrival and departure from the CFT.
5. The removal of objects that are the property of CFT from the building is permitted only with the written permission of the CFT Directorate.

§ 16

1. An employee may be excused from work for the time necessary to deal with important personal or family matters that require leave during working hours, subject to remuneration.
2. The leave referred to in section 1 shall be granted by the Director of the CFT.
3. Business trips are regulated by separate regulations.

Chapter V

Remuneration for work

§ 17

The employee is entitled to remuneration as specified in the employment contract.

§ 18

1. Remuneration shall be paid no later than on the last day of the month for which payment is due.
2. If the payday falls on a non-working day, the remuneration shall be paid on the preceding working day.

§ 19

Remuneration shall be transferred to the employee's bank account.

§ 20

An employee may make a declaration requesting that remuneration is paid directly to him/her in cash or a person authorised by the employee in writing.

§ 21

The components of remuneration and bonuses to which employees are entitled are regulated by the remuneration regulations.

Chapter VI

Leave

§ 22

1. An employee is entitled to an annual, uninterrupted, paid holiday leave in the amount determined by the provisions of the Labour Code.
2. At the request of an employee, leave may be divided into parts. At least one part of the leave should last no less than 14 consecutive calendar days.

§ 23

Holiday leave not taken as agreed shall be granted by the Director to the employee by the end of September of the following calendar year at the latest.

§ 24

1. An employee shall be entitled during a calendar year to unpaid care leave, as defined by the Labour Code, for the purpose of providing personal care or support to a person who is a member of their family or living in the same household and who requires care or support for serious medical reasons.
2. Care leave shall be granted at the request of the employee submitted electronically not less than 1 day prior to the commencement of such leave.

3. The request shall indicate the name of the person who requires care or support for serious medical reasons, the reason for the employee's need for personal care or support and, in the case of a family member, the degree of relationship to the employee or, in the case of a non-family member, the address of residence of that person.
4. The period of care leave shall be included in the period of employment on which the employee's rights depend.

§ 25

During the period of notice of termination of the employment contract, the employee shall be obliged to take the leave to which they are entitled if the employer grants them leave during this period.

§ 26

If the leave is not used in whole or in part due to termination or expiry of the employment contract, the employee is entitled to a cash equivalent.

Chapter VII Organisation and order of work

§ 27

1. An employee shall notify CFT on the first day of absence of the reason for absence from work and the expected duration of the absence.
2. Notification to CFT may be made in person, by telephone, e-mail or through another person.

§ 28

In the case of late arrival, the employee must immediately report to the superior for the purpose of justifying the tardiness.

§ 29

1. Tardiness or absence is justified if it is due to:
 - 1) the employee's illness or the care of a sick member of the employee's family, provided that an appropriate medical certificate is submitted,
 - 2) isolation due to an infectious disease, provided that an appropriate decision of the health inspector is submitted,
 - 3) necessity to take care of a healthy child up to the age of 8, provided that the nursery, kindergarten or school which the child attends is closed
 - 4) performance of duties specified in the provisions on general defence obligation, provided that an appropriate request is presented,

- 5) a request as a party, witness, interpreter or expert by a relevant judicial or administrative authority, provided that an official note of the performance of this duty is presented,
 - 6) disruption of communications and other extraordinary accidents preventing timely arrival at work.
 - 7) other reasons excused by generally applicable regulations.
2. Documents confirming the excused nature of the absence, the employee is obliged to submit to the employer at the latest when returning to work after the period of absence.

§ 30

For the purpose of protecting property, ensuring employee safety and protecting company secrets, the employer shall operate CCTV and surveillance of access to buildings and premises:

- a) CCTV in the CFT, carried out by means of video recordings, covers the corridors as well as the outside area of the workplace;
- b) the places covered by the video surveillance are visibly marked, the recordings are stored for a period of 3 months, only persons who are authorised to process the data contained therein may have access to the material obtained from the video surveillance;
- c) an information clause on the video surveillance is posted in the reception;
- d) if the image recordings constitute evidence in legal proceedings or the employer becomes aware that they may constitute evidence in such proceedings, the surveillance recordings shall be secured and handed over to the competent services;
- e) surveillance of access in the CFT is carried out on the basis of verification of the use of access cards to buildings;
- f) cards are assigned to each employee and to persons authorised to receive them;
- g) control of the access system is exercised by a person authorised by the Director of IF PAN; records are kept for a period of 3 months.

The conditions for issuing access cards to employees are defined in the agreement between the Directorate of CFT and IF PAN.

Chapter VIII

Employees' liability for maintenance of order

§ 31

A particular gross violation of the established order and discipline at work is:

1. careless performance of work and spoiling materials and devices belonging to the CFT;
2. performing work that is not related to the tasks arising from the employment relationship without the approval of the Director of the CFT;
3. failure to carry out the instructions of superiors in accordance with the scope of assigned duties;
4. inappropriate attitude towards superiors and co-workers.

§ 32

1. For the employee's failure to observe the established organisation and order in the work process, occupational safety and health regulations, fire safety regulations, the accepted method of confirming arrival and presence at work and justifying absence from work, the employer may impose:

- a) a warning,
- b) a reprimand.

2. For the employee's non-compliance with health and safety at work or fire safety regulations, leaving work without justification, coming to work in the state of intoxication or consumption of alcohol during work – the CFT may also apply a monetary penalty.
3. The monetary penalty for one transgression, as well as for each day of unexcused absence, shall not exceed one day's remuneration of the employee, and the total monetary penalties shall not exceed a tenth of the remuneration payable to the employee, after the deductions referred to in Article 87 § 1, items 1-3 of the Code of Labour Procedure.
4. Proceeds from monetary penalties shall be used to improve health and safety conditions at work.

§ 33

1. A penalty may not be applied after 2 weeks from the date of knowledge of the breach of an employee's duty and after 3 months from the date the breach was committed.
2. The penalty may only be applied after the employee has been given a chance to provide an explanation.
3. If, for reason of absence from the workplace, the employee cannot be heard, the two-week period provided for in item 1 shall not commence, and the period commenced shall be suspended until the day the employee appears at work.

§ 34

The CFT shall notify the employee of the penalty applied in writing, indicating the nature of the employee's breach and the date on which the employee committed the breach, and informing the employee of the right to object and the time limit for doing so. A copy of the notification shall be filed in the employee's personal file.

§ 35

When applying the penalty, particular consideration shall be given to the type of violation of the employee's duties, the degree of the employee's fault and the employee's previous attitude to work.

§ 36

1. If the penalty has been applied in violation of the law, the employee may, within 7 days from the notification of the punishment, raise an objection. The acceptance or rejection of the objection shall be decided by the employer after considering the position of the employee's representative company trade union organisation. Failure to reject the objection within 14 days from the date of its filing shall be equivalent to acceptance of the objection.

2. An employee who has raised an objection may, within 14 days from the notification of rejection of such objection, apply to the labour court for the annulment of the punishment applied to the employee.
3. In the event that the objection to the penalty applied to the employee is upheld or that the penalty is annulled by the labour court, the CFT shall be obliged to reimburse the employee the corresponding amount of the penalty.

§ 37

1. The penalty shall be considered null and void, and a copy of the notification of punishment shall be removed from the employee's personal file, after one year of impeccable service. The CFT may, on its own initiative or at the request of the employee's representative company trade union organisation, declare the penalty null and void before the expiry of this period.
2. The first sentence of item 1 shall apply mutatis mutandis if the CFT upholds the objection or the labour court issues a decision to cancel the penalty.

Chapter IX

Health, safety and fire protection regulations

§ 38

1. It is the primary duty of every employee to strictly comply with health and safety and fire regulations. In particular, each employee is obliged to:
 - 1) be familiar with health, safety and fire regulations and rules,
 - 2) participate in training and exercises organised by the CFT on health, safety and fire protection,
 - 3) take care of tidiness and order at their own work station and in its surroundings,
 - 4) use collective and individual protective equipment as intended,
 - 5) undergo medical check-ups as designated by the CFT and to comply with medical recommendations,
 - 6) inform their superiors immediately of any accidents noticed in the place of work or of any life or health hazards identified,
2. CFT is obliged to ensure that the provisions listed in section 1 are complied with, in particular by issuing appropriate instructions, remedying any shortcomings or hazards and ensuring that the recommendations of the authorities supervising working conditions, including the social supervisory authorities, and medical recommendations are complied with without delay. In particular, CFT is obliged to:
 - 1) organise work and work stations in such a way as to ensure safe and hygienic working conditions,
 - 2) familiarise employees with the rules and regulations of occupational safety and health and fire protection and provide training in this respect,
 - 3) refer employees for medical check-ups,
 - 4) take care of the safe and hygienic condition of premises and technical equipment as well as of the efficiency of collective and individual protection equipment of employees and their use in accordance with their intended purpose.

§ 39

Employees are forbidden to:

1. Use technical equipment contrary to its intended purpose,
2. Arbitrarily alter or dismantle elements of technical equipment, without authorisation from the CFT Directorate or their immediate superior.

§ 40

The Director may allow an employee to work only if the employee has all the required professional qualifications and has completed the necessary initial training in occupational health and safety and fire protection and has been informed of the existing occupational risks.

§ 41

1. If working conditions do not comply with health and safety regulations and pose a direct threat to the health or life of the employee or others, the employee has the right and duty to refrain from work and immediately notify the immediate superior.
2. If refraining from work does not remove the danger specified in section 1, the employee shall immediately move away from the place of danger, immediately notifying the immediate superior.
3. The employee shall be entitled to remuneration for the period of abstention from work in the situations specified in sections 1 and 2 above.

Chapter X Final provisions

§ 42

1. The Regulations are introduced for an indefinite period of time.
2. The Regulations may be amended or supplemented by the Director of the CFT in accordance with the procedure provided by the labour law for their issuance.

§ 43

The Regulations become effective 2 weeks after they have been communicated to employees.

§ 44

Newly employed staff members are obliged to read these regulations before starting work.