

REMUNERATION REGULATIONS

FOR EMPLOYEES OF THE INSTITUTE OF AGROPHYSICS OF THE POLISH ACADEMY OF SCIENCES IN LUBLIN OF 15 DECEMBER 2010

(consolidated text in the wording established by Amendment No. 11 of 30 April 2021)

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Chapter I GENERAL PROVISIONS

Pursuant to Article 77² of the Act of 26 June 1974 – Labour Code (Journal of Laws of 2020, item 1320, as amended, hereinafter: the Labour Code) and Article 104 of the Act of 30 April 2010 on the Polish Academy of Sciences (Journal of Laws of 2020, item 1796, as amended, hereinafter: the PAS Act), the following **Remuneration Regulations for Employees of the Institute of Agrophysics of the Polish Academy of Sciences in Lublin** are hereby established:

§ 1

1. These Remuneration Regulations (hereinafter: the Regulations) set out the principles of remuneration, the award of additional remuneration components and work-related benefits applicable at the Institute of Agrophysics of the Polish Academy of Sciences in Lublin (hereinafter: the Institute), as well as the associated rights and obligations of the Employer and the Employee.
2. The provisions of the Regulations apply to all employees of the Institute employed under an employment contract or by appointment – regardless of the type of work performed, the position held and the working time, subject to paragraph 3 and § 4(4)–(6).
3. The provisions of the Regulations shall not apply to the Director of the Institute, Deputy Directors and the Chief Accountant to the extent governed by separate provisions.

§ 2

1. Wherever the Regulations refer to the Employer, this shall be understood as the Institute.
2. The Employer is represented in all matters of employment law by the Director of the Institute or a person authorised by the Director.

§ 3

The basic generally applicable provisions governing remuneration conditions at the Institute are the Labour Code and the PAS Act.

Chapter II PRINCIPLES OF REMUNERATION

§ 4

1. For the performance of assigned duties, an Employee of the Institute shall receive remuneration in accordance with the employment contract or instrument of appointment and the provisions of the Regulations.
2. An Employee's remuneration shall consist of the basic salary and additional remuneration components as specified in Chapter IV of the Regulations.
3. An Employee shall be entitled to other work-related benefits as referred to in Chapter V of the Regulations.
4. An Employee employed on a part-time basis shall be entitled to all remuneration components in amounts proportional to the working time specified in the employment contract.
5. Where an Employee performs duties under a project financed from external sources for which the Institute has been awarded funds for the payment of remuneration, the Employee's remuneration shall be paid in accordance with the rules of the given programme, subject to the provisions of the Regulations.
6. Remuneration paid to an Employee funded under the Horizon 2020 Programme or the Horizon Europe Programme shall, subject to the provisions of the Regulations and the rules of those Programmes, follow the principles applicable to national projects.

§ 5

1. An Employee shall be entitled to the remuneration specified in the employment contract or other document constituting the basis for establishing the employment relationship, in an amount no lower than the minimum wage, announced annually in accordance with the rules set out in the Act of 10 October 2002 on the Minimum Wage (Journal of Laws of 2020, item 2207, as amended, hereinafter: the Minimum Wage Act).
2. If the minimum wage referred to in paragraph 1 is increased to an amount exceeding the Employee's current remuneration, the Employee's remuneration shall be updated without delay to a level no lower than the minimum wage calculated for full-time employment.

§ 6

An Employee shall be entitled to remuneration for work performed, subject to the provisions of Chapter VI of the Regulations.

§ 7

The remuneration of an Employee employed on the date of entry into force of the Regulations, as determined under its provisions, may not be lower than the remuneration to which the Employee was entitled before the date of entry into force of the Regulations.

Chapter III BASIC SALARY

§ 8

The Employer shall establish a table of positions and employee qualifications together with monthly basic salary rates for individual position groups (Annex No. 1 to the Regulations).

§ 9

1. The monthly basic salary rate for an Employee shall be determined on the basis of the assignment to a specific position group as set out in Annex No. 1 to the Regulations.
2. An Employee shall be entitled to a monthly basic salary no lower than the minimum rate for the relevant position group.
3. The basic salary of an Employee within the position group referred to in paragraph 1 shall be determined by the Director of the Institute taking into account:
 - 1) the type of work performed;
 - 2) professional qualifications held;
 - 3) the quantity and quality of work performed;
 - 4) engagement in duties performed;
 - 5) experience and overall length of service.

Chapter IV ADDITIONAL REMUNERATION COMPONENTS

§ 10

1. The additional remuneration components awarded to an Employee of the Institute are:
 - 1) overtime allowance;
 - 2) night work allowance;
 - 3) Sunday and public holiday work allowance;
 - 4) length-of-service allowance;
 - 5) managerial/function allowance.
2. An Employee may also be awarded additional remuneration components in the form of:
 - 1) a special allowance;
 - 2) an annual award;
 - 3) a Director's award.

§ 11

1. For overtime work, in addition to normal remuneration, an Employee shall, subject to paragraph 5, be entitled to an allowance of:

1) 100% of the basic salary – for overtime work falling:

a) at night;

b) on Sundays and public holidays that are not working days for the Employee under their applicable work schedule;

c) on a day off granted to the Employee in lieu of work performed on a Sunday or public holiday in accordance with their applicable work schedule.

2) 50% of the basic salary – for overtime work falling on any day other than those specified in point 1.

2. The allowance at the rate specified in paragraph 1(1) shall also be payable for each hour of overtime work resulting from exceeding the average weekly working time norm in the applicable settlement period, unless the excess arose from overtime work for which the Employee is entitled to the allowance at the rate specified in paragraph 1.

3. The remuneration constituting the basis for calculating the overtime allowance shall comprise the Employee's remuneration arising from their personal grade determined by an hourly or monthly rate.

4. The number of overtime hours worked in the applicable settlement period shall be established on the basis of working time records.

5. An Employee shall not be entitled to an overtime allowance if:

1) in lieu of overtime worked, the Employer has, at the Employee's request, granted the Employee time off in an equal amount; or

2) the Employer has granted the Employee time off without the Employee's request, provided that this occurs no later than by the end of the settlement period, in an amount one and a half times the number of overtime hours worked, and provided that this does not result in a reduction of the remuneration due to the Employee for full-time monthly employment.

6. Employees managing the establishment on behalf of the Employer and heads of designated organisational units shall, where necessary, perform work outside normal working hours without entitlement to remuneration or an allowance for overtime work, subject to paragraph 7.

7. Heads of designated organisational units shall be entitled to remuneration and an overtime allowance at the rate specified in paragraph 1 for overtime work performed on Sundays and public holidays, if they have not received another day off in lieu of work on such a day.

§ 12

1. For work performed during night hours, an Employee shall be entitled to an allowance in addition to remuneration for each hour of night work, amounting to 20% of the hourly rate derived from the minimum wage, as determined in accordance with the Minimum Wage Act.

2. Night hours shall comprise the 8 hours between 21:00 and 7:00.

3. The night work allowance shall be payable independently of the overtime allowance.

§ 13

An Employee shall be entitled to the allowance at the rate specified in § 11(1)(1) for each hour of work performed:

1) on a Sunday – where it is not possible to grant a day off within the 6 calendar days preceding or following that Sunday;

2) on a public holiday – where it is not possible to grant a day off during the applicable settlement period.

§ 14

- 1.** An Employee of the Institute shall be entitled to a length-of-service allowance:
 - 1)** for scientific staff – at 3% of monthly basic salary after 3 years of service. The allowance increases by 1% for each subsequent year of service up to a maximum of 20% of monthly basic salary after 20 years of service;
 - 2)** for all other employees – at 5% of monthly basic salary after 5 years of service. The allowance increases by 1% for each subsequent year of service up to a maximum of 20% of monthly basic salary after 20 years of service.
- 2.** All previously completed periods of employment and other documented periods that, under separate provisions, count towards the period of service on which employment entitlements depend shall be included in the qualifying period for the length-of-service allowance.
- 3.** When determining the entitlement to the length-of-service allowance of an Employee who was simultaneously employed under more than one completed employment relationship, only one of those employment periods shall be included in the qualifying period for the allowance.
- 4.** In the case of an Employee who performs work at the Institute during unpaid leave granted by another employer for the purpose of performing such work, the period of employment with that employer up to the commencement of the leave shall be included in the qualifying period.
- 5.** The length-of-service allowance shall be payable to the Employee for the days for which the Employee receives remuneration, and it is included in the basis for calculating sick pay, sickness benefit and carer's allowance.
- 6.** The length-of-service allowance shall be paid on the remuneration payment date and shall be payable:
 - 1)** from the first day of the calendar month following the month in which the Employee acquired the right to the allowance or to the higher allowance rate, if the right was acquired during the course of the month;
 - 2)** for the given month, if the right to the allowance or to the higher allowance rate was acquired on the first day of the month.

§ 15

- 1.** A managerial/function allowance shall be awarded on the basis of the Table of Managerial/Function Allowance Rates (Annex No. 2 to the Regulations) to an Employee performing managerial functions or carrying out additional duties on a continuous basis.
- 2.** The basis for calculating the managerial/function allowance shall be the minimum wage, announced annually in accordance with the rules set out in the Minimum Wage Act.
- 3.** Where an Employee is entitled to more than one managerial/function allowance, only one allowance shall be payable – the one more favourable to the Employee.
- 4.** An Employee appointed to a managerial position for a fixed term who is removed from that position before the end of the term shall retain the right to the allowance until the end of the term for which they were appointed, but for no longer than 3 months. An Employee appointed to a managerial position for an indefinite term who is removed from that position shall retain the right to the managerial/function allowance for a period of 3 months.
- 5.** An Employee shall not be entitled to a managerial/function allowance during a period of suspension from duties, from the first day of the calendar month following the month in which the Employee was suspended.

§ 16

- 1.** A special allowance may be awarded to an Employee in connection with a temporary increase in official duties or the assignment of additional tasks, including tasks assigned to the Employee in the course of carrying out a research project.
- 2.** Employees participating in the implementation of projects under the framework programme for research and innovation “Horizon 2020” or “Horizon Europe” shall, where the competent ministry awards the Institute financial resources for activities supporting participation in that programme, be entitled to a special allowance, the amount of which shall be specified in each case in a separate agreement on the transfer of financial resources, subject to the provisions of the Regulations.
- 3.** The special allowance shall be awarded for a fixed period no longer than the duration of the circumstances referred to in paragraph 1.
- 4.** The amount of the special allowance shall be determined by the Director of the Institute having regard to the scope of the Employee’s additional tasks, their number and degree of complexity.

§ 17

- 1.** An Employee shall be entitled to an annual award from the award fund created in accordance with the rules set out in Article 85(3)(6) of the PAS Act.
- 2.** An Employee shall acquire entitlement to the full annual award upon working at the Institute throughout the entire calendar year.
- 3.** An Employee who has not worked at the Institute throughout the entire calendar year shall acquire entitlement to a proportional annual award, provided that the period worked amounts to at least 6 months.
- 4.** The minimum 6-month period required to qualify for the annual award shall not be required in cases of:
 - 1)** termination of the employment relationship in connection with retirement or disability pension due to incapacity for work, or reduction of employment for reasons relating to the Employer;
 - 2)** taking childcare leave.
- 5.** An Employee shall not acquire entitlement to the annual award in the following cases:
 - 1)** unjustified absence from work exceeding two days;
 - 2)** reporting for work or being present at work in a state of intoxication;
 - 3)** imposition of a disciplinary penalty of dismissal from work;
 - 4)** termination of the employment contract without notice due to the Employee’s fault.

§ 18

- 1.** An Employee may be granted the awards referred to in § 19(1)–(4) of the Regulations.
- 2.** The decision on granting an award and its amount shall be taken by the Director of the Institute.

§ 19

An Employee may receive a Director’s Award:

- 1)** on the recommendation of a supervisor, for exemplary performance of duties and initiative at work, thereby making a particular contribution to the fulfilment of the Institute's tasks;
- 2)** on the basis of a Director's Order, for particular activity in the area of scientific work that significantly raises the scientific standing of the Institute, and for activity as a result of which the Institute was awarded a project financed from external funds for research, R&D or education;
- 3)** for the implementation of tasks financed from external funds under separate agreements, which do not constitute research tasks arising from the Institute's statutory activities;
- 4)** for the performance of other tasks assigned by the Director of the Institute that go beyond the Employee's duties in their current position.

§ 20

The performance of additional activities in the context of tasks assigned by the Director of the Institute under the procedure described above shall not release the Employee from performing activities arising from the duties of their current position.

Chapter V OTHER WORK-RELATED BENEFITS AND SPECIFIC PROVISIONS

§ 21

In addition to the basic salary and the additional remuneration components specified in the Regulations, an Employee shall also be entitled to other monetary work-related benefits:

- 1)** benefits due during temporary incapacity for work;
- 2)** benefits due in connection with accidents at work and occupational diseases, as specified in separate provisions;
- 3)** paid health recuperation leave – for scientific staff;
- 4)** long-service awards;
- 5)** retirement and disability pension severance payments;
- 6)** death grant payable under separate provisions;
- 7)** reimbursement of business travel costs payable under separate provisions;
- 8)** other entitlements due to the Employee under separate provisions.

§ 22

An Employee shall retain the right to full remuneration during periods of justified absence from work.

§ 23

1. During periods of incapacity for work due to:

- 1)** illness or isolation in connection with a contagious disease – lasting in total up to 33 days during the calendar year, or in the case of an Employee who has reached the age of 50 – lasting in total up to 14 days during the calendar year – the Employee shall retain the right to 100% of remuneration;

2) an accident on the way to or from work, or illness during pregnancy – for the period specified in point 1 – the Employee shall retain the right to 100% of remuneration during that period;

3) undergoing medical examinations required of candidates for donors of cells, tissues and organs, and undergoing a procedure for the collection of cells, tissues and organs – for the period specified in point 1 – the Employee shall retain the right to 100% of remuneration.

2. The remuneration referred to in paragraph 1:

1) shall be calculated in accordance with the rules applicable when establishing the basis for calculating sickness benefit, and shall be paid for each day of incapacity for work, including non-working days;

2) shall not be reduced in the event of a reduction in the basis for calculating sickness benefit;

3) shall not be payable in cases where the Employee has no entitlement to sickness benefit.

3. (deleted)

4. For periods of incapacity for work due to the reasons listed above lasting in total more than 33 days during the calendar year, or, in the case of an Employee who has reached the age of 50, more than 14 days during the calendar year, the Employee shall be entitled to sickness benefit on the terms set out in separate provisions.

5. The provisions of paragraph 1(1) and paragraph 4 relating to an Employee who has reached the age of 50 shall apply to incapacity for work occurring after the calendar year in which the Employee reached the age of 50.

§ 24

A scientific staff member employed full-time who has worked at the Institute for at least 3 years shall be entitled to paid health recuperation leave of up to one year, on the terms and in the manner set out in the Act of 20 July 2018 – Law on Higher Education and Science.

§ 25

For long service, an Employee shall be entitled to a long-service award amounting to:

1) after 20 years of service – 75% of monthly remuneration;

2) after 25 years of service – 100% of monthly remuneration;

3) after 30 years of service – 150% of monthly remuneration;

4) after 35 years of service – 200% of monthly remuneration;

5) after 40 years of service – 300% of monthly remuneration;

6) after 45 years of service – 400% of monthly remuneration.

1. All previously completed periods of employment and other periods that, under separate provisions, count towards the period of service on which employment entitlements depend shall be included in the qualifying period for the long-service award.

2. Where an Employee is simultaneously employed under more than one employment relationship, only one of those periods shall be included in the qualifying period for the long-service award.

3. An Employee who performs work at the Institute during unpaid leave granted by another employer for the purpose of performing such work shall have the period of employment with that employer up to the commencement of the leave included in the qualifying period for the long-service award.

4. An Employee shall acquire entitlement to the long-service award on the date of expiry of the qualifying period for that award.
5. The long-service award shall be paid in the month in which the qualifying period expires, on the remuneration payment date.
6. The basis for calculating the long-service award shall be the remuneration due to the Employee on the date on which entitlement to the award is acquired, or – if more favourable to the Employee – the remuneration due on the date of payment. If entitlement to the long-service award was acquired during employment on a different working-time basis than that applicable on the date of payment, the basis for calculating the award shall be the remuneration due to the Employee on the date on which entitlement to the award was acquired. The award shall be calculated in accordance with the rules applicable when establishing the monetary equivalent for annual leave.
7. Where the employment relationship is terminated in connection with retirement or disability pension due to incapacity for work, and the Employee lacks fewer than 12 months until entitlement to the long-service award, that award shall be paid on the date of termination of the employment relationship.
8. If, on the date of entry into force of the Regulations, an Employee's qualifying period entitles them to two or more awards, only the highest award shall be paid.

§ 26

1. An Employee retiring or taking a disability pension due to incapacity for work shall be entitled to a one-off severance payment amounting to three months' remuneration, calculated in accordance with the rules applicable when establishing the monetary equivalent for annual leave.
2. An Employee who has received a severance payment shall not be entitled to receive it again.

§ 26¹

1. An Employee employed at the Institute for at least 10 years may, no earlier than 12 months before reaching the general retirement age, apply to the Employer for a one-off increase in basic salary.
2. The award of the one-off increase in basic salary shall be possible following the submission by the Employee of the request referred to in paragraph 1 together with an application to terminate the employment relationship on a specified date due to retirement.

§ 26²

1. An Employee may be granted paid training leave calculated in accordance with the rules applicable to annual leave remuneration, if:
 - 1) the Employee has obtained a foreign scientific internship through a competitive process, subject to the Employer's consent to that internship;
 - 2) the Employee has been sent abroad by the Employer for the purpose of undertaking a scientific internship.
2. In the situations referred to in paragraph 1, the Employer and the Employee may conclude an agreement specifying their mutual rights and obligations in connection with the implementation and settlement of the scientific internship, including any benefits paid to the Employee by the Employer during the internship, such as a stipend to cover subsistence and accommodation costs.

Chapter VI REMUNERATION FOR PERIODS OF NON-PERFORMANCE OF WORK

§ 27

An Employee shall retain the right to remuneration for periods of non-performance of work only where so provided by the Labour Code or other provisions of employment law.

§ 28

For periods of non-performance of work, an Employee shall be entitled to remuneration arising from their personal grade determined by a monthly rate, if the Employee was ready to perform work but was prevented from doing so for reasons attributable to the Employer.

§ 29

1. During a work stoppage not caused by the Employee, the Employee may be assigned other work commensurate with their qualifications. The Employee shall then be entitled to the remuneration provided for that work, but no less than the remuneration arising from their personal grade.
2. If the work stoppage was caused by the Employee, the Employee shall be entitled only to the remuneration provided for the work actually performed.
3. If, during a work stoppage caused by the Employee, the Employee is not assigned other work, no remuneration shall be payable.

Chapter VII REMUNERATION PAYMENT RULES

§ 30

1. Remuneration shall be paid for the given month on the 28th day of that month.
2. If the payment date falls on a statutory day off, remuneration shall be paid on the preceding day.

§ 31

1. Remuneration shall be paid by bank transfer to the bank account designated by the Employee.
2. Payment of remuneration in cash to the Employee in person shall be possible upon an application submitted to the Finance and Accounting Department.

Chapter VIII FINAL PROVISIONS

§ 32

1. The Regulations are established for an indefinite period.

2. Amendments to the Regulations shall be made in writing and shall follow the same procedure as their adoption, or shall take the form of the introduction of new regulations.

§ 33

The provisions of the Regulations shall enter into force 2 weeks after they are brought to the attention of employees by the Employer in the customary manner – by posting on the notice board and sending electronically to employees.

§ 34

In matters not regulated by the Regulations, the generally applicable provisions of employment law shall apply accordingly.

§ 35

1. Before being admitted to work, an Employee shall be familiarised with the Regulations, which shall be confirmed by the submission of a declaration appended to the Employee's personnel file.
2. The Regulations and the applicable provisions of employment law shall be made available by the employee responsible for personnel matters at the Institute.

Annexes to the Regulations:

- 1) Table of positions and employee qualifications together with monthly basic salary rates for individual position groups;
- 2) Table of managerial/function allowance rates.

Remuneration Regulations for Employees of the Institute of Agrophysics of the Polish Academy of Sciences in Lublin of 15 December 2010, consolidated text in the wording established by Amendment No. 11 of 30 April 2021.

Lublin, 30 April 2021

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