

*AGH University  
of Krakow*

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# **Work Regulations**

**Consolidated text**

*Order 39/2019 of the Rector of the AGH University dated 16 September 2019  
as amended by:*

*Order 19/2020 of the Rector of the AGH University dated 7 April 2020*

*Order 95/2020 of the Rector of the AGH University dated 27 November 2020*

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**SECTION I**  
**GENERAL PROVISIONS**

**§ 1**

1. The Work Regulations of the AGH University of Krakow, hereinafter referred to as the "work regulations" lay down the organisation and order of the work process, as well as the related rights and obligations of the employer and employees who work at the AGH University of Krakow, hereinafter referred to as the "employer" or the "University".
2. The provisions of these regulations apply to all employees employed by the employer, irrespective of the basis of their employment, the position held, working time, or whether they are academic teachers or non-academic staff.

**§ 2**

1. Employees are obliged to familiarise themselves with the contents of the work regulations before starting work, as well as any amendments thereto immediately after they have been implemented.
2. The unit responsible for human resources must communicate the work regulations to each employee being employed, prior to their admission to perform work, and the employee must confirm that they have familiarised themselves with the work regulations by way of a statement to that effect and their signature.
3. Supervision of compliance with these regulations is to be entrusted to persons holding managerial functions and positions at the University and to the unit responsible for human resources.

**§ 3**

Whenever referred to in these regulations:

- 1) to the Act – this means the Act of 20 July 2018 – the Law on Higher Education and Science;
- 2) to the Labour Code – this means the Labour Code Act of 26 June 1974;
- 3) to the Rector – this means the Rector of the AGH University in Krakow, and persons authorised by the Rector to carry out activities that concern labour law, or who at a given time hold a power of attorney granted by the Rector;
- 4) employee without further specification – this means all employees of the AGH University in Krakow, both academic teachers and non-academic staff;
- 5) academic teachers – this means the staff referred to in Article 114 of the Act;
- 6) non-academic staff – this means staff other than staff referred to in item 5;
- 7) employment contract – this means both an employment contract and an appointment;
- 8) the unit responsible for human resources – it means the organisational unit of the University which, in accordance with the Organisational Regulations, is responsible for managing the personnel matters of the employees of the University;
- 9) a superior – this means a person who is entrusted with the management of a given organisational unit, a team of employees, a group of organisational units or with the management of a managerial section referred to in the organisational regulations;
- 10) direct supervisor – this means as follows:
  - the director of an institute or a department – regarding academic teachers,
  - the person indicated in the job description (duties) – regarding non-academic staff;
- 11) persons who perform managerial functions or hold managerial positions – this means both persons referred to in Article 23 section 2 item 6 of the Act and other persons who manage the work of organisational units or teams of employees.

- 12) a paper or an electronic form (of the request) – it shall be understood as a document submitted in a traditional form (in writing) or sent electronically, e.g. by e-mail.

## **SECTION II**

### **RIGHTS AND OBLIGATIONS OF THE EMPLOYER AND EMPLOYEES**

#### **Chapter I General Provisions**

##### **§ 4**

1. Prior to admitting a newly recruited employee to perform work, the employer must:
  - 1) refer the employee for an initial medical examination (except as provided for in Article 229 (11) and (12) of the Labour Code);
  - 2) serve the employee with an employment contract that meets the requirements set out in the provisions of the Labour Code, and in case of academic teachers, also of the Act – the Law on Higher Education and Science;
  - 3) acquaint the employee with the Work Regulations;
  - 4) train the employee in occupational health and safety and fire protection;
  - 5) inform the employee of occupational hazards associated with the work to be carried out and of the rules for protection against such hazards;
  - 6) provide employees with personal protective equipment and workwear and footwear according to the regulations abiding at the University.
2. A newly recruited employee must:
  - 1) provide the employer with a medical certificate which confirms they are fit for work on a given position, in working conditions described in the referral for the medical examination;
  - 2) receive initial training in occupational health and safety and fire protection;
  - 3) be familiar with the occupational hazards associated with the work and know the rules for protection against the hazards;
  - 4) confirm in writing the performance of duties referred to in points 2 and 3.
3. The employer must inform the employee in writing or electronically:
  - 1) no later than 7 days after the conclusion of the employment contract on:
    - a) the daily and weekly working time standards applicable to the employee,
    - b) the daily and weekly working hours applicable to the employee,
    - c) breaks in the working time to which the employee is entitled,
    - d) the daily and weekly rest to which the employee is entitled,
    - e) rules pertaining to overtime work and applicable compensation,
    - f) in case of shift work – rules for moving from shift to shift,
    - g) in case of several places of work – rules for moving between the places of work,
    - h) components of the employee's remuneration and benefits in cash or in kind other than those established in the employment contract,
    - i) the amount of paid leave to which the employee is entitled, including holiday leave, and if it is impossible to determine it on the day of providing the information, about the rules for its determination and granting,
    - j) the applicable rules for termination of the employment relationship, including the formal requirements, the length of the periods of notice, the deadline for appealing to the Labour Court, and if it is impossible to determine the length of the notice periods on the day of providing information, about the method for determining the notice periods,

- k) the employee's right for training if the employer provides training, in particular about the general principles of the employer's training policy;
- 2) within 30 days from the date of admitting the employee to work, the employer is obliged to provide information on the name of the social security institutions to which social security contributions from the employment relationship are paid and on the protection related to social security provided by the employer; the obligation in question does not arise if the employee chooses the social security institution.
- 3a. The information on employment referred to in § 3(1)(a-f)(h-k) and (2) shall be provided to the employee in writing or electronically by indicating the appropriate provisions of labour and social security law. The employer must inform the employee in writing of the change in the conditions referred to in item 3 immediately, although no later than 1 month from the date on which those changes become effective.
4. The employer shall immediately inform the employee in writing or electronically about any changes in the employment conditions referred to in § 3, no later than on the day from which the change is applicable to the employee. This does not apply in the event that the change in employment conditions arises from the change of labour or social security law if the provisions were indicated in the information provided to the employee.

## **§ 5**

1. The employee must respect the official dependence and hierarchical subordination under the internal organisation and specific distribution of tasks at the University, as defined in the Organisational Regulations.
2. The employee must perform their duties in accordance with their individual job description and the duties arising from the work orders of their immediate superior that relate to the work if they are not contrary to the law or the employment contract.
3. The employee must check their e-mail at least once a day, excluding holidays.
- 3a. The employees are obliged to familiarise themselves with internal documents, i.e. in particular with orders, circulars, and announcements published on the University website.
4. If the employee is absent from work, the matters handled by such an employee must be taken over and handled by another employee who is designated – in respect of such employee's responsibilities – for substitution or by an employee designated by the immediate superior. Persons who hold managerial positions must designate, for the duration of their absence, an employee to replace them in managing the unit or a team of employees. If such an employee is not designated, they must be appointed by a higher-level superior.

## **Chapter II Employer's Obligations**

### **§ 6**

1. The employer must, in particular:
  - 1) familiarise the staff who take up work with their job description, with the way in which they are to perform their duties, and with their basic rights;
  - 1a) inform employees about the employment conditions referred to in § 4(3) and (4);
  - 2) organise work in a manner that allows for full use of the working time and that employees achieve, using their abilities and qualifications, high productivity and appropriate quality of work;
  - 3) organise work in such a way as to reduce the arduousness of work, in particular monotonous work and work at a predetermined pace;
  - 4) prevent discrimination in employment, in particular on the grounds of sex, age, disability, race, religion, nationality, political opinion, union membership, ethnic origin, religion, sexual orientation, and on the grounds of a definite or indefinite employment, full-time or part-time;

- 5) counteract workplace mobbing;
  - 6) ensure safe and hygienic working conditions and provide regular employee training in occupational health and safety;
  - 7) designate staff to provide first aid and carry out fire protection and evacuation of employees;
  - 8) pay remuneration in a timely manner and in correct amounts;
  - 9) facilitate the improving of professional qualifications for employees;
  - 10) for employees who are recruited after they have completed vocational training or have obtained higher education, create conditions enabling them to adapt, in order for them to dully perform their tasks;
  - 11) provide for – within their capabilities – the social needs of employees;
  - 12) apply unbiased and fair criteria for evaluating employees and their performance;
  - 13) keep and store – in a paper or an electronic form – records on matters relating to the employment relationship and employees' personal files (employee records) in accordance with applicable provisions;
  - 14) keep employee records in a manner that ensures their confidentiality, integrity, completeness, and accessibility, under conditions that ensure that they are not damaged or destroyed during the period of employment and, after termination of employment, for the period provided for by applicable provisions;
  - 15) inform employees of the occupational risks involved in their work and of the rules of protection against these risks;
  - 16) influence the development of the principles of social coexistence at the University.
2. The employer's obligations set out in item 1(1 to 3 and 12) must be performed primarily by the employees' immediate superiors.
  3. The employer must either make available to all employees the text of the provisions related to equal treatment in employment in the form of a written notice distributed at the University, or provide employees with access to the provisions in any other manner that allows them to learn that text themselves.
  4. The employer must inform the employees – in a customary manner – about:
    - 1) the possibility of full-time or part-time employment;
    - 2) promotion opportunities;
    - 3) available positions.
  5. The employer must provide employees with work stations and make the necessary basic equipment available.

### **Chapter III**

#### **Employer's Rights General Employer's Rights**

##### **§ 7**

1. The employer has the right, in particular, to the following:
  - 1) give binding instructions to employees concerning their work, including working time, to the extent that such instructions are not contrary to applicable provisions, the scope of their duties, or the principles of social coexistence;
  - 2) define the scope of each employee's responsibilities, in accordance with the provisions of the employment contract and applicable legislation;
  - 3) make use of the results of employees' work, subject to item 2;
  - 4) require and enforce – with regard to the employees – the performance of the duties

- set out in the labour law, these regulations and their job description;
- 5) reward and distinguish employees according to their performance;
  - 6) hold employees financially liable and liable for disciplinary violations, pursuant to the provisions of labour law and these regulations.
2. The use of the results of employees' work that constitute a creative work, including a computer program, as defined by the provisions on copyright and related rights or an invention, utility model, industrial design, trademark, geographical indication, topography of integrated circuits, or an improvement design, as defined by the provisions on industrial property rights, is governed by separate provisions, including provisions issued pursuant to Article 152 of the Act.

### **§ 8**

1. The employer may also require the employee to provide personal data that include:
  - 1) first name(s) and surname;
  - 2) date of birth;
  - 3) contact details specified by the employee;
  - 4) education;
  - 5) professional qualifications;
  - 6) previous employment history;
  - 7) address of residence;
  - 8) PESEL number (if no PESEL number is available – the number of the document that proves the holder's identity)
  - 9) other personal data of the employee, as well as personal data of the employee's children and other members of their immediate family if the submission of such data is necessary for the employee to exercise special rights set out in the labour law;
  - 10) the bank account number for payment if the employee has not requested that the remuneration be paid in cash.
2. The data referred to in item 1(1 to 6) may also be requested by the employer from a candidate for employment.
3. The personal data are made available to the employer by way of a statement of the data subject. The employer may require the personal data of persons referred to in items 1 and 2 to be documented to the extent necessary to confirm these data.
4. The employer may require personal data other than that referred to in items 1 and 2 when necessary to exercise certain rights or to comply with a legal obligation.

### ***Video Surveillance***

### **§ 9**

In order to ensure the safety of the AGH University academic community and of other persons, to protect the property of the University, and to maintain the confidentiality of information, the disclosure of which could expose the University to damage, the employer introduces special surveillance of the premises of the University and the area around the University by technical means that enable image recording (video surveillance).

### **§ 10**

1. Rooms that are made available to union organisations operating at the University are not under surveillance.
2. Sanitary rooms, cloakrooms, canteens, and smoking rooms are not under surveillance either, unless surveillance in these rooms is necessary for the purpose specified in § 9 and such surveillance does not violate the dignity and other personal rights of employees, in particular by using techniques that make it impossible to identify the people in these



rooms. Surveillance of sanitary rooms requires the prior consent of the union organisation.

3. Surveillance recordings may be processed by the employer only to fulfil the purposes for which they were recorded and may be stored for a period no longer than three months as of making the recording.
4. Where the surveillance recordings constitute evidence in legal proceedings or the employer has become aware that they may constitute evidence in such proceedings, the time limit set out in item 3 is extended until the proceedings have been concluded by a final decision.
5. After the periods referred to in items 3 or 4 expire, the surveillance recordings that contain personal data must be destroyed, unless otherwise provided for by separate provisions.
6. Before the employee is admitted to work, the employer must provide the employee with written information on the purpose, scope, and manner of the surveillance.

#### **§ 11**

1. The grounds and premises under surveillance must be visibly and legibly marked with appropriate graphic signs.
2. The purposes, scope, and the method in which surveillance is applied are set out in Appendix 1 to these regulations.

#### **§ 12**

The provision of § 9 is without prejudice to Articles 12 and 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

### **Chapter IV Employees' Obligations *Employees' Primary Obligations***

#### **§ 13**

1. Employees must work conscientiously and diligently and comply with the instructions of their superiors that relate to work, provided they are not contrary to the provisions of the law or the employment contract.
2. Employee's primary responsibilities include, in particular:
  - 1) respecting working hours established at the University;
  - 2) observing these regulations and the organisation and order in the work process established at the University, as well as other provisions related to the performance of assigned duties;
  - 3) observing occupational health and safety provisions and rules as well as fire protection provisions;
  - 4) ensuring that they act in the employer's interest, protect their property and keep confidential any information that – if disclosed – could expose the employer to damage;
  - 5) maintaining confidentiality as defined in separate provisions;
  - 6) complying with the principles of social coexistence;
  - 7) complying with the employer's method of confirming arrival at and attendance at work and for excusing absence from work and leaving the workplace;
  - 8) remaining sober at work; and
  - 9) working on equipment provided by the employer.
3. The employee who leaves a room as the last person must, in particular, check that:

- 1) no open sources of fire are left in the room;
- 2) all electrical, gas, water, etc. equipment has been switched off (this does not apply to equipment which, in accordance with the technical and user documentation, may remain switched on when employees are absent); and
- 3) windows, desks, and wardrobes are closed.

Employees must also check whether the room is closed. The key to the room must be handed over by the employee to the doorkeeper or to a person designated by the director of a unit.

4. The employee must, under the Act on Combating Unfair Competition of 16 April 1993, keep strictly confidential during the term of the employment contract and also after its termination or expiry any technical, technological, organisational, commercial information or other information of economic value not disclosed by the employer to the public (business secret). Acquiring, disclosing, transferring, selling, offering for sale, or using other entity's information that constitutes a business secret or acquiring it from an unauthorised person, if it threatens or violates the employer's interest, without the employer's prior written consent, gives rise to the liability referred to in Chapters 3 and 4 of said Act.
5. Employees must update their personal data provided to the employer in accordance with § 8(1).
6. Employees must complete and update the information placed in the University's ICT databases in accordance with the relevant orders and announcements.
7. In the event of termination or expiry of an employment relationship, employees must account for the property entrusted to them by the employer, in particular documents, equipment, materials, devices, and cash – in a manner practiced by the employer.

#### **§ 14**

1. From the moment of taking up employment, the employee must perform their work efficiently and professionally with the greatest diligence and make every effort not to expose the employer to damage and liability as defined in the Civil Code and/or other legal acts.
2. Employees must not use their position and/or information obtained in the course of their work to obtain personal gain; employees must not engage in any conduct that might give rise to the suspicion of partiality or self-interest.
3. Employees must avoid any conflict of interest. If the performance of certain duties or instructions could involve a conflict of interest, employees must inform their immediate superior of such possible conflict.
4. Employees must refrain from performing their work with regard to entities or institutions with which they have personal, professional, and/or economic ties and with regard to persons with whom they have strong personal ties, including those defined in § 15(1). In such cases, they must refer the matter to be handled by another employee and notify their immediate superior.

#### **§ 15**

1. At the University there may be no relationship of direct professional subordination between spouses and the persons:
  - 1) who share a household; or
  - 2) who are related by blood or affinity up to the second degree, or by adoption, custody, or guardianship.
2. The employee and the immediate superior must inform the Rector immediately if the circumstances referred to in item 1 occur or if they may occur.
3. The provisions of items 1–2 do not apply to the Rector.

4. Sharing a household, as referred to in item 1(1) means living together, including jointly satisfying living needs.
5. The relationship of direct professional subordination referred to in item 1 means the relationship between the employee and their immediate superior.

### ***Employees' Data Protection Duties***

#### **§ 16**

1. An employee who, in connection with the performance of their duties or in any other way, has obtained access to personal data must collect and process personal data in accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (OJ EU L 119/1 of 4.5.2016), as well as the Act on the protection of personal data of 10 May 2018 and the internal security policy that concerns this.
2. Persons responsible for ensuring compliance with the obligations referred to in item 1 and for obtaining proper authorisations for employees to process personal data are specified in the internal security policy.

### ***Confirmation of Attendance at Work***

#### **§ 17**

1. Non-academic staff must confirm their time of arrival at work by signing the attendance register, available at a fixed and specified location.
2. Arriving at work on time means being present at the workstation ready to perform employees' duties at the time specified as the starting time.
3. If the attendance register is not signed, the employee is presumed to be absent and not working, and the burden of proof in this case lies with the employee.
4. The attendance of employees at their workstations is checked on an ongoing basis by the employees' immediate supervisors.
5. The immediate superior of an absent employee must designate an employee to replace the employee during their absence.

#### **§ 18**

1. Non-academic staff members are required to report each time the fact of them leaving the premises of the University to their immediate superior and to make appropriate entries in a relevant register kept by individual organisational units.
2. Employees may be present on the premises after working hours or on a day off only with the approval of their superior. The mere presence on the premises before or after working hours or on a day off does not constitute overtime unless the superior has at the same time ordered the employee to work outside standard working hours.
3. Leaving the workplace without authorisation constitutes a gross violation of work discipline and results in the employee being held accountable.

### ***Excusing Absences from Work***

#### **§ 19**

1. Employees must inform the employer in advance of their inability to come to work if the reason is known and/or foreseeable in advance, as well as of the expected duration of absence.
2. If there are reasons that prevent the employee from showing up for work, the employee must notify the employer immediately of the reason for their absence and its expected duration, but no later than on the second day of their absence from work. The notice must be given by the employee in person or by another person, by telephone, or other means of communication, or by postal services, in which case the date of the postmark is considered the date of the notice.

3. Failure to comply with the time limit set out in item 2 may be justified by special circumstances that prevent the employee from complying in due time with the obligation laid down in that provision, in particular serious illness linked to the absence or absence of household members or any other random occurrence. The provision of item 2 applies accordingly after the reasons preventing the employee from notifying the employer in due time of the reason and the duration of their absence at work have ceased to persist.
4. Employees are required to justify their absence by submitting suitable evidence to that effect, in particular:
  - 1) a medical certificate of temporary inability to work or the need to care for a sick child or other sick member of the family, referred to in the Act on cash benefits from social insurance in the event of sickness and maternity of 25 June 1999, with the provisions on the electronic medical sick leave take into account;
  - 2) a sanitary inspector's decision – concerning isolation due to a suspicion of a contagious disease;
  - 3) a declaration – in the event of circumstances justifying the need for the employee to take personal care of a healthy child under 8 years of age due to unforeseen closure of a day nursery, kindergarten, or school attended by the child, or other absence of capacity to care for a healthy child;
  - 4) an employee's statement that they have been on a professional mission during night hours, which has finished fewer than 8 hours before the scheduled start of work, and the conditions rendered night-time rest impossible;
  - 5) an employee's statement on nanny's or day care employee's illness and a copy of a medical certificate, or a copy of a medical certificate issued on a regular form, stating the nanny's or day care employee's inability to work, certified by the employee as a true copy of the original, in case of the illness of a nanny with whom the parents have concluded an activation agreement referred to in the Childcare Act of 4 February 2011, or illness of a day care employee who takes care of the child;
  - 6) a personal request addressed to the employee to appear in person, issued by the relevant authority in matters of general defence duty, a government or local government authority, a court, a public prosecutor's office, the police or an authority conducting proceedings in matters of petty offences.
5. Employees must provide the employer with evidence that justify their absence from work no later than on the day they resume work after absence, with the exception of the certificate referred to in item 4(1), issued by the issuer in the form of an electronic document authenticated through the ICT system made available by the Polish Social Insurance Institution (ZUS).

### ***Special Duties of Academic Teachers***

#### **§ 20**

1. The duties of employees employed as academic teachers, in addition to those set out in the preceding items, include in particular:
  - 1) in a teaching staff group:
    - a) educating and forming students or participating in the education of doctoral candidates;
    - b) participating in organisational work for the University;
    - c) continuously improving their professional qualifications;
  - 2) in a research and teaching staff group:
    - a) carrying out scientific activities;
    - b) educating and forming students and/or participating in the education of doctoral candidates;

- c) participating in organisational work for the University;
  - d) continuously improving their professional qualifications.
- 3) in a research staff group:
- a) carrying out scientific activities and/or participating in the education of doctoral candidates;
  - b) participating in organisational work for the University; and
  - c) continuously improving their professional qualifications;
2. Special duties associated with the practice as an academic teacher include compliance with the provisions on copyright and related rights, as well as the provisions on industrial property. Violation of the provisions referred to in the previous sentence is deemed gross violation of primary employment duties.
3. Academic teachers must fulfil their duties as supervisors, assistant supervisors, and reviewers in proceedings for the conferment of the academic degree of *doktor*, the academic degree of *doktor habilitowany* or the title of *profesor*, as well as to perform the function of reviewers referred to in Article 238(2) of the Act. The employer may release the academic teacher from the duties referred to in the previous sentence in individual cases and only for justified reasons.

## **§ 21**

1. The duty to educate and train students consists of the fulfilment of the teaching load and other work related to the teaching process, the education, and the training of students.
2. The duty to participate in the teaching of doctoral students includes the carrying out of courses prescribed by the curricula for doctoral studies and the doctoral school, as well as supervising the implementation by doctoral candidates of their individual research programmes and the writing of a doctoral dissertation.

## **§ 22**

1. The teaching duties of an academic teacher who is a research and teaching staff member or a member of teaching staff include to educate and train students and participate in the education of doctoral candidates by:
  - 1) teaching classes and verifying the learning effects achieved by students and doctoral candidates in the course of provided education, in accordance with the rules defined in the syllabus for a given course module and the regulations applicable at the University;
  - 2) supervising students in writing papers to pass a course, semester papers, and thesis insofar as concerns the contents and methodology;
  - 3) other tasks related to the teaching process, in particular:
    - a) providing office hours;
    - b) preparing and publishing course module syllabuses in accordance with the rules applicable at the University;
    - c) giving opinion on and reviewing diploma theses;
    - d) supervising students who study under an individualised organisation of studies, students, interns, or holders of scholarships who are educated under domestic or international programmes, academic clubs, groups of students who undergo field exercises, doctoral candidates during internship;
    - e) sitting on committees that conduct diploma examinations, inspecting classes conducted by other teachers; and
    - f) preparing students and doctoral candidates for competitions, cultural and sports events, and for participation in those events.
2. As part of their duties related to office hours, the academic teacher must specify

1 teaching hour per week for office hours throughout the process of teaching a course and during the examination session. When teaching full-time students, office hours must be scheduled between 8:00 a.m. and 6:00 p.m., Monday to Friday. When teaching part-time students, office hours must be scheduled on session dates.

3. The schedule of office hours must be set at the beginning of each semester, no later than in the second week of the semester and must be made available to students in a place that is publicly accessible in their home unit and posted on the unit's website. The dean may provide for a larger number of office hours but no more than 3 teaching hours per week.
4. Office hours are not included in the teaching load.

### **§ 23**

Academic duties of an academic teacher who is a research and teaching or research employee include:

- 1) carrying out research and development necessary for their own scientific development and for the training of staff, and to develop scientific creativity;
- 2) taking part in the education of doctoral candidates in the doctoral school;
- 3) carrying out scientific research, development work funded with subsidies for maintaining and developing the research capacity of institutions of higher education;
- 4) publishing and implementing the results of research and development works with AGH University's affiliation;
- 5) improving their own professional qualifications (applies also to the teaching staff); and
- 6) applying for funding under projects, grants, and scientific research.

### **§ 24**

The organisational duties of the academic teacher include in particular:

- 1) performance of managerial functions at the University, a faculty, or another basic organisational unit;
- 2) membership of the University Senate, work in Senate committees and Rector's committees;
- 3) membership of the faculty board, work on faculty committees;
- 4) membership in central ministerial bodies and commissions (NCN, NCBiR, CK for Scientific Title and Degrees, RDN, RGNiSW, PKA, PAN or PAU, etc.);
- 5) membership of the authorities of scientific associations;
- 6) holding elected community functions in the organisations of the University;
- 7) participating in the work of the faculty admission team;
- 8) participating in work related to the teaching and research process (e.g., curriculum development, organisation of practical classes, promotion, etc.);
- 9) (repealed)
- 10) organising conferences, symposia, seminars, and other forms of academic activity;
- 11) preparing technical specifications for tender documents under public procurement;
- 12) organising and participating in promotional and presentation campaigns for the University and its faculties;
- 13) acting as a year tutor; and
- 14) other tasks assigned by the immediate supervisor associated with the position.

### **§ 24a**

1. An academic teacher whose remuneration is fully or partly funded or reimbursed, in

particular from grants, projects, or other mandates, is required to carry out the work the scope of which is specified in the agreements concluded with the funding bodies.

2. The provisions of item 1 apply accordingly to an employee who is not an academic teacher.

## **§ 25**

1. Academic teachers must also:

- 1) submit a statement that authorises the University to include them in the number of employees who conduct scientific activities in a given discipline, the so-called N Number – with respect to one discipline, where the statement may be submitted only with one employer and in no more than 2 disciplines altogether; if the discipline changes, a new statement must be submitted immediately;
- 2) make and keep up to date a statement on the field and discipline they represent, although the academic may represent no more than 2 disciplines altogether with respect to all employers they are employed by – the statement is made no more often than once every 2 years;
- 3) in the case of academic teachers employed at the University as the primary place of employment within the meaning of the Act, submit a statement authorising the demonstration of their scientific achievements for the purpose of the evaluation of the University's scientific activities conducted pursuant to the provisions of the Act.

2. The statement referred to in item 1(2) is made having taken into account the following:

- 1) the obtained academic degree, degree in arts, or title of professor, and/or
- 2) academic teacher's scientific and/or artistic achievements.

3. A newly recruited employee must make the statement referred to in item 1 within 14 days from the date of employment, although no later than until 31 December of the year in which they were employed.

4. The Rector, by a separate order, determines the templates and procedure for making the statements referred to in this item.

## **Chapter V Employees' Rights**

### **§ 26**

1. Employees are entitled in particular to:

- 1) employment on positions in accordance with the provisions of the employment contract;
- 2) timely payment of remuneration and other benefits;
- 3) rest on days off, at the end of working time on working days, and during periods of annual leave;
- 4) employer's equal and equitable treatment for the performance of the same duties;
- 5) work in conditions that comply with health and safety rules;
- 6) form and join organisations that represent the employees;
- 7) benefits during periods of temporary inability to work, according to terms and conditions under separate provisions;
- 8) refrain from work or move away from the place of work if working conditions are not in accordance with occupational health and safety and/or fire protection provisions and pose an immediate threat to life or health;
- 9) receive social benefits pursuant to separate provisions.

2. An employee working at the University for at least 6 months may once every calendar year submit a request to the employer, in writing or electronically, for the change of the

type of the employment contract to the employment contract for indefinite period or for more predictable and safer working conditions, including those consisting in the change of the type of work and/or full-time employment. This does not apply to the employed based on the contract for a trial period.

If possible, the employer shall accept the employee's request. The employer shall respond to the employee's request in writing or electronically, taking into account the employer's and employee's needs, no later than 1 month from the day of receipt of the request; in case of refusal, the employer shall inform the employee about the reason for refusal of the request.

**Chapter VI**  
**Leave and Days Off**  
***Annual Leave***

**§ 27**

1. The employee is entitled to a yearly, uninterrupted annual leave with pay.
2. The employee may not waive their right to leave.
3. Academic teachers are entitled to an annual leave of 36 working days per year. Annual leave must be taken in a period in which no classes are taught.
4. Non-academic staff is entitled to the following numbers of days of annual leave:
  - 1) 20 working days if the employee has been employed for less than 10 years;
  - 2) 26 working days if the employee has been employed for at least 10 years– where one day of holiday equals 8 hours.
5. The period of employment which determines the right to leave and the number of days of the leave includes:
  - 1) completed previous periods of employment;
  - 2) uncompleted previous periods of employment – if the employee is employed under two or more employment relationships.
6. The period of employment which determines the number of days of the leave includes, on account of the completion of:
  - 1) a primary vocational school or equivalent vocational school – the duration of education under the curriculum, but no more than 3 years;
  - 2) a secondary vocational school – the duration of education under the curriculum, but no more than 5 years;
  - 3) a secondary vocational school for graduates of primary vocational schools – 5 years;
  - 4) a general secondary school – 4 years;
  - 5) a post-secondary school – 6 years;
  - 6) a higher education institution – 8 years (including a bachelor's degree).The periods of education referred to in points 1 to 6 are not cumulative.
7. The duration of leave for a part-time employee is determined in proportion to the working hours.
8. An employee who starts work for the first time, in the calendar year in which they start working, acquires the right to a leave gradually, as of the end of each month of employment; the duration of the leave obtained each month is 1/12 of the leave to which the employee is entitled in the year in which they start working. The employee acquires the right to subsequent leaves in each subsequent calendar year.
9. Granting the leave:
  - 1) the leave is granted on days which are the employee's working days, according to their working time schedule, at an hourly rate that corresponds to the daily working



- time of the employee on a given day, subject to points 4 and 5;
- 2) when granting the leave according to point 1, one day of leave is equivalent to 8 hours of work;
  - 3) points 1 and 2 shall apply accordingly to the employee for whom the daily working time standard, resulting from separate provisions, is less than 8 hours;
  - 4) granting the leave on a working day to the employee at the hourly rate that corresponds to a part of the daily working time is only permissible if the part of the leave remaining to be taken is less than the full daily working time of the employee on the day for which the leave is granted;
  - 5) in the case of the leave granted to employees who work under a task-based working time system for whom no work schedules or timetables are determined, one day of leave corresponds to 8 hours or a number of hours proportional to the length of employment; days off resulting from a 5-day working week are not counted as leave.
10. The employee is entitled to a leave in proportion to the period of employment in the cases and under the conditions provided for by labour law.
  11. During the holiday leave, the employee retains the right to remuneration under the rules set out by separate legislation.

### **§ 28**

1. Holiday leave for employees who perform the functions of Vice-Rectors, directors of basic organisational units, directors of doctoral schools, the Chancellor, the Bursar, and the Director of the Rector's Office is granted by the Rector.
2. Holiday leave for the directors of auxiliary organisational units is granted by the Vice-Rector who supervises the unit in question.
3. Holiday leave for other employees is granted by the director of an organisational unit or a person authorised by them.
4. Employees who hold managerial positions are required to specify who their replacement will be for the duration of the holiday leave and to determine the extent of their authorisations.

### **§ 29**

1. The employer must grant the leave in the calendar year in which the employee becomes entitled to it.
2. Holiday leave must be granted in accordance with the leave plan and, in the period not covered by the plan, based on individual requests from employees.
3. The employer must grant – at the employee's request – a leave on demand, at the time specified by them, of no more than four days of leave in any calendar year.
4. A request for a leave must be made by the employee in writing, in advance if possible, or immediately on the day of the leave at the latest, e.g., by e-mail, text message or telephone.
5. An employee who returns to work from a leave on demand, if they have not done so earlier, must confirm in writing to the employer that they have taken the leave.
6. Leave on demand that has not been taken by 31 December becomes unused leave as of 1 January, to which the general principles on holiday leave apply.
7. All organisational units are required to submit a leave plan to the Human Resources and Payroll Department by 31 May each year.
8. The leave plan is determined by the director of an organisational unit, who must take into account the requests of staff and the need to ensure the normal course of work.
9. Leave may be postponed at the request of the employee for important reasons.
10. Postponement of the leave is also permissible due to the special needs of the University

if the employee's absence would cause serious disruption to the workflow.

11. If the leave is postponed, the new date for taking leave must be determined. Leave must then be taken no later than by the end of September of the following year.
12. At the request of the employee, the leave may be divided into portions. At least one part of the leave must cover no less than 14 consecutive calendar days.
13. Leaves not taken in the year in which the employee becomes entitled to the leave (unused leave) must be granted to the employee by the end of September of the following calendar year at the latest. This does not apply to the portion of the leave granted pursuant to item 3.
14. If the employee submits no request to grant the unused holiday leave, the director of an organisational unit must alone specify the dates when the employee may use the leave.
15. During the period of notice of termination of the employment contract, the employee must take the leave to which they are entitled if the employer grants them leave during that period.
16. If the employee fails to use the entire or a certain portion of the leave due to termination or expiry of the employment relationship, the employee is entitled to a monetary allowance in lieu of the leave.

### ***Unpaid Leave***

#### **§ 30**

1. At the written request of the employee, the employer may grant the employee unpaid leave.
2. The period of unpaid leave is not included in the period of employment which determines employee's entitlements.
3. Unpaid leave of 1 month in total per year is granted by the director of an organisational unit.

### ***Special Leave***

#### **§ 31**

1. Employees are entitled to special leave; the number of days of such a leave is as follows:
  - 1) 2 days in case of employee's marriage or birth of a child, or death and funeral of employee's spouse or child, father, mother, stepfather, or stepmother;
  - 2) 1 day – in the event of the marriage of the employee's child, or death and funeral of their sister, brother, mother-in-law, father-in-law, grandmother, grandfather, or any other person the employee provides for or who is directly under the care of the employee.
2. During the period of the leave referred to in item 1, the employee retains the right to remuneration according to the rules laid down in separate provisions.

### ***Childcare***

#### **§ 32**

1. An employee raising at least one child up to the age of 14 is entitled to 16 hours or 2 days off work per calendar year, with pay.
  - 1a. The employee shall decide about the use of the leave in a given calendar year (in days or hours) by means of a request submitted in writing or electronically to be granted such a leave in a given calendar year.
  2. The number of days off in question granted on an hourly basis for a part-time employee is determined in proportion to that employee's working hours. An incomplete hour of leave must be rounded up to the nearest whole hour.
- 2a. The provisions of item 1 and 2 on the leave granted on an hourly basis shall apply mutatis

mutandis to the employee whose daily working time, arising from separate regulations, is less than 8 hours.

3. If both parents or guardians are employed, the entitlement referred to in item 1 may be exercised by one of them.
4. Days off work referred to in item 1 are granted by the director of an organisational unit.

### ***Days Off Due to Force Majeure***

#### **§ 32a**

1. The employee is entitled to 2 days off or 16 hours off in a calendar year due to force majeure in urgent family matters caused by sickness or accident if there is a need for the immediate presence of the employee. During this leave, the employee retains the right to half of the remuneration.
2. The employee shall decide about the use of the leave in a given calendar year (in days or hours) by means of a request submitted in writing or electronically to be granted such a leave in a given calendar year.
3. The employer is obliged to accept the leave upon request made by the employee no later than the day of the leave, in writing, electronically, or e.g. by telephone or a text message.
4. The number of days off in question granted to a part-time employee is determined in proportion to that employee's working hours. An incomplete hour of leave must be rounded up to the nearest whole hour.
5. The provision of item 1 on the days off granted on an hourly basis shall be applied mutatis mutandis to the employee whose daily working time, arising from separate regulations, is less than 8 hours.
6. If the request for time off work due to force majeure in urgent family matters caused by sickness or accident was made in any other form than in writing or electronically, the employee is required to confirm the submission of the request in writing or electronically on the day of return from the leave.

### ***Care Leave***

#### **§ 32b**

1. The employee is entitled to 5 days of care leave per calendar year for the purpose of providing personal care or support to a person who is a family member and/or resides in the same household and requires care and/or support due to medical reasons.
2. A family member, referred to in item 1, is a child, father, mother, and spouse.
3. The care leave is granted for the days which are the employee's days of work according to the applicable working time schedule.
4. The care leave is granted at the request of the employee made in writing or electronically no later than 1 day before the beginning of the leave.
5. In the leave request, the employee shall specify the name and surname of the person that requires care and/or support due to serious health issues, the reasoning for the need to provide personal care and/or support, and, in case of a family member, the degree of kinship, and, in case of a person who is not a family member, their address.
6. During the care leave, the employee shall not retain the right to remuneration.
7. The period of care leave is counted as part of the employment period on which the employee rights depend.
8. The care leave is granted by the director of an organisational unit.

### ***Other Days Off***

#### **§ 33**

1. The employer must release the employee from work if such an obligation is provided for by the Labour Code, executive provisions issued under the Labour Code, or other

legislation.

2. The specific list of all circumstances under which the employer is required to release the employee from work is provided for in the Regulation of the Minister of Labour and Social Policy of 15 May 1996 on the manner of justifying absences from work and granting days off work to employees.
3. A supervisor may release the employee from work for the time necessary to deal with important personal or family matters that need to be dealt with during working hours, although:
  - 1) the employee is not entitled to remuneration in respect of the time off;
  - 2) at the request of the employee, with the approval of the supervisor, the employee may later make up for the days off by working off;
  - 3) the time spent working off does not constitute overtime.

### ***Special Leave for Academic Teachers***

#### **§ 34**

1. The Rector may grant an academic teacher who holds at least the degree of *doctor*, within seven years of their employment at the University, a paid research leave of a total duration of no more than one year in order to conduct research.
2. The research leave may be granted at the request of the academic teacher submitted to the Rector, subject to a prior approval of the director of an organisational unit in which the academic teacher is employed.
3. In order to be granted the research leave, a plan of the research to be conducted during the leave must be appended to the request to grant the leave. Following the leave, the academic teacher must submit to the Rector a report on the research carried out during the leave; the opinion of the director of an organisational unit where the teacher is employed concerning the report must be appended to the report.
4. The period of 7 years, referred to in item 1, is counted from the day of the beginning of the first granted paid research leave.
5. Taking into account that the purpose of the paid research leave is to conduct research, and performing duties arising from the employment relationship can prevent the employee from or significantly hinder conducting said research, the Rector shall consider as a principle that performing organisational and teaching duties is unacceptable during the period of the paid research leave.
6. At the written request of the employee, the Rector may allow for performing research duties (i.a. work in projects) during the leave period unless it disturbs the purposefulness of the granted research leave.

#### **§ 35**

1. The Rector may grant an academic teacher who is writing a doctoral dissertation a paid research leave of up to 3 months.
2. Leave may be granted at the request of the academic teacher; the request must be submitted to the Rector and must previously be approved by the director of an organisational unit where the academic teacher is employed. The opinion of the supervisor must be appended to the request.
3. Following the leave, the academic teacher must submit to the Rector a report on the work carried out during the leave; the opinion of the director of an organisational unit where the teacher is employed concerning the report must be appended to the report.

#### **§ 36**

1. The Rector may grant the academic teacher a paid leave in order to do the following abroad:

- 1) receive education;
  - 2) complete research internship;
  - 3) complete teaching internship;
  - 4) participate in a conference;
  - 5) conduct research;
  - 6) go on a study visit;
  - 7) perform other types of scientific activity;
  - 8) participate in joint research with a foreign entity under an agreement for scientific cooperation.
2. A leave may be granted at the request of the academic teacher submitted to the Rector and approved beforehand by the director of an organisational unit where the academic teacher is employed. The request must be appended with – respectively – an agreement to receive education, an agreement to complete internship, an agreement for scientific cooperation with a foreign entity, an education programme, an internship programme, a conference agenda, a study visit agenda, a range and place of research, a determined type of the scientific activity, etc.
  3. The granting of leave to the academic teacher must not interfere with research, teaching, organisational activities and assignments and projects carried out by the academic teacher.
  4. An academic teacher who declares their intention to participate in a foreign conference to which they are not sent by the University may, at their request, be granted paid leave by the Rector, referred to in item 1(4). If the leave is granted, the University does not cover the costs related to the trip to the conference (in particular, travel costs, conference fees, insurance, etc.).
  5. If the academic teacher is delegated to a conference by the University, the rules for carrying out foreign trips apply.
  6. If the academic teacher who has been granted paid leave violates the law, or in the event of insufficient progress in achieving the intended objectives, that person may be removed from the leave and/or the benefits may be withdrawn.
  7. The paid leave referred to in item 1 may be granted for a total period of no more than 12 months. For the remaining period, unpaid leave is granted in accordance with the rules laid down in the Labour Code (SECTION IV, Chapter III).
  8. Following the leave, the academic teacher must submit to the Rector a report on the tasks carried out during the leave and the opinion of the director of an organisational unit where the teacher is employed concerning the report must be appended to said report.
  9. The provisions of items 1 to 8 apply accordingly to non-academic staff.
  10. At the written request of the employee, the Rector may allow the employee to perform research duties (i.a. work in projects) during a paid leave unless it disturbs the purposefulness of the granted leave.

### **§ 37**

1. The Rector may grant the academic teacher a paid leave to participate in joint research with the Łukasiewicz Centre (Centrum Łukasiewicz) or an institute of the Łukasiewicz Network (Sieć Łukasiewicz).
2. The paid leave referred to in item 1 is granted by the Rector upon a written request of the academic teacher; the request must be appended with an opinion of the director of an organisational unit. The request must be appended with an agreement on scientific cooperation with Łukasiewicz Centre or an institute of Łukasiewicz Network.
3. The provisions of § 36(3, 6, and 8) apply accordingly.

### **§ 38**

1. An academic teacher who is under 65 years of age and in full-time employment is entitled, after a minimum of 10 years of employment as the academic teacher at the University, to a paid health leave. The leave is granted in order to undergo prescribed medical treatment if the employee's health requires refraining from work.
2. The leave referred to in section 1 is granted by the Rector at the request of the academic teacher. Based on the academic teacher's request, the Rector refers the teacher to a physician who holds proper qualifications, to issue a certificate stating that teacher should be granted health leave. The examination must be conducted and a certificate issued pursuant to the procedure under Article 131(5 to 7) and Article 132 of the Act.
3. A subsequent health leave may be granted no earlier than 3 years after the end of the previous leave.
4. The total duration of the health leave in the entire period of employment may not exceed three years.
5. During a health leave, the academic teacher may not engage in any gainful activity.

### **§ 39**

1. During the leaves referred to in § 34–38, the academic teacher is entitled to remuneration pursuant to Article 135(2) of the Act.
2. The periods of leave referred to in this chapter are included in the period of work which determines employees' entitlements.

## **SECTION III**

### **WORKING TIME**

#### **Chapter I General Provisions**

### **§ 40**

1. Working time is the time during which the employee remains at the disposal of the employer in the workplace or in another place designated for work.
2. The working time (working time standard) of all employees of the University is 8 hours per day and an average of 40 hours per week in an average five-day working week in an adopted settlement period.
3. (deleted)
4. Working time for employees who work in conditions harmful to health must not exceed 8 hours per day.
5. Subject to item 6, the fact that the employee is present on the University's premises before or after working time is not considered overtime.
6. Being present on the premises of the University outside the employee's working time constitutes overtime work only if work is actually performed for the employer on the supervisor's instructions.

### **§ 40a**

1. The working time of employees with disabilities must not exceed 8 hours a day and 40 hours a week.
2. The working time of employees who hold a certificate of moderate or severe disability must not exceed 7 hours a day and 35 hours a week.
3. A person with a disability must not be employed during night-time and work overtime.
4. The provisions of items 1-3 do not apply to:

- 1) persons employed as guards and
- 2) cases when, at the request of the employee, the physician who performs preventive medical examinations or, in the absence of such request, the physician providing health care to this person gives their approval.

#### **§ 41**

At the University, a Saturday is a holiday day resulting from an average five-day working week system.

#### **§ 42**

1. The settlement period for the working time of non-academic staff is one month, i.e. from 0:00 on the first day of the month to 12:00 p.m. on the last day of the month. If the employee works at night on the first or last day of the settlement period, their working time on a shift is to be allocated accordingly to the respective settlement periods.
2. In particularly justified cases, at the request of the director of an organisational unit, the Rector, in agreement with the unions, may extend the settlement period up to 3 months, and in the case of a basic or task-based working time system up to 4 months.
3. The possibility of extending the settlement period beyond one month does not apply to the working time system referred to in § 61, 66, and 67.
4. The settlement period for the working time of academic teachers is set out in §47(4).

#### **§ 43**

1. Work in excess of the working time standards applicable to the employee as well as work performed in excess of the extended daily working time resulting from the working time system and schedule applicable to the employee constitute overtime work.
2. Weekly working time, including overtime, must not exceed an average of 48 hours in any given settlement period.
3. The number of overtime hours may not exceed 150 hours per calendar year for an individual employee.
4. Work performed by a part-time employee in excess of the agreed number of hours – if it does not exceed the working time standard of 0.9 full-time equivalent – does not constitute overtime. This constitutes work over standard working time, for which normal remuneration is paid.
5. Apart from the regular remuneration, part-time employees are entitled to an additional overtime remuneration for the work performed in excess of the working time of 0.9 full-time equivalent.

#### **§ 44**

1. For the purpose of settling the employee's working time and related entitlements, the following terms are hereby defined:
  - 1) a day – this means consecutive 24 hours, starting from the hour when the employee starts work according to the applicable working time schedule;
  - 2) a week – this means 7 consecutive calendar days, starting from the first day of the settlement period;
  - 3) work in shifts – this means any form of shift work whereby employees alternate between the same work stations according to a certain schedule, including a system of succession, which may be continuous or interrupted and entail the necessity for employees to perform work at different times over a period of days or weeks;
  - 4) night-time – the hours between 11:00 p.m. and 7:00 a.m. the following day;
  - 5) work on Sunday or public holiday – this means work from 7:00 a.m. on Sunday or public holiday until 7:00 a.m. on the following day;
  - 6) shift employee – this means an employee whose work schedule is part of work in

shifts.

#### **§ 45**

1. Subject to the provisions of the Labour Code, employees are entitled to:
  - 1) at least 11 hours of uninterrupted rest (daily rest) per day;
  - 2) at least 35 hours of uninterrupted rest each week, including at least 11 hours of uninterrupted daily rest (weekly rest).
2. The weekly rest should fall on a Sunday. Any Sunday is 24 consecutive hours, beginning at 7:00 a.m. on a Sunday.
3. In cases where the employee carries out authorised work on a Sunday, the weekly rest may fall on a day other than a Sunday.
4. An employee who works on Sundays must have at least one Sunday off every 4 weeks.

#### **§ 46**

1. If the daily working time of the employee:
  - 1) is at least 6 hours, the employee is entitled to a break of 15 minutes,
  - 2) is longer than 9 hours, the employee is entitled to an additional break of 15 minutes,
  - 3) is longer than 16 hours, the employee is entitled to another break of at least 15 minutes counted into working time.
2. Employees with severe and moderate disabilities are entitled to an additional 15-minute break included in their working time for physical exercise or rest.
3. After each hour of uninterrupted work in front of a computer screen, employees working with screen monitors are entitled to a break of 5 minutes included in their working time.

### **Chapter II**

#### **Working Time and Rules for Assigning and Carrying Out Teaching Duties by Academic Staff**

##### ***Working Time System – Implementation and Allocation***

#### **§ 47**

1. Academic teachers work in a task-based working time system, in accordance with the preceding items.
2. Teaching activities and organisational work for the University is carried out by academic teachers at the time and place designated by the employer.
- 2a. An academic teacher may be assigned with working on Sundays and public holidays, if such a necessity arises from teaching activities as well as research and organisational duties.
3. The working time of academic teachers related to teaching must be recorded.
4. The settlement period for the working time of academic teachers is 12 months and covers the period from 1 October of a given year to 30 September of the following year.

#### **§ 48**

1. The allocation of working time for academic teachers is as follows:
  - 1) research and teaching staff:
    - a) work associated with the education and forming of students or participation in the education of doctoral candidates and work associated with improving teaching competence – 45%;
    - b) work associated with carrying out scientific activities and work associated with improving professional competence other than that referred to in point (a) – 45 %;
    - c) organisational work for the University – 10 %;



- 2) teaching staff:
  - a) work related to the education and forming of students or participation in education of doctoral candidates, and work related to improving professional competence – 80%;
  - b) organisational work for the University – 20 %;
- 3) research staff:
  - a) work associated with scientific activity or participation in education of doctoral candidates, and work associated with improving professional competence – 90 %;
  - b) organisational work for the University – 10 %.
2. In specific cases, in particular in connection with the accomplishment of important research or teaching tasks, or important tasks of the University, the Rector may set a different allocation of working time for academic teachers than that set out in item 1.

### **Forms of Teaching**

#### **§ 49**

1. Academic teachers employed at the University may teach the courses specified in the AGH University Studies Regulations and in doctoral studies and the doctoral school, except that:
  - 1) foreign language classes may be taught by academic teachers employed at the AGH University as assistant professors (*adiunkt*), senior language instructors (*starszy lektor*), or language instructors with appropriate qualifications to conduct such classes;
  - 2) physical education classes may be conducted by academic teachers employed at the AGH University as assistant professors, senior instructors, or instructors with appropriate qualifications to conduct such classes;
  - 3) lectures may be given only by an academic teacher having at least an academic degree.
2. The diploma theses are supervised by an authorised academic teacher. In justified cases resulting in particular from the specificity of the subject of the diploma project, the Dean of a Faculty may consent to the preparation of the diploma thesis under the direction of another person, who has the competences and experience that allow the diploma thesis to be properly completed.
3. Academic teachers, with the consent of the Dean of a Faculty, may also teach in other organisational units of the University.

### **Teaching Load**

#### **§ 50**

1. A teaching load is defined as the annual required number of hours (in a given academic year) taught by the academic teacher resulting from employment at the AGH University on a given position, as referred to in section 4.
2. One teaching hour (calculation hour) is 45 minutes.
3. Academic teachers must fully comply with the teaching load determined for them and set out in calculated hours.
4. The annual teaching load per position for full-time academic teachers is as follows:

<b>position</b>	<b>research and teaching</b>	<b>teaching</b>
Professor	180 teaching hours	270 teaching hours
Associate professor	210 teaching hours	315 teaching hours
Assistant professor	240 teaching hours	360 teaching hours
Assistant	240 teaching hours	360 teaching hours

Senior language	x	360 teaching hours
Senior instructor	x	360 teaching hours
Language instructor	x	540 teaching hours
Instructor	x	540 teaching hours

The teaching load is determined according to the position held (in a given group, i.e. research and teaching or teaching staff) on 1 October of the academic year in question or on the date of employment if the employment took place after the beginning of an academic year.

A change of a position (in a given group) during an academic year does not change the teaching load. A change of the group during an academic year results in a change of the teaching load.

5. Academic teachers working part-time are subject to the teaching load referred to in item 4 in proportion to their full-time position.
6. If it is not possible for academic teachers to complete the teaching load within the scope referred to in item 4, including the additional hours referred to in § 52, the dean of a faculty may assign and settle the teaching load smaller than the teaching load specified in item 4. In this case, the percentage allocation of working time of such academic teachers as concerns their research and organisational duties, as referred to in § 48, is increased proportionally.
7. Assigning and calculating hours in a number smaller than the teaching load specified in item 4 is permissible only in exceptional cases, which are, in particular, justified by a decreasing number of students, while maintaining a balanced workload for all academic teachers working in a given unit (faculty or department).
8. The number of teaching hours smaller than the teaching load specified in item 4 may not exceed 45 hours.
9. In the case of an academic teacher for whom no teaching hours have been assigned because:
  - 1) they were employed after the start of an academic year;
  - 2) of their foreseeable absence from work, in particular, due to a research leave, long-term illness, health leave, unpaid leave, or other leave from work, military service, maternity leave, leave under the conditions of a maternity leave, paternity leave, parental leave;
  - 3) of the termination of their employment before the end of an academic year
    - one thirtieth of the annual teaching load determined for a given position for each week of absence in the period during which classes are taught at the University is included into the number of hours they have worked for.

### ***Reduction in the Teaching Load***

#### **§ 51**

1. The reduction in the teaching load referred to in § 50(4) due to a function performed at the University is as follows:

<b>Function</b>	<b>number of hours by which the load is reduced</b>
Rector	150 teaching hours
Vice-Rector	105 teaching hours

Dean of a Faculty	90 teaching hours
Director of a Research Centre	90 teaching hours
Director of the Doctoral School	90 teaching hours
Chairperson of a Scientific Discipline Council	60 teaching hours
Director of a Teaching Centre	60 teaching hours
Vice-Dean	60 teaching hours
Deputy Director of a Research Centre	45 teaching hours
Deputy Director of the Doctoral School	45 teaching hours
Deputy Chairperson of a Scientific Discipline Council	30 teaching hours
Deputy Director of a Teaching Centre	30 teaching hours
Director of an Institute	45 teaching hours
Head of a Department	30 teaching hours
Rector's Proxy for Quality of Education	45 teaching hours
Member of the University Team for Teaching Audit	45 teaching hours
Dean's Proxies for Quality of Education	30 teaching hours

2. The reduction of the teaching load referred to in § 50(4) is also possible:
  - 1) where academic teachers are assigned important tasks or where they carry out research projects or other tasks set out in the Statute;
  - 2) in special cases justified by the interests of the University.
3. The teaching load reductions referred to in item 2 are granted by the Rector at the request of the academic teacher and approved by the dean of a faculty.
4. A reduction in the teaching load for leading a research project depends on the importance of the project and must not be more than 45 hours.
5. In the case of reimbursement for a part of the academic teacher's remuneration from a research project (or any other source related to the conduct of research), the reduction of the load must be directly proportional to the reimbursed part of the remuneration. The reduction may not exceed half of the full-time teaching load referred to in § 50(4).
6. A reduction in the teaching load is permitted for one reason only and for one academic year only.
7. At the request of an academic teacher holding a certificate of moderate or severe disability, whose maximal working hours are determined pursuant to § 40 a(2), the Rector shall reduce the teaching load in proportion to the reduction of the maximum working hours, i.e. 1/8 of the teaching load. A reduction of the teaching load amounting

to less than an hour shall be rounded in such a way that a reduction below half an hour shall be disregarded, and a reduction above half an hour shall be counted as a whole hour.

8. Apart from the reduction of the teaching load referred to in item 7, the academic teacher may have their teaching load reduced also due to one other reason.
9. The reduction of the teaching load referred to in item 7 may be granted for a period no longer than one academic year.
10. The employment at the AGH University which in total exceeds the full-time hours (1,0) may not constitute a basis for the reduction of the teaching load.

### **Hours Included in the Teaching Load of an Academic Teacher**

#### **§ 52**

1. An academic teacher's teaching load includes all calculated hours for teaching assignments referred to in §49(1) (the so-called "live hours") and the additional hours referred to in items 1a and 2.
  - 1a. In the case of classes taught in a congressional language, the number of additional hours is determined using the following formula: *number of additional hours* = M x 0.3 where M – number of hours of classes taught in a congressional language.
2. The dean of a faculty, after having consulted with a faculty college, determines the additional number of hours included in the teaching load of the academic teacher in an academic year on the account of:

1) the supervision over:

a) (in the version applicable until 30 September 2023)

a diploma thesis, after it has been submitted and registered in a dean's office, in a number of no more than 12 theses per cycle of studies with their distribution among academic teachers being as even as possible:

- up to 10 hours – per diploma thesis in engineering studies or studies that are concluded with the conferring of the title of *licencjat* and up to 15 hours in the case of team theses;
- up to 15 hours – per diploma thesis in studies that are concluded with the conferring of the title of *magister* and up to 30 hours in the case of team theses;

a) (in the version applicable from 1 October 2023)

a diploma project or thesis (started in the same academic year), after it has been submitted and registered according to the provisions of the AGH University Study Regulations, in a number determined below:

in the academic year 2023/2024	<b>19</b> diploma projects or theses, including no more than <b>9</b> in second-cycle degree programmes
in the academic year 2024/2025	<b>14</b> diploma projects or theses, including no more than <b>6</b> in second-cycle degree programmes
from the academic year 2025/2026	<b>10</b> diploma projects or theses, including no more than <b>4</b> in second-cycle degree programmes

with their distribution among academic teachers being as even as possible:

- up to 10 hours – per thesis in first-cycle degree programmes and up to 15 hours in the case of team theses;
- up to 15 hours – per thesis in second-cycle degree programmes and up to 30 hours in the case of team theses;

b) a doctoral candidate:

- in doctoral studies – up to 15 hours/year prior to the beginning of the doctoral dissertation procedure and up to 30 hours/year after the doctoral dissertation

- procedure has started, but no later than one year after completing studies;
- in the doctoral school – up to 15 hours/year until obtaining a positive mid-term grade (Chapter X of the Doctoral Studies Regulations) and up to 30 hours/year after a positive mid-term grade has been obtained, but no later than after one year after completing the doctoral school;
- c) a student studying under an individual study organisation – up to 10 hours/semester;
- d) an academic club – up to 45 hours/year, depending on the documented activity of the club, after the dean of a faculty has approved the report;
- e) a student, trainee, or scholarship holder under national or international programmes – up to 10 hours/semester.

2) conducting examinations, using the following formula:

$$\text{Number of additional hours} = k * N \text{ when } N > N_{\min}$$

where:

N – number of students examined;

K – coefficient selected by the dean after having consulted with the faculty college; the coefficient is selected from the following set: [0; 0,05; 0,1; 0,15; 0,2; 0,25; 0,3]. The dean, after having consulted with the faculty college, may decide to vary this coefficient for oral and written examinations; in this case, it is recommended that the coefficient for oral examinations be greater than for written examinations;

$N_{\min}$  – the minimum number of students taking examinations, set by the dean after having consulted with the faculty college, above which the dean may set the number of additional hours for conducting the examination.

The total number of additional hours for conducting examinations may not exceed 60 hours/year for a given academic teacher.

2a. (applicable from 1 October 2023)

The teaching load of an academic teacher who has a status of the AGH University tutor also includes the hours for educating by means of tutoring:

- 1) within development and science tutoring – 15 hours a semester for one student,
- 2) within course tutoring – 15 hours a semester for up to three students.
3. Academic teachers are entitled to additional remuneration for managing and/or supervising student internships according to separate provisions. Teaching hours of classes conducted as part of supervision over student internships are not to be included in the teaching load.
4. Decisions whether to include additional hours referred to in item 2 into the academic teacher's teaching load are made by the dean of a faculty, according to the rule that academic teachers are required to meet their teaching loads, at least half of which must be met through the teaching assignments referred to in §49(1) (i.e. the so called "live hours").
5. The financial consequences of the decisions referred to in item 4 should be balanced in faculties' budgets and funded with faculties' own revenue.
6. The teaching load of academic teachers of the Department of Foreign Languages may include language classes for students participating in international exchange programmes as well as Polish language classes organised at the University and mandated by the Rector.
7. During illness or other unforeseen but justified absence of the academic teacher, including when classes are cancelled by the Rector or the dean of a faculty, the teaching hours calculated as part of the teaching load which, according to the course schedule, would have been taught during such absence, for the purpose of determining the number

of teaching hours, are to be considered hours for which the academic teacher has worked according to the schedule.

### ***Order of Settling Hours***

#### **§ 53**

1. Calculated hours are included in the teaching load of the academic teacher in the following order:
  - 1) hours for teaching classes in the full-time first-cycle and second-cycle studies as well as classes for doctoral candidates referred to in § 49(1) (the so-called "live hours");
  - 2) additional hours for full-time studies as referred to in § 52(2);
  - 3) hours for teaching and additional hours taught in part-time studies.
2. The hours included in the teaching load of academic teachers in the part-time first-cycle and part-time second-cycle studies, as well as classes for doctoral students, must be refinanced from tuition fees paid by students or doctoral candidates.

### ***Teaching Classes in Overtime Hours***

#### **§ 54**

1. Overtime hours are hours that result from the number of the assigned and actually taught teaching hours over the teaching load actually taught, whereas the number of hours of the load is determined for a given position according to § 50 in a given academic year.
2. If no overtime hours are scheduled in the teaching load plan and the academic teacher benefits from the reductions referred to in § 51, the number of the teaching hours over the number of the reduction does not constitute overtime hours and is to be considered the number of hours taught in accordance with the teaching load determined for a given position pursuant to § 50.
3. Hours credited on account of an absence of the academic teacher referred to in § 50(9)(2) and § 52(7) cannot be used as the basis to calculate the number of overtime hours. In such cases, the number of overtime hours for which the academic teacher is entitled to additional remuneration, determined based on the number of hours taught over the teaching load determined for a given position pursuant to §50 in a given academic year, is to be reduced by the number of hours credited on account of such absence.
4. Academic teachers who benefit from the reduction in the teaching load referred to in § 51 and to whom § 50(6 to 8) applies are entitled to remuneration for overtime hours only for courses in excess of the teaching load determined for a given position pursuant to § 50.
5. The academic teacher' remuneration for overtime hours is determined according to separate provisions.
6. Remuneration for overtime work is determined by using the highest rate for a given position applicable in the period which the settlement of the teaching load concerns, subject to item 7.
7. In the event of a change of position during an academic year, the remuneration for overtime work is determined based on the teaching schedule and using the rates that apply to the position in question as at the day on which the classes were actually taught.
8. The rate for overtime hours for specific classes is set by the dean of a faculty after having consulted with the faculty college.
9. Remuneration for overtime work is awarded after having settled the number of hours of teaching, determined in accordance with the schedule and pursuant to § 5(9) and §52(7) of the Work Regulations, once a year, in the period specified in § 6(3) of the Regulations governing the Remuneration of AGH University Employees, after submitting a complete and correct report from a given faculty.
10. In special cases, justified by the need to implement a study programme, academic

teachers may be required to teach courses in overtime hours, for a number of hours that is no larger than (i)  $\frac{1}{4}$ , – for members of research and teaching staff, and (ii)  $\frac{1}{2}$  for members of teaching staff – of the teaching load determined for a given position according to § 50, and in the case of employment of the academic teacher during an academic year or in the case of termination of employment relationship before the end of an academic year, or in the case of part-time employment – for a number of hours that is no larger than the teaching load prescribed for such a teacher in the year in question.

11. Academic teachers may be assigned to teach in excess of the number of overtime hours specified in item 10 if they consent to such assignment at their sole discretion by a written statement.
12. No academic teacher who is pregnant or who is raising a child up to the age of four may be employed overtime without their consent.
13. The maximum permissible number of overtime hours for full-time teachers is 70% of the teaching load determined pursuant to § 50 for a given position as concerns calculation hours for teaching activities referred to in § 49 (1) (the so-called “live hours”), but no more than 100%. The maximum permissible number of overtime hours referred to in the first sentence does not include the hours referred to in § 52(2)(1)(a) (i.e. for supervising a thesis).
14. The dean of a faculty (director of a teaching centre) may reduce the permitted number of overtime hours referred to in item 13.
15. In the case of employment of the academic teacher after the beginning of an academic year or the termination of the employment relationship before the end of an academic year, the maximum permissible number of overtime hours is determined on the basis of the teaching load assigned to the teacher in the academic year.
16. At the request of the dean of a faculty (or the director of a teaching centre), the Rector may approve overtime teaching by a part-time academic teacher of up to 50% of their normal teaching load.
17. If other academic teachers at a unit fail to comply with their teaching loads, the academic teacher may not be assigned overtime teaching hours.

***Specific Organisation and Procedure for Settling Teaching Hours and the Size of Student Groups***

**§ 55**

The Rector determines the organisation and the procedure for settling teaching activities at faculties and at non-faculty units by way of the Rector's order.

**Chapter III**

**Working Time of Non-Academic Staff**

**§ 56**

1. Non-academic staff work under the following working time systems:
  - 1) basic;
  - 2) equivalent;
  - 3) task-based;
  - 4) shortened working week;
  - 5) weekend.
2. The following working time schedules may be used in each working time system:
  - 1) flexible;
  - 2) individual.

3. Work in shifts is permitted in each working time system.
4. The employer – as part of their rights associated with managing and directing the workplace and with organising the work process at the workplace – is entitled to determine the working time system and working time schedule for a given employee; the employee must work according to that system and schedule. Subject to item 5, a change of the working time system according to which the employee works does not require an amendment to the employment contract or the regulations. The change of the working time system and the working time schedule must be made in writing, at least 7 days before the start of the next settlement period.
5. The application of the working time systems referred to in item 1(4 and 5) is made under the employment contract at the employee's request.
6. For employees whose working time is governed by separate provisions, the working time is determined by the Rector at the request of the director of an organisational unit.

### ***Basic System***

#### **§ 57**

1. Non-academic staff work under the basic working time system i.e. 8 hours per day and 40 hours per week. The employees work between 7:30 a.m. and 3:30 p.m., Monday through Friday, subject to section 2 and § 68 and § 69 of these regulations. Work in excess of 8 hours per day constitutes overtime.
2. If is justified by the teaching, research, or organisational needs of the University, the director of an organisational unit may schedule the employee's working time differently. In such a case, the total number of days off work in the adopted settlement period must correspond at least to the number of Sundays, holidays, and days off work in an average five-day working week of that period.

#### **§ 58**

1. Members of part-time staff work from Monday to Friday with an equal and proportionate number of hours. The starting time of work is determined by the director of an organisational unit, who must take into account the requests of employees.
2. Part-time employees may work under an individual working time schedule that does not necessarily include all working days of the week or an equal number of hours of work on each day.
3. In the cases referred to in item 2, working time schedules are determined by the director of an organisational unit under individual timetables which must cover at least one month; in doing so, the director must take into account employees' requests.
4. The individual employees' timetables referred to in item 3 must be forwarded to the unit responsible for personnel matters.

### ***Equivalent System***

#### **§ 59**

1. If justified by the nature of the work and its organisation, the equivalent working time system may be applied.
2. In justified cases, the equivalent working time system may be introduced by the Rector at the request of the director of an organisational unit.
3. (deleted)
4. (deleted)
5. Working time schedules for employees working in the equivalent working time system is determined by the director of an organisational unit in individual work timetables that cover at least one month. The timetable is communicated to the employee at least 7 days before the beginning of the month the relevant timetable concerns.



6. The timetable referred to in item 5 must be forwarded to the unit responsible for personnel matters.

### **§ 60**

1. For employees employed in the guarding of property or protection of persons (in particular doorkeepers, guards, receptionists, property protection inspectors, etc.), a system of equivalent working time is implemented, in which it is permissible to extend the daily working time, but not more than by 12 hours, in a settlement period not exceeding 1 month. The extended daily working time is balanced by a shorter daily working time on certain days or by way of granting days off.
2. The basic working time schedule for security guards is 12 working hours; working hours from 7 a.m. to 7 p.m. or from 7 p.m. to 7 a.m. the following day.
3. If justified by organisational needs, the director of an organisational unit may set a different working time schedule for the employee.
4. In the working time schedule referred to in item 3 (flexible working schedule), repeated work during the same day does not constitute overtime.

### **§ 61**

In the case of work that involves supervision of equipment or work that involves a partial standby duty, the equivalent working time system may be used, where it is permissible to extend the daily working time, but for no more than 16 hours in a settlement period no longer than one month. In this working time system the employee is entitled, immediately as of the end of each period of work in the extended daily working time, to rest for a time corresponding to at least the number of hours they have worked for, irrespective of the weekly rest.

### **§ 62**

For employees employed at the AGH University Swimming Pool, the equivalent working time system is introduced for particular employee groups (as may become necessary); under the system it is possible to extend the daily working time, but by no more than 12 hours, in a settlement period no longer than one month. The extended daily working time is balanced by a shorter daily working time on certain days or by granting days off.

### **§ 63**

1. For library employees, it is possible to apply the flexible working time schedule in the equivalent working time system; under the schedule, daily working hours may be extended, but by no more than 12 hours, in a settlement period no longer than 1 month.
2. Work begins between 6:30 a.m. and 1:00 p.m. and ends between 1:30 p.m. and 8:00 p.m.
3. Individual decisions on working time schedules are made by the director of an organisational unit.
4. The application of the flexible working time schedule may not, in particular, violate the provisions on daily and weekly rest and may not lead to overtime hours. Repeated work during the same day does not constitute overtime.

### **§ 64**

For employees employed at the AGH University "Sienkiewiczówka" Guest House, the equivalent working time system is introduced; under the system it is possible to extend the daily working time, but by no more than 12 hours, in a settlement period no longer than one month. The extended daily working time is balanced by a shorter daily working time on certain days or by granting days off.

### ***Task-Based System***

### **§ 65**

1. In cases justified by the type of work or its organisation or the workplace, the Rector, at

the request of the director of an organisational unit, may introduce a task-based working time system.

2. The task-based working time system may be used, in particular, in organisational units and with regard to positions where it is not possible or reasonable to determine in advance the time and place of work or permanent duties performed on a regular basis in an organised manner, as well as in cases where the performance of assigned tasks does not require working at the workplace.
3. The employer, in consultation with the employee, determines the time necessary to perform the assigned tasks, while taking into account the length of working time resulting from the standards set out in § 40(2) of these regulations.

### ***Shortened Working Week System***

#### **§ 66**

1. If requested in writing by the employee, the shortened working week system may be applied to them. In this system, it is permissible for the employee to work for fewer than 5 days during the week, with the simultaneous extension of the daily working time, but by no more than 12 hours, in a settlement period no longer than one month.
2. (deleted)

### ***Weekend Working System***

#### **§ 67**

1. If requested in writing by the employee, the weekend working time system may be applied to them, where the employee works on Fridays, Saturdays, Sundays, and on holidays. In this system, it is permissible to extend the daily working time, although by no more than 12 hours, in a settlement period no longer than one month.
2. (deleted)

### ***Flexible Working Time Schedule***

#### **§ 68**

1. A working time schedule may set out different starting times on days which, according to the schedule, are working days for the employees.
2. In cases justified by the teaching, research, or organisational needs of the University, the time of starting and finishing work may be individually determined for the employee by the director of an organisational unit.
3. A flexible working time schedule may also be introduced at the written request of the employee.
4. A working time schedule may set out a period within which the employee decides the time when they start work on a day which, according to the schedule, is a working day for the employee.
5. In the working time schedules referred to in items 2 to 4, repeated performance of work during the same day does not constitute overtime.

### ***Individual Working Time Schedule***

#### **§ 69**

At the written request of the employee, the director of an organisational unit may establish an individual working time schedule within the working time system that applies to the employee.

### ***Particular protection***

#### **§ 69a**

In the equivalent system, continuous working system, shortened working week system, weekend working system, the working time of:

- 1) employees in workplaces where the maximum permissible concentrations and intensities of factors harmful to health are exceeded,
  - 2) pregnant employees,
  - 3) employees caring for a child under four years of age, without the employee's consent,
- shall not exceed 8 hours. The employee retains the right to the remuneration for the time not worked due to the reduction of their working hours.

### **Night Work**

#### **§ 70**

1. Night-time lasts for 8 hours – from 11:00 p.m. to 7:00 a.m.
2. An employee whose working time schedule includes at least 3 hours of night work each day, or whose at least 1/4 of working time in a given settlement period is in the night-time, is considered to be a night employee.
3. A person with a disability must not be employed during night-time.
4. The provisions of item 3 do not apply to persons employed as guards or where, at the request of the person employed, the physician who carries out employees' health examinations gives their approval.
5. Pregnant women must not be employed during night-time.
6. The employer – if they employ a night employee – must, for the duration of pregnancy, change the working time schedule in such a way as to make it possible to work outside night-time or – if this is impossible or inexpedient – transfer the employee to another position that does not require work during night-time. If no such possibilities are available, the employer must release the employee from work for the time necessary.
7. The working time of a night employee may not exceed 8 hours per day if they perform work that is particularly hazardous or involves a great deal of physical or mental effort.
8. The provision of item 7 does not apply to:
  - 1) employees who manage the workplace on behalf of the employer;
  - 2) cases where it is necessary to carry out an emergency operation to protect human life or health, to protect property or the environment, or to remove a malfunction.
9. The possibility of carrying out the work referred to in item 7 should be included in the employee's risk assessment sheet.

### **Chapter IV**

#### **Certain Working Time Entitlements Related to Parenthood and Pregnant and Breastfeeding Women**

#### **§ 71**

1. The employer must consider a request made in writing or electronically to perform work in an interrupted working time system and/or flexible or individual working time schedule:
  - 1) of either an employee who is a spouse or an employee who is a parent of a child in the prenatal stage, in the case of a complicated pregnancy;
  - 2) of an employee who is a parent of a child holding the certificate referred to in Article 4(3) of the Act on Support for Pregnant Women and Families "For Life" of 4 November 2016;
  - 3) of an employee who is a parent:
    - a) of a child who holds a disability certificate or a certificate of moderate or severe disability referred to in the provisions on vocational and social rehabilitation and employment of persons with disabilities; and
    - b) of a child who has been evaluated as requiring early childhood development

support, holds a certificate on the need for special education or a certificate on the need for revalidation and education classes referred to in the provisions of the Law on School Education of 14 December 2016.

2. The employer may refuse the request referred to in item 1 if granting the request is not possible due to the work organisation or the type of the employee's work. The employer informs the employee in writing or electronically of the reason for refusing the request.
3. The employer is obliged to accept the request referred to in item 1(2 and 3) of a pregnant employee and an employee caring for a child up to the age of four to work remotely unless it is not possible due to the work organisation or the type of the employee's work. The employer informs the employee in writing or electronically of the reason for refusing the request no longer than 7 working days following the request.
4. The provisions of items 1-3 apply to employees referred to in item 1(2 and 3) also after the children reach the age of 18.

#### **§ 71a**

1. The employee raising a child under 8 years old may make a request in writing or electronically to use the flexible organisation of work. The request shall be made no longer than 21 days prior to the beginning of the flexible organisation of work.
2. The flexible organisation of work, referred to in item 1, is understood as remote work, interrupted working time system, shortened working week system, weekend working system, or interrupted and/or individual working time schedule, as well as the reduction of working hours.
3. In the request, the employee shall specify the following:
  - 1) the child's name and surname and the date of birth;
  - 2) the reason for using the flexible organisation of work;
  - 3) the start and end date of the use of the flexible organisation of work;
  - 4) the type of the flexible organisation of work which the employee plans to use.
4. The employer shall examine the request taking into account the needs of the employee, including the time and the reason for the need to use the flexible organisation of work, but also the needs and possibilities of the employer, including the need to ensure the normal course of work, organisation of work and/or the type of work performed by the employee.
5. The employer informs the employee in writing or electronically on granting the request, or on the reason for refusing the request, or about another possible time for using the flexible organisation of work other than that indicated in the request, no longer than 7 days following the receipt of the request.
6. The employee using the flexible organisation of work, referred to in item 1, may at any time request in writing or electronically to return to the previous organisation of work before the deadline referred to in item 3(3), when it is justified by a change of circumstances that were the basis for the employee's use of the flexible organisation of work. After considering the request, taking into account the circumstances referred to in item 4, the employer shall inform the employee in writing or electronically about granting the request, or on the reason for refusing the request, or about the possible time of the return to work, no longer than 7 days following the receipt of the request.

#### **§ 71b**

1. The working time of a pregnant employee must not exceed 8 hours per day.
2. A pregnant employee must not be employed for overtime and during night-time.
3. A pregnant academic teacher must not be employed for overtime without their consent.
4. A pregnant employee must not be delegated outside the regular place of work and employed in an interrupted working time system without their consent.
5. The time spent working with a screen monitor of a pregnant employee must not exceed 50 minutes at a time, followed by a break of at least 10 minutes included in the working time.
6. The employer must grant a pregnant employee leave from work for medical examinations ordered by a physician that are to be carried out in connection with pregnancy if these

examinations cannot be carried out outside working hours. The employee is entitled to remuneration for the time they are absent at work for this reason.

7. Pregnancy must be confirmed by a medical certificate.
8. Entitlements (privileges) referred to in item 1, 2, and 5 are absolute. The employer is obliged to comply with them from the moment of the submission of the medical certificate referred to in item 7.
9. An employee who is breastfeeding is entitled to two half-hour breaks included in their working time. An employee who is breastfeeding more than one child is entitled to two breaks of 45 minutes each. Breastfeeding breaks may be taken jointly at the request of the employee. Employees who work for less than 4 hours a day are not entitled to breastfeeding breaks. If the employee works for less than 6 hours a day, such an employee is entitled to one breastfeeding break. Breastfeeding breaks are granted at the request of the employee based on the employee's statement that they are breastfeeding a child. At the employer's request, the employee must document this fact with a proper medical certificate.
10. The working time of employees caring for a child under four years of age must not exceed 8 hours, without the employee's consent.
11. An academic teacher raising a child under four years of age must not be employed overtime without their consent.
12. An employee caring for a child under eight years of age may be employed for overtime, during night-time, in a interrupted working time system, and delegated outside the regular place of work only with the employee's consent.
13. An employee raising at least one child under 14 years of age is entitled to 16 hours or 2 days off work per calendar year, with pay. Leaves from work are granted pursuant to § 32 of the Work Regulations.
14. If both parents or guardians are employed, the entitlements referred to in items 10, 12, and 13 may be exercised by one of them.
15. The employee shall submit a statement on using the entitlements referred to in items 10-13. The employee may do that in relation to some of the entitlements or to all of them collectively. The employee may submit the statement on temporary use of given entitlements or on specific days etc.

## **SECTION IV**

### **PAYMENT OF REMUNERATION**

#### **§ 72**

1. Employees are entitled to remuneration for work in accordance with current legislation.
2. Remuneration is due for the work performed. For the time in which the employee is not working, the employee retains the right to remuneration only if so provided for under the law.
3. Employees may not waive their right to remuneration.

#### **§ 73**

Academic teachers are paid their basic salary, seniority allowance, function allowance, and task allowance once a month in advance on the first working day of a given month. Other remuneration components are paid in arrears, after settling work and/or tasks.

#### **§ 74**

1. Remunerations of non-academic staff members are paid once a month in arrears, as follows:
  - 1) on the 27<sup>th</sup> day of the month for the month in question for the staff employed as service staff and drivers;
  - 2) on the 29<sup>th</sup> day of the month for the month in question for the staff employed on library, scientific and technical, engineering and technical, administrative, and economic positions;
  - 3) on the 10<sup>th</sup> of the month for the previous month for employees employed as workers

and doorkeepers.

2. If the fixed day for payment of remuneration to non-academic staff is a public holiday, the remuneration must be paid on the preceding day.

### **§ 75**

1. Payment of remuneration is made to the bank account specified by the employee unless the employee requests payment in cash. The employer is not liable for delays resulting from an incorrect bank account number provided by the employee.
2. Payment of remuneration in cash is made under the Autopayment service after the employee has produced an identity document (ID card/passport) at the Bank Pekao S.A. branch at Al. Mickiewicza 30 (Kraków). Payment of remuneration under the Autopayment service may also be made at the Bank Pekao S.A. branch at ul. Pijarska (Kraków) during its working hours. Payment of remuneration under the Autopayment service is free of charge; the employee does not incur any charges on that account.

## **SECTION V**

### **WORKING DISCIPLINE**

#### **Chapter I**

#### **Employees' Disciplinary Liability**

### **§ 76**

1. For employee's failure to comply with the established organisation and order of the work process, occupational health and safety provisions, fire protection provisions, as well as the accepted method of confirming arrival and presence at work and justifying absence from work, the employer may punish the employee with:
  - 1) a warning,
  - 2) a reprimand.
2. A fine may be imposed on the employee pursuant to Article 108 §(3) of the Labour Code for:
  - 1) failure to comply with occupational health and safety or fire protection provisions;
  - 2) abandoning work without justification;
  - 3) turning up for work intoxicated or under the influence of drugs;
  - 4) consuming alcohol or taking intoxicants while at work.
3. Proceeds from fines are used to improve health and safety conditions.
4. The penalties set out in items 1 and 2 may not be imposed after two weeks from receiving information that the employee has violated their duties and after three months from the moment on which the employee has committed said violation.
5. The penalty may only be applied after the employee has been heard.
6. If it is impossible to hear the employee because they are absent from work, the two-week period referred to in item 4 does not start and is suspended until the employee returns to work.
7. Penalties are imposed by the Rector on their own initiative or at the request of the director of an organisational unit.
8. The employer must notify the employee in writing of the penalty imposed, indicating the type of violation of the employee's duties and the date on which the employee committed the violation, and informing the employee of the right to object and the time limit for doing so. A copy of the notice must be filed in the employee's personal file.
9. The penalty is considered non-existent and the copy of the penalty notice is removed from the employee's personal file after one year of impeccable work. The employer may,

on their own initiative or at the request of the union organisation representing the employee, consider the penalty non-existent before that time limit expires.

10. Academic teachers are subject to additional disciplinary liability for disciplinary offences that constitute acts in breach of the duties of academic teachers or a violation of the dignity of the profession of an academic teacher pursuant to the Act.

## **Chapter II**

### **Employees' Financial Liability**

#### **§ 77**

1. An employee who, as a result of their failure to perform or improper performance of their employment duties through their own fault, caused damage to the employer, is financially liable according to the provisions of the Labour Code.
2. The amount of compensation is determined as the amount of the damage caused, but this amount may not exceed the amount of three months' salary to which the employee was entitled at the date the damage occurred.
3. If the employee has intentionally caused damage, they must compensate for the full amount of the damage.

#### **§ 78**

1. The employee may be made responsible for:
  - 1) money, securities, or valuables;
  - 2) tools and instruments or similar items, as well as personal protective equipment and workwear and footwear;
  - 3) other employer's property;– subject to a duty to return such property or account for that property.
2. According to the provisions of the Labour Code, employees may accept joint financial liability for the property they have been entrusted with, including the obligation to account for it. The basis under which the property may be entrusted jointly is an agreement on joint financial liability, concluded by employees with the employer in writing under pain of invalidity.
3. In the case referred to in item 1, the employee is liable for the full amount of the damage suffered.

## **Chapter III**

### **Compliance with the Sobriety Obligation and Prohibition of the Use of Narcotic Drugs and Other Intoxicants or Psychotropic Substances**

#### **§ 79**

1. Arriving at work under the influence of alcohol or consuming alcohol while at work constitutes a serious violation of employee's duties.
2. Showing up for work under the influence of narcotic drugs, or other intoxicants, or psychotropic substances or using them while at work, constitutes a serious violation of employees' duties.
3. The prohibition referred to in item 2 does not apply to medicine or other medical products prescribed by a physician, nurse, or midwife, provided that their use does not exceed the prescribed dose. Employees who take medication or other medical products must be aware of any side-effects of such products, which may affect the performance of their duties.
4. Apart from the provisions of the work regulations, the provisions on upbringing in sobriety and counteracting alcoholism, as well as the provisions on counteracting drug addiction apply to the matters referred to in items 1 and 2.

## **§ 80**

Employee's supervisors must prevent employees who violate the prohibitions set out in § 79 (1 and 2) from working and remaining on the premises of the University.

## **§ 81**

1. The basis for the decision not to allow the employee to work, with the consequences resulting from the Labour Code and the present regulations, is a justified suspicion arising from the appearance, smell (odour), or behaviour of the employee that they are under the influence of alcohol or other substances referred to in § 79(2). The circumstances forming the basis for such a decision must be made known to the employee.
2. At the request of the employee, the employer must allow a sobriety test to be carried out by the employer's own technical means or by the police. The employee should be escorted to the police station.
3. If the employee in question makes no such request, the supervisor (or an authorised employee) with the consent of the Rector (or the Chancellor acting in this respect under the authority of the Rector) must call the police to carry out a test of whether the employee is under the influence of other substances referred to in § 79(2).
4. The police should only be called if the appearance, smell, or behaviour (e.g. slurred speech, unsteady gait) of the employee gives rise to any doubt as to whether they are under the influence of alcohol. If there is no doubt, the drawing up of a report is sufficient.
5. If there is a justified suspicion that the employee is under the influence of substances referred to in § 79(2), the police must be called in.
6. The costs of the tests referred to in items 2 to 5 are borne as follows:
  - 1) if the result is negative – by the employer,
  - 2) if the result is positive – by the employee.
7. The activities referred to in items from 1 to 3 must be described in a report that is to be drawn up by the employee's supervisor, with a witness present. The report must be made available to the employee so the employee can read it and sign it. The report must include, in particular:
  - 1) the name of the person reporting the violation of the prohibitions referred to in § 79(1 and 2);
  - 2) the personal data of the employee and a description of how and under what circumstances the employee violated the prohibitions;
  - 3) an indication of the evidence, including the results of the tests, referred to in items 2 and 3;
  - 4) the date on which the report is drawn up and the signatures of the person drawing up the report and of the witnesses and the employee concerned.
8. If the employee concerned refuses to sign the report or if their state renders them unable to do so, this must be mentioned in the report.
9. The report must be drawn up without any delay and submitted to the unit competent for human resources and a copy of the report must be served on the employee.

## **SECTION VI**

### **OCCUPATIONAL HEALTH AND SAFETY AND FIRE PROTECTION**

#### **Chapter I**

#### **Employer's Rights and Obligations as regards Occupational Health and Safety and Fire Protection**



## § 82

1. The employer and employees must strictly comply with the rules and principles of occupational health and safety and fire protection.
2. The employer must protect the health and life of employees by ensuring safe and hygienic working conditions with appropriate use of scientific and technical measures. In particular, the employer must:
  - 1) organise work in such a way as to ensure safe and hygienic working conditions and define the main courses of action insofar as occupational health and safety is concerned;
  - 2) ensure that the occupational health and safety rules and provisions are observed at the workplace, issue orders to rectify deficiencies in this respect, and monitor the execution of these orders;
  - 3) respond to occupational health and safety needs and adapt the measures taken to improve the existing level of protection of the health and safety of employees, taking into account the changing conditions of work;
  - 4) analyse the circumstances and causes of work-related accidents and ensure the development of a coherent policy for preventing accidents at work and occupational diseases, taking into account technical matters, organisation of work, working conditions, social relations, and the influence of factors in the working environment;
  - 5) when taking preventive measures, take into account the protection of the health of juvenile, pregnant, or breastfeeding employees and employees with disabilities;
  - 6) ensure the implementation of orders, addresses, decisions and provisions issued by the supervisory authorities for working conditions and ensure the implementation of the recommendations of the community labour inspector;
  - 7) analyse and identify risks to health and life and assess and document the risk associated with work at the University, resulting from the fulfilment of the University's tasks, and take preventive measures to reduce this risk, and co-operate with bodies competent in matters of occupational health and safety and trade unions that represent University employees.
3. As part of their obligation to ensure safe and hygienic working conditions at the University, the employer must ensure:
  - 1) that the following are displayed in the University's buildings, in clearly visible locations:
    - (a) information on the safe and hygienic use of the premises of the University and its technical equipment, and on the course of action in the event of an accident or emergency;
    - (b) plans for the evacuation of persons from university buildings and the marking of escape routes;
  - 2) that the information referred to in point 1(a) and the following information is published on the University's website:
    - a) information on the course of action in cases of imminent danger to health or life, including in particular the University's emergency telephone number and the e-mail address to which information about such dangers must be reported;
    - (b) information on the manner in which the risk to health or life that has been reported or identified is documented, and how the risk should be removed or what are the actions taken to prevent it.

4. The employer must provide employees – free of any charge – in particular with:
  - 1) appropriate hygiene and sanitary facilities and necessary means for personal hygiene;
  - 2) personal protective equipment against factors that are hazardous and damaging to health, which are present in the working environment;
  - 3) workwear and protective clothing, meeting the requirements of Polish Norms, if:
    - (a) employees' own clothing may be damaged or significantly soiled;
    - (b) it is necessary for technological, sanitary, or occupational health and safety reasons.
5. The employer may determine the positions and/or types of work in which it is permissible for employees to use, with their consent, their own workwear and footwear that meet the requirements of occupational health and safety.
6. Pursuant to the provisions of item 5, an employee who uses their own workwear and footwear must be paid by the employer a cash equivalent in the amount determined based on the current prices.
7. Rules for the allocation of personal protective equipment as well as workwear and footwear, standards for their allocation, methods for keeping records, and also the list of positions and/or types of work in which it is permissible for employees to use their own workwear and footwear, with regard to item 8, must be determined by the Rector in a separate order.
8. The standards for the allocation of the resources referred to in item 4(2 and 3) as well as the amount of the equivalent referred to in item 6 must be determined by the employer in a separate agreement with the University union organisations.
9. The employer must not allow the employee to work without:
  - 1) a current medical certificate stating that there are no contraindications for work in a specific position under the working conditions described in the referral for the medical examination,
  - 2) required qualifications and/or necessary skills, and also sufficient knowledge on the occupational health and safety regulations, including a valid occupational health and safety training,
  - 3) equipping the employee with personal protective equipment as well as workwear and footwear determined for the position.

### **§ 83**

1. The employer must provide employees with information on:
  - 1) threats to health and life that occur in the workplace, at individual workplaces, and during the work, including the rules of conduct in case of accidents and other situations threatening the health and life of employees;
  - 2) the protective and preventive action taken to eliminate or reduce the risks referred to in point 1;
  - 3) employees designated to:
    - (a) provide first aid;
    - (b) carry out firefighting operations and evacuation of employees.
2. The information on employees referred to in § 1(3) must include:
  - 1) name and surname;
  - 2) place of work;
  - 3) professional telephone number or other means of electronic communication.
3. The employer must ensure communication with external services, especially with those specialised in emergency first aid, medical rescue, and fire protection.

## **§ 84**

The Employer must perform and ensure that other duties that concern occupational health and safety – as defined in separate provisions – are fulfilled at the University, including the provisions of Section X of the Labour Code and the regulation of the minister competent for higher education and science issued under Article 51(2) of the Act.

## **Chapter II**

### **Employees' Rights and Obligations as regards Occupational Health and Safety and Fire Protection**

## **§ 85**

1. Each new employee must receive initial training in occupational health and safety and fire protection (with the exclusion of the situation referred to in § 2(237<sup>3</sup>) of the Labour Code) including:
  - 1) general instruction,
  - 2) job-specific instruction and learning about occupational risks involved in their work and the rules on the protection against these risks (occupational risk assessment),
  - 3) and training in fire protection.
2. The employee must confirm in writing that they have undergone the training and instruction referred to in item 1 by signing applicable statements (according to the template applicable at the University).
3. It is prohibited to commence work without the training and instruction referred to in item 1.
4. Employees must undergo periodic training in occupational health and safety, the frequency and duration of which is to be determined by the employer in consultation with the University unions.
5. Employees must undergo initial, periodic, and review examinations, as well as other prescribed medical examinations and adhere to medical indications.

## **§ 86**

1. Compliance with the provisions and rules of occupational health and safety and fire protection is the primary obligation of each employee; in particular, employees must:
  - 1) know the provisions and principles of occupational health and safety and fire protection, participate in training and instruction in this area, and undergo the required verification examinations;
  - 2) work in accordance with the provisions of occupational health and safety and fire protection, as well as comply with the orders and instructions issued in this respect, including the instructions and orders concerning occupational health and safety and fire protection that apply at the workplace;
  - 3) ensure that equipment and instrumentation are in good condition and that the workplace is kept in order and tidy;
  - 4) use the protective clothing and workwear and personal protection equipment assigned to them and according to the purpose of that equipment;
  - 5) undergo an initial, periodic, and review medical examination and to comply with any medical advice given;
  - 6) immediately notify their superior of any occupational accident or threat to human life or health which they observe at the University;
  - 7) co-operate with their superiors to fulfil their duties that concern occupational health and safety and fire protection.
2. Employees have the right to:
  - 1) refrain from work while immediately notifying thereof their immediate superior if the work conditions do not comply with the provisions of occupational health and safety

- or fire protection provisions and pose a direct threat to the health or life of employees, or if the work performed by them poses such a threat to other persons;
- 2) move away from the place of danger while immediately notifying the immediate superior if refraining from work does not remove the danger;
  - 3) remuneration for the time spent away from work or away from the place of danger in the situations referred to in points 1 and 2;
  - 4) refrain, after notifying their superior, from work that requires particular mental and physical fitness if their mental and physical condition does not ensure safe performance of work and endangers others.
3. The employer has the right to impose a fine on the employee for failure to comply with obligations relating to the maintenance of occupational health and safety and fire protection.

## **SECTION VII**

### **WORK FORBIDDEN TO WOMEN, PREGNANT WOMEN, AND BREASTFEEDING**

#### **WOMEN**

##### **§ 87**

Considering the applicable labour law provisions, a list of tasks that may not be performed by women is hereby determined and included in Appendix 2 to these regulations.

##### **§ 88**

1. (deleted)
2. (deleted)
3. Pregnant women may not perform strenuous, hazardous, or harmful work that may have an adverse effect on their health or the course of their pregnancy, as defined in the Regulation of the Council of Ministers issued pursuant to Article 176(2) of the Labour Code.
4. The current list of works referred to in item 3 is set out in Appendix 2 to these regulations.
5. An employer who employs a pregnant employee to work on tasks listed in the provisions issued pursuant to Article 176(2) of the Labour Code, which is forbidden to such an employee regardless of the degree of their exposure to factors harmful to health or dangerous, must transfer the employee to other work, and if this is impossible, the employer must release the employee from the obligation to work for the time necessary.
6. An employer who employs a pregnant employee in other work specified in the provisions issued pursuant to Article 176(2) must adapt the working conditions to the requirements specified in these provisions or reduce the working time in such a way as to eliminate risks to the health or safety of the employee. If it is impossible or inexpedient to adjust the working conditions at the current position or to reduce the working time, the employer must transfer the employee to perform other tasks, and in the absence of such a possibility, the employer must release the employee from the obligation to work the time necessary.
7. The provision of item 6 applies accordingly to the employer in the event that health contraindications to the current work of a pregnant employee are determined under a medical certificate.
8. (deleted)
9. Pregnancy must be confirmed by a medical certificate.

##### **§ 89**

1. Women who are breastfeeding may not perform strenuous, hazardous, or harmful work, that may have an adverse effect on their health or on breastfeeding, specified in the Regulation of the Council of Ministers issued pursuant to Article 176(2) of the Labour

Code.

2. The current list of tasks that are prohibited for women and the list of tasks referred to in item 1 is set out in Appendix 2 to these regulations.
3. § 88(5 to 7) of the regulations apply accordingly to employees who are breastfeeding.
4. (deleted)
5. (deleted)

## **SECTION VIIa JUVENILE EMPLOYEES**

### **§ 90**

1. Juvenile employees must not be employed at the University.
2. In connection with the provision of item 1, the list of tasks prohibited to juvenile employees, the type of work and the list of tasks permitted to juvenile employees to undergo a vocational training, and the list of light duty tasks permitted to juvenile employees employed for purposes other than undergoing a vocational training are not included in the Regulations.

## **SECTION VIII COUNTERACTING DISCRIMINATION AND MOBBING**

### **Chapter I Anti-Discrimination and Anti-Mobbing Policy**

### **§ 91**

1. Relations between the employer and employees are based on mutual respect and tolerance and respect for personal dignity.
2. Decisions taken by the employer, in particular with regard to employment, promotion, training, and remuneration, must be motivated primarily by an unbiased assessment of the employee's performance, skills, and competences, as well as their work experience and qualifications.
3. The employer does not accept discrimination, mobbing, or any other form of psychological or physical violence.
4. Acts or behaviours that fulfil the characteristics of discrimination or harassment as set out in labour law and other legislation are prohibited.
5. It is prohibited to take advantage of a privileged professional position in the relationship between a superior and an employee, in a manner contrary to labour law.
6. All cases of discrimination and harassment must be especially condemned, particularly in the academic environment and with regard to all members of the University community.
7. Everyone must respond appropriately to and counteract any perceived discrimination or harassment taking place at the University.
8. Creating situations that encourage discrimination or harassment or acts of discrimination or harassment are considered a serious violation of primary employee obligations.
9. Employees who consider that they have experienced any form of discrimination or harassment are entitled to report it to the employer by a written notice.
10. The submission of the notice must not be the basis for unfavourable treatment of the complainant; it must also not result in any negative consequences for the complainant. The employer must ensure that they provide the person who is a victim of discrimination or harassment with all necessary support.

**Chapter II**  
**Obligation of Equal Treatment in Employment**

**§ 92**

1. Any discrimination in employment, whether direct or indirect, in particular on grounds of sex, age, disability, race, religion, nationality, political opinion, union membership, ethnic origin, religion, sexual orientation, employment for a definite or indefinite period, full-time or part-time employment, is unacceptable.
2. Employees must be treated equally in terms of:
  - 1) conclusion and termination of the employment relationship;
  - 2) conditions of employment;
  - 3) promotion;
  - 4) access to training to improve professional qualifications.
3. Equal treatment in employment means the prohibition of discrimination in any way, directly or indirectly, on the grounds set out above.
4. Equal treatment in employment is regulated by Chapter II A, Section I of the Labour Code. The above provisions are available in the unit responsible for human resources. The Labour Code is also available in the LEX legal information system, 24 hours a day on the AGH University home page under the employees/documents tab.
5. An employee who believes that they have been discriminated against in employment should notify the Rector. The notification must be made in writing.
6. In such case, the Rector must appoint an *ad hoc* team to investigate the employee's complaint or refer the matter to the committee responsible for employee affairs for consideration.
7. The committee must submit to the Rector a report on the proceedings it has conducted together with its conclusions.
8. If a complaint is found justified, the Rector must take appropriate action to redress the damage suffered by the employee and to prevent similar practices from occurring in the future (including disciplinary measures against those guilty of discrimination).

**Chapter III**  
**Counteracting Mobbing**

**§ 93**

1. Mobbing is defined as actions or behaviours concerning an employee or directed against an employee, consisting in persistent and prolonged harassment or intimidation of an employee, causing an employee's lowered perception of their professional suitability, causing or intended to cause humiliation or ridicule of an employee, isolating them or eliminating them from their team of colleagues.
2. The employer will not tolerate any action or behaviour that constitutes mobbing.
3. Any employee who believes that they have been subjected to mobbing should file a written complaint to the Rector. The complaint must include a statement of the facts, the time and place of the events, evidence to support the circumstances cited, and identification of the perpetrator(s).
4. The Rector must either appoint a committee to investigate the employee's complaint or refer the matter to the committee responsible for employee affairs. The committee must act with respect for the personal rights of the persons concerned.
5. After hearing the explanations of the aggrieved employee and the alleged perpetrator(s) and after conducting an inquiry into the evidence, the committee makes findings on the merits of the complaint under consideration.
6. The committee submits a report on the conducted proceedings to the Rector.

7. If the complaint is found to be justified, the Rector:
  - 1) may initiate procedures to disciplinarily punish the perpetrator(s) and, in flagrant cases, to terminate the employment relationship without notice;
  - 2) may, where possible, transfer the aggrieved employee, at their request or with their consent, to another post or place of work;
  - 3) must take all appropriate measures to prevent the occurrence of similar practices in the future.

## **SECTION IX TRANSITIONAL AND FINAL PROVISIONS**

### **§ 94**

1. Until 30 September 2020, the mandatory working time for qualified librarians and qualified scientific documentation and information employees is 36 hours per week.
2. Specific duties of academic teachers, qualified librarians, and qualified scientific documentation and information employees for the period up to 30 September 2020 are specified in the provisions that apply to this group of employees as at 30 September 2019.
3. Until 30 September 2020, the mandatory working hours of library employees and scientific documentation and information employees employed in the positions of library custodian, senior librarian, and senior documentalist with whom the employment relationship was concluded before 1 October 2019 is 36 hours per week.

### **§ 95**

In the academic year 2019/2020, lectures may only be given by an academic teacher with at least the degree of *doktor* or by an academic teacher who as of 30 September 2019 was employed as a senior lecturer or lecturer.

### **§ 96**

1. Upon these Regulations entering into force, Order 30/2007 of the Rector of the AGH University in Krakow of 10 July 2007 (as amended) on the Work Regulations applicable at AGH University in Krakow is repealed.
2. These regulations start to apply as of 1 October 2019, with the exception of § 17(1) in the part concerning the confirmation of the time of leaving the workplace, which starts to apply as of 1 January 2020.

**Objectives, scope, and application of video surveillance  
at the AGH University in Krakow.**

1. Based on:

- Article 22<sup>2</sup> of the Labour Code Act of 26 June 1974 (consolidated text: Journal of Laws of 2019, item 1040, as amended),
- Article 50(1) of the Higher Education Law Act of 20 July 2018 (Journal of Laws item 1668, as amended)

At the AGH University in Krakow, hereinafter referred to as the "AGH University" or the "University", special surveillance of the University premises, buildings, and grounds is carried out by means of technical measures allowing for image recording (video surveillance).

2. The purpose of video surveillance is to ensure the physical safety of the members of the AGH University academic community and other persons, to protect property, and to maintain the confidentiality of information, the disclosure of which could expose the AGH University to damage. Images are recorded continuously. The surveillance is used if there is a need to analyse incidents of law violation and to clarify crisis situations.
3. Video surveillance covers generally accessible areas and selected teaching and scientific and laboratory rooms in the facilities, as well as selected portions of University premises, with particular attention to external access points (entrances to buildings, wickets gates and gates in the external fence).
4. There is no video surveillance in:
  - sanitary facilities,
  - employee changing rooms,
  - rest and refreshment rooms,
  - premises made available to the union organisations.
5. Only authorised persons may review the current video surveillance recording.
6. Security and surveillance staff continuously monitors (live surveillance) the images transmitted from surveillance cameras as part of their job description.
7. In compliance with the information obligation pursuant to Article 13(1 and 2) of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) [OJ EU L. 2016.119.1 of 4 May 2016] we wish to inform you that the controller of personal data processed as part of the video surveillance system is the AGH University of Krakow (AGH University) with its registered office in Krakow, Al. Mickiewicza 30, and the full content of the information obligation can be read on the AGH University website <https://www.agh.edu.pl/en/personal-data-protection>.



**List of Tasks Prohibited for Women:**

1. Tasks in which the net energy expenditure necessary to complete a task which involves physical exertion, including lifting and carrying objects, during a work shift exceeds 5000 kJ per work shift and in occasional work – 20 kJ/min.

Manual handling of objects by one employee:

1. The weight of the objects to be moved must not exceed:
  - a) 12 kg in continuous work,
  - b) 20 kg in occasional work.
2. The weight of objects to be lifted above shoulder height must not exceed:
  - a) 8 kg in continuous work,
  - b) 14 kg in occasional work.
3. Carrying objects over 25 metres, weighing more than 12 kg.
4. Carrying objects weighing more than 12 kg uphill on uneven surfaces, ramps, or stairs with the maximum slope below 30° and with height of over 4 metres, regardless of the distance over which the objects are carried.
5. When carrying objects uphill on uneven surfaces, ramps, or stairs with a maximum slope of over 30° and with height of over 4 metres, irrespective of the distance over which the objects are carried, the weight of these objects must not exceed:
  - a) 8 kg in continuous work,
  - b) 12 kg in occasional work.
6. Two-handed handling of objects, where a force is required to initiate the movement of an object which, measured parallel to the ground, exceeds:
  - a) when pushing – 120 N,
  - b) when pulling – 100 N.
7. The values of the forces used to move the components of the equipment (in particular levers, cranks, wheels, buttons, pedals) must not exceed the following values:
  - a) two-handed handling: 50N – continuous work; 100N – occasional work,
  - b) single-handed handed: 20 N – continuous work; 50N – occasional work,
  - c) foot handling: 120N – continuous work; 200N – occasional work.
8. Manual handling and rolling of round-shaped objects (in particular barrels, large-diameter pipes) if the requirements set out in point 7 are not complied with, and:
  - a) the weight of hand-rolled objects, on a flat, hard, and smooth surface, must not exceed 80 kg,
  - b) the mass of hand-rolled objects onto ramps must not exceed 20 kg.
9. Handling of hot, corrosive, or noxious liquids, the mass of which – together with the vessel and handle – exceeds 10kg.

Manual handling of objects by a team of employees:

1. Carrying objects of more than 4 m in length and more than 20 kg in weight must be done in teams, provided that the weight per woman does not exceed:
  - a) 10 kg in continuous work,
  - b) 17 kg in occasional work.
2. The force required to initiate the movement of an object, measured parallel to the ground, must not exceed the following values:

- a) when pushing – 100 N,
  - b) when pulling – 80 N.
3. Moving objects over a distance of no more than 25 m or weighing no more than 200 kg.

*Moving loads using hand-moved trolleys and wheelbarrows:*

1. The mass of a load that is moved on a trolley on a flat, hard, smooth surface (including the weight of the trolley) may exceed:
  - a) on terrain with a slope of no more than 5%: 140 kg on 2-wheel trolleys and 180 kg on 3-wheel trolleys or trolleys with more wheels,
  - b) on terrain with a slope of no more than 5%: 100 kg on 2-wheel trolleys and 140 kg on 3-wheel trolleys or trolleys with more wheels,
2. The mass of a load that is moved on a trolley on uneven or unpaved surfaces (including the weight of the trolley) may exceed:
  - a) on terrain with a slope of no more than 5%: 84 kg on 2-wheel trolleys and 108 kg on 3-wheel trolleys or trolleys with more wheels,
  - b) on terrain with a slope of no more than 5%: 60 kg on 2-wheel trolleys and 84 kg on 3-wheel trolleys or trolleys with more wheels,
3. Moving of a load on a rail trolley, including the weight of the trolley, on a slope:
  - a) of no more than 2% – 240 kg per employee,
  - b) of more than 2% – 180 kg per employee.
4. The maximum mass of a load that is moved on a one-wheel trolley (wheelbarrow) (including the mass of the wheelbarrow) on a flat, hard, and smooth surface, with a slope of:
  - a) no more than 5% – is 40 kg,
  - b) more than 5% – is 30 kg.
5. The maximum mass of a load that is moved on a wheeled trolley (wheelbarrow) (including the mass of the wheelbarrow) on an uneven or unpaved surface with a slope:
  - a) of no more than 5% – is 24 kg,
  - b) of more than 5% – is 18 kg.

**List of Tasks Prohibited for Pregnant Women:**

*Tasks that involve excessive physical exertion, including manual handling of loads:*

1. All tasks for which the highest values of the physical workload, measured by the net energy expenditure in the performance of the task, exceed 2,900 kJ per work shift and in occasional work (performed up to 4 times per hour, if the total duration of such task does not exceed 4 hours per day) – 7.5 kJ/min.
2. Manual lifting and carrying of objects weighing more than 3 kg.
3. Manual operation of equipment components (levers, cranks, control wheels, etc.) that require application of force exceeding:
  - a) for two-handed handling, 12,5 N in continuous work and 25 N in occasional work, as defined in point 1,
  - b) for one-handed handling, 5 N in continuous work and 12.5 N in occasional work, as defined in point 1.
4. Foot operation of equipment components (pedals, buttons, etc.) where a force in excess of 30 N is required.
5. Uphill movement of:

- a) objects in continuous work,
  - b) objects weighting more than 1 kg in occasional work as defined in point 1.
6. Two-handed handling of objects where force is required to initiate movement:
    - a) 30 N – when pushing,
    - b) 25 N – when pulling.
  7. Manual rolling and uphill rolling of round shaped objects and participating in teams that move objects.
  8. Manual movement of hot, corrosive or noxious liquid materials.
  9. Carrying loads on a single-wheel trolley (wheelbarrow) and manually operated multi-wheel trolley.
  10. Work in a forced position.
  11. Work in a standing position for a total of more than 3 hours during a work shift; the time spent standing must not exceed 15 minutes at a time, followed by a break of 15 minutes.
  12. Work at stations with screen monitors – for a total duration exceeding 8 hours per day, where the time spent working with a screen monitor must not exceed 50 minutes at a time, followed by a break of at least 10 minutes that must be included in the working time.

*Working in cold, hot, and changing microclimates*

1. Work performed in a hot microclimate in conditions where the PMV (Predicted Mean Value), determined in accordance with the Polish Standard for such work, is greater than 1.0.
2. Work performed in a cold microclimate in conditions where the PMV (Predicted Mean Value), determined in accordance with the Polish Standard for such work, is less than - 1.0.
3. Work performed in an environment with large variations in the parameters of the microclimate, particularly when there are sudden changes in air temperature over 15°C, without the possibility of at least 15 minutes' adaptation in an intermediate temperature room.

*Working when exposed to noise or vibration*

1. Work in conditions of exposure to noise:
  - a) with the exposure level for a daily 8-hour period or for an average weekly period, as defined by the Labour Code, exceeding 65 dB,
  - b) with the peak C sound level exceeding 130 dB,
  - c) with the maximum sound level A exceeding 110 dB.
2. Work in conditions of exposure to infrasound noise, the equivalent sound pressure level of which, adjusted by the frequency characteristics G, related to an 8-hour daily or average weekly working time, as defined by the Labour Code, exceeds 86 dB.
3. Work in conditions of exposure to ultrasonic noise:
  - a) with the equivalent sound pressure levels in thirds bands with centre frequencies from 10 kHz to 40 kHz, related to 8-hour daily or weekly average working time, as specified in the provisions of the Labour Code,
  - b) with the maximum sound pressure levels in the third band centre frequencies 10 kHz to 40 kHz – exceeding the following values:

Thirds band centre frequency (kHz)	Equivalent sound pressure level related to a daily 8-hour or weekly average working time, as defined by the Labour Code (dB)	Maximum sound pressure level (dB)
10; 12,5; 16	75	95
20	85	105
25	100	120
31,5; 40	105	125

4. Work in conditions of exposure to vibration acting on the body through the upper limbs:
  - a) with the daily exposure value, expressed as an 8-hour equivalent energy vector sum of the effective, frequency-corrected vibration accelerations, determined for the three directional components (ahwx, ahwy, ahwz) exceeding  $1 \text{ m/s}^2$ ,
  - b) with the exposure value, lasting 30 minutes and less, expressed as a vector sum of effective, frequency-corrected vibration accelerations for the three directional components (ahwx, ahwy, ahwz) exceeding  $4 \text{ m/s}^2$ ;

5. All work that involves exposure to vibration with general effects on the human body.

Work that involves exposure to electromagnetic fields from 0 Hz to 300 GHz and ionising radiation

1. Work within the range of electromagnetic fields with intensities exceeding the values for the safe zone, as specified in the provisions on the maximum permissible concentrations and intensities of factors harmful to health in the working environment.
2. Work in conditions of exposure to ionising radiation as defined under the provisions of the Atomic Law Act.

Work under increased or reduced pressure

1. Diving work, work in pressure vessels, and all work under elevated or depressurised conditions.

Work in contact with harmful biological agents

1. Work which poses a risk of infection: hepatitis B virus, chickenpox and herpes virus, rubella virus, HIV, cytomegalovirus, listeriosis, toxoplasma.
2. Work with animals affected by infectious or invasive diseases.
3. Work that involves exposure to other biological agents classified as group 2-4 hazardous, in accordance with the provisions on biological agents harmful to health in the work environment and on the protection of the health of employees occupationally exposed to such agents – if the results of the occupational risk assessment, taking into account therapeutic measures necessitated by specific biological agents, indicate an adverse effect on the health of the pregnant woman or the course of pregnancy, including the development of the foetus.

Work that involves exposure to harmful chemicals

1. Work involving exposure to substances and mixtures meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1, as amended) in one or more of the following hazard classes or categories together with one or more of the following hazard statements:
  - a) germ cell mutagenicity category 1A, 1B, or 2 (H340, H341);

- b) carcinogenicity, category 1A, 1B, or 2 (H350, H350i, H351);
  - c) reproductive toxicity category 1A, 1B, or 2 or the additional category of harm to lactation or to breastfed babies (H360, H360D, H360FD, H360Fd, H360Df, H361, H361d, H361fd, H362);
  - d) toxic effects on target organs – single exposure, category 1 or 2 (H370, H371) – regardless of their concentration in the working environment;
2. Work that involves exposure to the chemical substances listed below, regardless of their concentration in the work environment:
    - a) chemical agents with known and hazardous absorption through the skin;
    - b) cytostatic drugs;
    - c) manganese;
    - d) synthetic oestrogens and progesterones;
    - e) carbon monoxide;
    - f) lead and its organic and inorganic compounds;
    - g) mercury and its organic and inorganic compounds.
  3. Work that involves exposure to organic solvents, where their concentrations in the work environment exceed 1/3 of the maximum permissible concentrations set out in the provisions on the maximum permissible concentrations and intensities of factors harmful to health in the work environment.
  4. Work or technological processes that involves the release of chemical substances, their mixtures, or agents with a carcinogenic or mutagenic effect listed in the provisions on chemical substances, their mixtures, agents, or technological processes with a carcinogenic or mutagenic effect in the working environment.

Work that involves serious physical or mental injury

1. Work in excavations, and in tanks, and canals.
2. Underground work in all kinds of mines.
3. Work at a forced rhythm (for example, on a conveyor belt).
4. Other work that involves a risk of serious physical or mental injury, including firefighting, participation in chemical rescue operations, disaster recovery, work with explosives, work on slaughtering livestock and handling breeding stock.
5. Working at height – outside fixed galleries, platforms, landings, and other fixed elevations with full fall protection (without the need for personal fall protection equipment), and climbing and descending ladders and brackets.

**List of works that are prohibited for breastfeeding women:**

Work that involves excessive physical exertion, including manual handling of loads:

1. All work for which the highest physical workload, measured by net energy expenditure per work done, exceeds 4200 kJ per work shift and, in the case of casual work as defined in item 1(1), 12.5 kJ/min.
2. Manual lifting and carrying of objects weighing more than:
  - a) 6 kg – for continuous work,
  - b) 10 kg – in occasional work as defined in item 1(1).
3. Manual operation of equipment components (levers, cranks, control wheels, etc.) that require application of force exceeding:
  - a) for two-handed operation, 25 N in continuous work and 50 N for casual work as defined in item 1.1,

- b) for one-handed operation, 10 N in continuous work and 25 N for casual work as defined in item 1.1.
- 4. Foot operation of equipment components (pedals, push buttons, etc.) which requires a force of more than:
  - a) 60 N – for continuous work;
  - b) 100 N – for casual work, as defined in item 1(1).
- 5. Manual handling of objects weighing more than 6 kg – at a height of more than 4 m or a distance of more than 25 m.
- 6. Manual handling uphill – on uneven surfaces, ramps, stairs with a maximum slope of 30° and a height of 4 m – of objects weighing more than 6 kg.
- 7. Manual handling uphill – on uneven surfaces, ramps, stairs with a maximum slope exceeding 30° and a height of 4 m – of objects weighing more than:
  - a) 4 kg – for continuous work;
  - b) 6 kg – in occasional work as defined in item 1(1).
- 8. Ambidextrous handling of objects where force is required to initiate movement:
  - a) 60 N – when pushing;
  - b) 50 N – when pulling.
- 9. Manual handling and rolling of round-shaped objects (in particular barrels, large-diameter pipes) if:
  - a) the mass of objects to be rolled, on a level surface with a hard and smooth surface, exceeds 40 kg per woman;
  - b) the mass of objects rolled onto the ramps exceeds 10 kg per woman.
- 10. Participation in team movement of objects.
- 11. Manual handling of hot, corrosive, or noxious liquid materials.
- 12. Carrying loads of a mass greater than:
  - a) 20 kg – when transported in a wheelbarrow on terrain with a slope not exceeding 5% or 15 kg – on terrain with a slope exceeding 5%;
  - b) 70 kg – when transported on a 2-wheel trolley on terrain with a slope not exceeding 5% or 50 kg – on terrain with a slope exceeding 5%;
  - c) 90 kg – when transporting on a three or more-wheel trolley on terrain with an inclination of up to 5%, or 70 kg – on terrain with an inclination of more than 5%. The permitted load weights given above also include the weight of the transport device and apply to transporting the load on a flat, hard and smooth surface. When transporting loads on uneven or unpaved surfaces, the weight of the load including the weight of the transport device must not exceed 60% of the given values.
- 13. Carriage of loads on a rail trolley of a mass exceeding, including the mass of the trolley:
  - a) 120 kg – when transported on ground with a slope not exceeding 2%,
  - b) 90 kg – when transported on terrain with a slope of more than 2%.
- 14. Transporting cargo:
  - a) on a wheelbarrow or multi-wheel trolley on ground with a slope of more than 8%;
  - b) on a wheelbarrow or multi-wheel trolley for a distance exceeding 200 m;
  - c) on a rail trolley on terrain with a slope of more than 4%;
  - d) on a rail trolley over a distance exceeding 400 m.

*Working in cold, hot, and changing microclimates*

1. Work performed in a hot microclimate in conditions where the PMV (Predicted Mean Value), determined in accordance with the Polish Standard for such work, is greater than 1.0.
2. Work performed in a cold microclimate in conditions where the PMV (Predicted Mean Value), determined in accordance with the Polish Standard for such work, is less than -1.0.
3. Work performed in an environment with large variations in the parameters of the microclimate, particularly when there are sudden changes in air temperature in excess of 15°C, without the possibility of at least 15 minutes' adaptation in an intermediate temperature room.

Work that involves exposure to electromagnetic frequency fields  
from 0 Hz to 300 GHz and ionising radiation

1. Work in conditions of exposure to ionising radiation as defined under the provisions of the Atomic Law Act.

Work under increased or reduced pressure

1. Diving work, work in pressure vessels and all work under elevated or depressurised conditions.

Work in contact with harmful biological agents

1. Work which poses a risk of infection: hepatitis B virus, chickenpox and herpes virus, rubella virus, HIV, cytomegalovirus, listeriosis, toxoplasma.
2. Work with animals affected by infectious or invasive diseases.

Work that involves exposure to harmful chemicals

1. Work that involves exposure to substances and mixtures meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (Official Journal EU L 353, 31.12.2008, p. 1, as amended) in one or more of the following hazard classes or categories together with one or more of the following hazard statements: a) germ cell mutagenicity category 1A, 1B or 2 (H340, H341); b) carcinogenicity category 1A, 1B, or 2 (H350, H350i, H351);
  - c) reproductive toxicity category 1A, 1B, or 2 or the additional category of harm to lactation or to breastfed babies (H360, H360D, H360FD, H360Fd, H360Df, H361, H361d, H361fd, H362);
  - d) Toxic effects on target organs – single exposure, category 1 or 2 (H370, H371) – regardless of their concentration in the working environment.
2. Work that involves exposure to the chemical substances listed below, regardless of their concentration in the work environment:
  - a) chemical agents with known and hazardous absorption through the skin;
  - b) cytostatic drugs;
  - c) manganese;
  - d) synthetic oestrogens and progesterones;
  - e) carbon monoxide;
  - f) lead and its organic and inorganic compounds;
  - g) mercury and its organic and inorganic compounds.
3. Work that involves exposure to organic solvents, where their concentrations in the work environment exceed 1/3 of the maximum permissible concentrations set out in the provisions on the maximum permissible concentrations and intensities of factors harmful

to health in the work environment.

4. Work or technological processes that involve the release of chemical substances, mixtures of those substances, or agents with a carcinogenic or mutagenic effect listed in the provisions on chemical substances, mixtures of those substances, agents or technological processes with a carcinogenic or mutagenic effect in the working environment.

*Work with risk of serious physical or mental injury*

1. Work in excavations and in tanks and canals.
2. Underground work in all kinds of mines.
3. Work at a forced rhythm (for example at a conveyor belt).
4. Other work that involves a risk of serious physical or mental injury, including firefighting, participation in chemical rescue operations, disaster recovery, work with explosives, livestock slaughtering and handling of breeding stock.