



HR & PAYROLL



# THE SOCIAL SECURITY SYSTEM IN POLAND 2022

- ▶ SOCIAL SECURITY CONTRIBUTIONS
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THE GLOBAL ADVISORY AND ACCOUNTING NETWORK

# THE SOCIAL SECURITY SYSTEM IN POLAND

## SOCIAL SECURITY CONTRIBUTIONS

### Employer's obligations concerning ZUS

Polish employers have the obligation to incur the costs of social security insurance to the Social Insurance Institution and are payers of contributions to the Social Insurance Institution and the National Health Fund.

The contributions for social insurance for employees and employers are calculated on the basis of the employee's gross income.

The employer is responsible for withholding and remitting the full amount of social security contributions (employee's share and employer's share) to the relevant authorities. The rates of social security contributions are:

Insurance	Employer	Employee
Retirement Pension	<b>9.76%</b>	<b>9.76%</b>
Disability	<b>6.5%</b>	<b>1.5%</b>
Sickness	Not applicable	<b>2.45%</b>
Work Accident	Between <b>0.65%</b> and <b>3.33%</b>	Not applicable
Health	Not applicable	<b>9.00%</b>
Labour Fund (LF)	<b>2.45%</b>	Not applicable
Fund of Guaranteed Employee Benefits (FGEB)	<b>0.10%</b>	Not applicable

The contribution calculation basis for the retirement and social security insurance in **2022** cannot exceed **177,660.00 PLN**.

### Social security in Poland

The social insurance system in Poland is universal and compulsory. Social insurance covers people who are, among others, employees, persons working on the basis of contracts of mandate or run a business activity.

#### NOTE:

- Social security in Poland covers the EU citizens on the same basis as Polish citizens.
- From 2022 onwards, it is not possible to deduct the health insurance contribution from the tax return.



## PENSION INSURANCE

### Pension insurance

The retirement and social security insurance aims to provide:

- payment of retirement benefits for persons who have reached the retirement age (retirement pension),
- payment of benefits in the event of inability to work due to sickness (disability pension).

The employer is the payer of due contributions to the Social Insurance Institution.

Pension is granted to women who are at least **60**, and men who are at least **65**. There is no minimum insurance period required for granting the pension.

Decisions about granting pensions are made by the Social Insurance Company's bodies which are of proper jurisdiction due to the place of living of the person who is applying for the benefit. The proceedings for granting pensions start after submitting the application by an applicant.

### ACCOUNTING & TAX ADVISORY FOR YOU!

If you have any questions regarding accounting, taxation, or other aspects of tax law in Poland, please contact our team of advisors.

### HR & PAYROLL



#### ANNA URBAN-KICKA

Head of HR & Payroll  
Senior Manager  
Dep.: Outsourcing HR  
Tax Advisory Office  
Location: Wrocław





## DISABILITY INSURANCE

Disability insurance guarantees cash benefits in the event of loss of the income resulting from the risk of disability (inability to work) or death of a breadwinner in a family.

In this case, those that have paid contributions to this insurance are granted disability pension for their incapacity to work, which is a substitute for remuneration or income.

In the event of the death of the insured person, members of his/her family may also be granted a family pension.

The disability insurance contribution equals **8%** of the contribution assessment basis, where **6.5%** comes from the employer's funds and **1.5%** from the funds of the employee.

### Disability pension for incapacity for work

Disability pension for incapacity for work can be granted to an insured person who fulfils all of the following conditions:

- Is considered a person who is partially or entirely unable to work,
- Has proven contributory and non-contributory periods,
- Inability to work started in the periods strictly set out in the Act.

A person who is entirely unable to work is a person who has lost the ability to perform any job.

A person who is partially unable to work is a person who to a considerable degree lost her ability to perform a job which is consistent with the level of that person's qualifications.

Inability to work and its level is assessed by a board certified occupational medicine physician from the Social Insurance Company as the first certifying instance. An applicant has the right to raise an appeal to the physician's opinion to the Social Insurance Company Medical Board - as the second certifying but also the final appeal instance.

### Family pension

Family pension is granted to entitled family members of the person who at the time of death:

- Had a fixed right to a pension, or fulfilled the conditions for obtaining it,
- Had an established right to a bridging pension,
- Had an established right to an inability to work pension, or fulfilled the conditions to receive it,
- They were on pre-retirement allowance,
- They were on pre-retirement benefit,
- They were receiving a teacher's compensation payment.



## SOCIAL SECURITY FOR INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

### Social security for industrial accidents and occupational diseases

Security for industrial accidents and occupational diseases covers, inter alia, employees, persons who work on the basis of contracts of mandate, and persons carrying out business activity.

Benefits in respect of accidents at work and occupational diseases may be granted to the insured person. They are:

- **Sickness benefit from accident insurance** - for the insured person, whose inability to work arose as a result of an accident at work or occupational disease,
- **Rehabilitation benefit** - is paid after the sickness benefit has finished, if the insured person is still unable to work, and further treatment or rehabilitation give them a chance to regain ability to work,
- **One-time compensation** - for an insured person whose health was damaged permanently or for a long period of time, or for the members of the family of a deceased insured person or a person who collected disability pension,
- **Disability pension for an industrial accident or occupational disease** - for an insured person who has become unable to work due to an industrial accident or an occupational disease,
- **Training allowance** - is granted to a person with reference to whom retraining was stated as appropriate due to the inability to work in a current profession because of an industrial accident or occupational disease,
- **Family pension** - for the family members of a deceased insured person or a person entitled to disability pension for an industrial accident or occupational disease and allowance to family pension - for an orphan.

The amount of the accident security premium varies from **0.67%** to **3.33%** of the basis of premium assessment. The accident security premium is entirely covered by the employer.



## SOCIAL SECURITY FOR SICKNESS AND MATERNITY

### Social security for sickness and maternity

Persons who are obligatorily insured for sickness and maternity are mainly employees. Persons covered by obligatory pension and disability pensions insurance, who, inter alia: work on the basis of an agency agreement or contract of mandate, carry out non-agricultural activity can also be insured, voluntarily, for sickness and maternity.

The amount of the sickness contribution is **2.45%** of the sum for the basis of contributions. The contribution is covered from the funds of the insured person.

### The following benefits are paid under the existing insurance cover in case of sickness and maternity:

#### Sickness benefit

Sickness benefit / sick pay is granted to the insured person who became sick during the period of sickness insurance. The right to sickness benefit falls due after the expiry of the so-called waiting period. A person who is obligatorily covered by sickness insurance is entitled to sickness benefit after **30 days** of continuous sickness insurance. A person who is covered by this insurance voluntarily, acquires the right to sickness benefit after the period of **90 days** of continuous sickness insurance.

The sickness benefit is granted to an insured person in the amount of **80%** of the basis of the assessment, and for the period of hospitalization: in the amount of **80%** of the benefit basis.

If the inability to work which was caused due to an accident on the way to or from work, started during pregnancy or concerns tissue, cell or organ donors, then the sickness benefit is paid in the amount of **100%** of the basis of assessment.

#### Rehabilitation benefit

The rehabilitation benefit is granted to an insured person who is no longer eligible to receive the sickness benefit, but is still unfit to work and a further rehabilitation or a treatment offers them a chance to resume work again. This benefit is granted for the time period necessary to enable the person concerned to regain the ability to work, but for no longer than a period of **12 months**.

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### Maternity allowance

Maternity allowance is granted to an insured woman who at the time of sickness security or at the time of a child care leave:

- gives birth to a child,
- takes a child up to 7 years of age for upbringing, and in the case of a child with regard to whom there was a decision about an adjournment of compulsory education - up to 10 years of age, and who started legal proceedings for adoption in the Guardianship Court,
- takes for upbringing, as surrogate parents, except for professional surrogate parents not related to the child, a child up to 7 years of age, and in the case of a child with regard to whom there was a decision about an adjournment of compulsory education - up to 10 years of age.

Maternity allowance is paid during maternity leave - for **20 weeks** in the case of the birth of one child. In the case of the birth of more than one child between **31-37 weeks**.

Parental leave is granted immediately after maternity leave.

Maternity allowance for the period specified in the Labour Code provisions as a period of parental leave is granted for up to:

- **32 weeks** - in the case of the birth of one child and for the adoption for upbringing and to apply to the guardianship court for instituting proceedings for adoption or acceptance of upbringing as a foster family with the exception of a professional foster family of one child up to the age of seven, and in the case of a child towards whom it was decided to postpone the compulsory schooling up to the age of ten,
- **34 weeks** - in the case of the birth during one delivery of two or more children and in the case of a simultaneous adoption for upbringing of two or more children.

The maternity allowance for the period corresponding to the period of parental leave can also be used by both parents at the same time, however, the total period of the leave enjoyed by both parents must not exceed **32 or 34 weeks**.

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### Attendance allowance

Attendance allowance is granted for the period of a special leave, when it is necessary to take care of a healthy child who is under 8, a sick child who is under 14 or any other sick member of the family.

Attendance allowance is granted for not more than **60 days** in a calendar year if a person takes care of a healthy child who is under **8** or a sick child who is under 14. If a person takes care of a sick child who is over 14 or any other sick member of a family, the allowance is granted for not more than **14 days**. The allowance is paid in the amount of **80%** of the basis of allowance assessment.

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## EMPLOYEE CAPITAL PLANS (PPK)

### Employee Capital Plans (PPK)

Employee Capital Plans (PPK) are a private system of long-term savings based on the co-operation between employees, employers and the state. PPK will apply to every person registered for mandatory pension insurance, i.e. all persons employed under employment contracts, civil law contributions, members of supervisory boards receiving remuneration - this also applies to foreigners.

### The Handling of the Employee Capital Plans Programme (PPK) Takes Place on the Following Basis:

Age of the employee	Rules for the Application of PPK
Under 18 years of age	Are excluded
18 to 55 years of age	Mandatory participation in the program, stepping out from the program is allowed.
55 to 70 years of age	Can voluntarily join the program
Over 70 years of age	Are excluded

The funds collected in PPK's account are private assets of the employee and are invested in securities (shares, bonds) of a defined date by a financial institution being subject to financial supervision by the The Polish Financial Supervision Authority (PFSA) (Polish: Komisja Nadzoru Finansowego (KNF)).

### The contributions structure looks as follows:

- **Employee's contribution:** the obligatory contribution amounts to **2%** of the gross salary, or **0.5% - 2%** of the salary when the employee earns less than **120%** of the minimum salary. Additionally, an employee may declare a voluntary contribution of up to **2%** of his or her salary.
- **State subsidies:** The Labour Fund finances a welcome payment of **PLN 250.00** and an annual subsidy of **PLN 240.00**. The welcome payment will be credited on the PPK participant's account after **3** full months of participation in the PPK, if the payments have been made for those months. The annual allowance will be paid to the employee's account no later than the 15th April of the following year. The condition for receiving the allowance is the amount of basic contributions calculated for a period of **6** months from the minimum wage. If the participant of the PPK receives a wage lower than **120%** of the minimum wage the annual subsidy will be **25%** of the indicated amount.
- **Employer's contributions:** the obligatory contribution amounts to **1.5%** of the employee's gross salary, while the additional voluntary contribution can be set up to **2.5%**. The additional payment may vary from the employer depending on the length of the employment period (management contract), or on the basis of the salary regulations.



## HEALTH INSURANCE CONTRIBUTION FROM BUSINESS ACTIVITY

### Business Activity

In 2022, changes were brought into force involving a modification of the method of calculating the health contribution from the salary and the non-deductibility of the health insurance contribution from the tax return.

The amount of the contribution is dependent on the chosen form of taxation.

For taxpayers:

- with a flat tax rate of **19%**:
  - » the contribution amounts to **4.9%** of the tax base (income).
  - » However, the contribution may not be lower than **9%** of the lowest remuneration (**PLN 270.00**).
- with the application of the tax scale:
  - » **9%** of the contribution base calculated on the income
- with lump sum on the recorded income:
  - » for income up to **PLN 60,000.00**:  
**9%** of the amount of **60%** of the average salary (**PLN 335.94**)
  - » for income ranging between **PLN 60,000.00** and **PLN 300,000.00**:  
**9%** of the amount of **100%** of the average salary (**PLN 559.89**)
  - » for income above **PLN 300,000.00**:  
**9%** of the amount of **180%** of the average salary salary (**PLN 1,007.81**)

### Board members

Contribution of board members / appointed managers: **9%** calculated on the income

### Shareholders of Partnerships

Contribution of shareholders of partnerships: **9%** of **100%** of the average salary (**559.89 PLN**)

PLEASE FEEL FREE TO CONTACT US:

If you have any questions regarding accounting, taxation, or other aspects of tax law in Poland, please contact our team of advisors.

e-mail: [office@getsix.pl](mailto:office@getsix.pl)  
tel.: +48 (71) 388 13 00



**ORTWIN-UWE JENTSCH**  
Head of Customer Relationships Department / Partner  
Tax consulting  
Localization: Warsaw



**ELŻBIETA NARON**  
Head of Customer Relationships Department / Senior Manager  
Tax consulting  
Localization: Wrocław



**MARTA ROGACKA**  
Senior Customer Relations Manager  
Tax consulting  
Localization: Poznań



**DOMINIK KEMPINSKI**  
Customer Relations Consultant  
Tax consulting  
Localization: Szczecin



### OUR LEADING OFFICES:

■ Wrocław  
ul. Zwycięska 45  
53-033 Wrocław  
Tel.: +48 71 388 13 00  
E-mail:  
[wroclaw@getsix.pl](mailto:wroclaw@getsix.pl)

■ Warszawa  
Sky Office Center  
ul. Rzymowskiego 31  
02-697 Warszawa  
Tel.: +48 22 336 77 00  
E-mail:  
[warszawa@getsix.pl](mailto:warszawa@getsix.pl)

■ Poznań  
ul. Wyspiańskiego 43  
60-751 Poznań  
Tel.: +48 61 668 34 00  
E-mail:  
[poznan@getsix.pl](mailto:poznan@getsix.pl)

■ Szczecin  
ul. Storrady Świętosławy 1a  
71-602 Szczecin  
Tel.: +48 91 351 86 02  
E-mail:  
[szczecin@getsix.pl](mailto:szczecin@getsix.pl)

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### **Wrocław**

ul. Zwycięska 45  
53-033 Wrocław  
Tel.: +48 71 388 13 00  
Fax: +48 71 388 13 10  
Claus Frank  
Monika Martynkiewicz-Frank  
E-mail: wroclaw@getsix.pl

### **Warszawa**

Sky Office Center  
ul. Rzymowskiego 31  
02-697 Warszawa  
Tel.: +48 22 336 77 00  
Fax: +48 22 336 77 10  
Ortwin-Uwe Hentsch  
E-mail: warszawa@getsix.pl

### **Berlin**

#### **- Representative Office**

Pariser Platz 4a  
D-10117 Berlin  
Deutschland  
Tel.: +49 30 208 481 200  
Fax: +49 30 208 481 210  
E-mail: berlin@getsix.de

### **Poznań**

ul. Wyspiańskiego 43  
60-751 Poznań  
Tel.: +48 61 668 34 00  
Fax: +48 61 668 34 10  
Roy Heynlein  
E-mail: poznan@getsix.pl

### **Szczecin**

ul. Storrady Świętosławy 1a  
71-602 Szczecin  
Tel.: +48 91 351 86 00  
Fax: +48 91 351 86 10  
Roy Heynlein  
E-mail: szczecin@getsix.pl

### **Düsseldorf**

#### **- Representative Office**

FOMACON Business Center  
Mörsebroicher Weg 191  
D-40470 Düsseldorf  
Deutschland  
Tel.: +49 211 972 670 00  
Fax: +49 211 972 670 10

## **GET IN TOUCH WITH US**

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