

# Your social security rights in Poland



#### **EUROPEAN COMMISSION**

Directorate-General for Employment, Social Affairs and Inclusion Directorate D: Social Rights and Inclusion Unit D.2: Social Protection

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Sometime in your life you may be in need of the support provided by social security benefits. If you are living in the country where you were born and satisfy the qualifying conditions, you will be entitled to receive support. But you also have the right to receive benefits if you are a national of any EU country and move to another part of the EU. The information below sets out when you are eligible for benefits, what you are entitled to and how to go about claiming it.

### Contents

FAMILY	6
Family benefits	7
Parenthood	11
HEALTH	15
Healthcare	16
Benefits for caregivers	18
Benefits for long-term care	21
Health cash benefits	24
INCAPACITY	29
Disability benefits	30
Accidents at work and occupational disease	33
OLD-AGE AND SURVIVORS	36
Retirement pensions	37
Survivor's benefits	39
SOCIAL ASSISTANCE	43
Social assistance benefits	44
UNEMPLOYMENT	47
Unemployment benefits	48
MOVING ABROAD	51
Previous coverage abroad can count	52
MAIN RESIDENCE	55
Place of residence	56

# Family

# **Family benefits**

This section describes the family benefits to which a family is entitled from the birth of a child to the time when it reaches adulthood.

The benefits described are:

- Family allowance and supplements (zasiłek rodzinny i dodatki)
- **One-off childbirth grant** (*jednorazowa zapomoga z tytułu urodzenia się dziecka*)
- Parental benefit (świadczenie rodzicielskie)
- **Benefit for bringing up a child,** so-called 500 Plus (*świadczenie wychowawcze,* 500 Plus)
- The one-off benefit from the Law on support for pregnant women and their families "For life" (Jednorazowe świadczenie z ustawy o wsparciu kobiet w ciąży i rodzin "Za życiem")
- **Benefit "Good start"**, so-called 300 Plus (*Świadczenie* "*Dobry Start"*, 300 Plus)
- Family Care Capital (Rodzinny Kapitał Opiekuńczy RKO)

#### Under what circumstances am I entitled to benefits?

**Family allowances** are awarded to families or individuals who are studying and whose income per capita does not cross a certain threshold.

The aim of the family allowance is to partially cover the expenses of supporting a child.

It is awarded from the birth of the child until their 18th year, or, if they are still studying, until they are 21.

There is one exception to the above rule: the age limit for children is extended to 24 if they continue schooling and it is proven by legal decision that they have a moderate or severe disability.

**One-off childbirth grants** are paid for the birth of a live child.

**Parental benefits** are paid for the birth of a child.

**Benefits for bringing up a child** are paid for parents and guardians of children up to 18.

The one-off benefit from the Law on support for pregnant women and their families "For life" is paid for parents and guardians of a child who was diagnosed with a severe and irreversible disability or an untreatable life-threatening illness, which originated in the period of prenatal development of the child or during labour, paid up to 12 months from the date of labour.

**Benefit "Good start"** is paid once a year for every child starting their school year until they reach the age of 20 (24 for disabled children).

**Family Care Capital** is granted for the second and subsequent children between 12 and 36 months.

You can read in the "Parenthood" section about maternity and paternity benefits payable irrespective of the family's income.

#### What conditions need to be met?

**Family allowances** and supplements are granted to parents (or to one of them), guardians, and to children who are no longer minors and are studying but are not their parents' dependents (e.g., in cases of death of the parents).

In addition, income may not exceed the threshold of the so-called <u>income criterion</u>, which means that the income of a family (or the income of a person studying) applying for the benefit cannot be higher than:

per person in the family

PLN 674 net monthly

per person if one of the family members is a disabled child PLN 764 net monthly

As from 1 January 2016, a new mechanism is applied. It is called <u>"zloty for zloty"</u>. This enables families with income a little above the income threshold to receive some allowance. Specifically, the amount of the benefits payable is reduced by the amount by which family income exceeds the income threshold. If, for example, income exceeds the threshold by PLN 100, then this is deducted from the allowance which would otherwise be payable.

Family allowance may be claimed by people living in Poland throughout the period for which the benefits are received.

It can be increased by the following supplements:

- childbirth lump-sum (dodatek z tytułu urodzenia się dziecka) (a different benefit to the one-time childbirth grant);
- **child-raising supplement during child-raising leave** (*dodatek z tytułu opieki nad dzieckiem w okresie korzystania z urlopu wychowawczego*): is awarded to people who had been employed for at least 6 months before acquiring the right to parental leave and who take leave to care for children for 24 months (36 months in case of more than one child born on one confinement or a single parent and 72 months if child is disabled) after the end of Maternity leave and Parental leave;
- **child-raising supplement for alone parents** (*dodatek z tytułu samotnego wychowywania dziecka*): paid to single mothers, single fathers and guardians. Supplements are also provided to those in study if neither parent is alive;
- **large family supplement** (*dodatek z tytułu wychowywania dziecka w rodzinie wielodzietnej*): paid for the third and every subsequent child in the family;
- **training and rehabilitation of disabled child supplement** (*dodatek z tytułu kształcenia i rehabilitacji dziecka niepełnosprawnego*): paid to cover the increased costs for the rehabilitation or education of children with disabilities;
- **commencement of a school year supplement** (*dodatek z tytułu rozpoczęcia roku szkolnego*): paid at the beginning of each academic year;
- child education away from the place of residence supplement (*dodatek z tytułu podjęcia przez dziecko nauki poza miejscem zamieszkania*): paid for 10 months of the year.

An <u>one-off childbirth grant</u> is awarded to the parent or guardian, provided that the family's income is not more than PLN 1,922 net per person in the family.

The grant is awarded if the mother of the child had remained in medical care during her pregnancy for no more than 10 weeks from the day of the birth.

**Parental benefit** is granted to parents who are not insured and do not receive Maternity allowance (students, farmers, those on fixed-term or other atypical types of contract) for a year (52 weeks) for a single birth (see Parenthood). It can be extended up to 65 weeks for birth of two children, 67 for three children, 69 for four children and 71 for five and more children.

**Benefit for bringing up a child** is granted from 1 April 2016 on the basis of Family 500 Plus (500+) Programme. The programme constitutes systemic support for Polish families.

Support is available for parents and guardians of children up to 18. A family with children can receive benefits for each child regardless of income.

The benefit is paid regardless of the marital status of the parents. It is paid to families where parents are married, single parents and parents in informal relationships. In the case of divorced parents, the benefit is paid to the parent who actually takes care of the child.

The one-off benefit from the Law on support for pregnant women and their families "For life" is granted to the parent or guardian of a child for the birth of a child

who was diagnosed with a severe and irreversible disability or an untreatable lifethreatening illness, which originated in the period of prenatal development of the child or during labour.

**Benefit "Good start"** is an annual lump-sum of PLN 300 net per child, granted once a year for every child starting their school year until they reach the age 20 (24 for disabled children). The benefit is not means-tested.

**Family Care Capital** is granted up to a total amount of PLN 12,000 for child and it is not means-tested. The monthly amount is chosen by the parent, i.e., it may be either PLN 500 per month for two years or PLN 1,000 per month for one year. The monthly amount of the benefit can be changed only once. In the case of divorced parents, having joint custody of a child, each parent can receive half of this amount.

#### What are my entitlements and where can I apply for the benefits?

#### Family allowance

The amount of the family allowance:

for a child up to 5 years of age	PLN 95 /month
for a child aged 5-18	PLN 124 /month
for a child aged 18-24	PLN 135 /month

In addition to the family allowance, supplements may be granted:

Childbirth lump-sum	a one-off payment of PLN 1,000
Child raising supplement during child-raising leave	PLN 400 per month
Supplement for a raising a child alone	PLN 193 monthly per child (never more than PLN 386 for all children)
Supplement for raising a child alone if the child is recognised by decision of the court as disabled or severely disabled	PLN 273 monthly per child (no more than PLN 546 for all children)
Large family supplement	PLN 95 per month
<u>Training and rehabilitation of disabled child supplement</u> for children up to 5 years of age	PLN 90 monthly per child
<u>Training and rehabilitation of disabled child supplement</u> for children between 5 and 24 years of age	PLN 110 monthly per child
Commencement of a school year supplement	PLN 100 per year per child
Child education out of the place of residence supplement	PLN 69 monthly per child
<u>Child education out of the place of residence supplement</u> - if the child used to live in the municipality in which the school is located	PLN 113 monthly per child

Family benefits also encompass care benefits:

- <u>medical care allowances</u> (*zasiłek pielęgnacyjny*) are recognised for children with disabilities and young people unable to live independently;
- <u>nursing benefit</u> (*świadczenie pielęgnacyjne*) paid to people looking after a child and compelled to resign from work for this purpose;
- <u>special attendance allowance</u> (*specjalny zasiłek opiekuńczy*) and caregiver allowance (*zasiłek dla opiekuna*) paid to those who have to provide continuous care to someone disabled if they have to give up employment to do so.

#### The one-off childbirth grant

Amount of the one-off childbirth grant a one-off payment of PLN 1,000

Applications for one-off childbirth grant must be submitted within 12 months after the child's birth.

#### The parental benefit

Amount of the parental benefit PLN 1,000 monthly

Parental benefit does not depend on meeting the income criteria.

#### The benefit for bringing up a child (500 Plus)

Amount of the benefit for bringing up a child PLN 500 monthly

Benefit for bringing up a child does not depend on meeting the income criteria.

The one-off benefit from the Law on support for pregnant women and their families "For life" – PLN 4,000.

Benefit "Good start" - PLN 300.

**Family Care Capital** – PLN 500 per month for two years or PLN 1,000 per month for one year.

All family benefits in Poland are exempted from income tax.

Applications for family benefits must be submitted at the regional office of the social welfare centre, and in certain cases (e.g., in Warsaw), at the district office.

In case of the benefit "Good Start" (300 Plus), Benefit for bringing up a child (500 Plus) and Family Care Capital, applications must be submitted at the Social Insurance Institute (ZUS) online via the <u>Platform of Electronic Services (PUE) of ZUS</u> or <u>Emp@tia portal of the Ministry of Family and Social Policy</u> or e-banking.

#### **Documents to be completed**

- Application forms to obtain family benefits and supplements
- Application for one-off childbirth grant
- Application for parental benefit
- Application for benefit for bringing up a child
- <u>Application for the one-off benefit from the Law on support for pregnant women</u> <u>and their families "For life"</u>
- <u>Application for the benefit "Good start"</u>
- Instructions for registering an application for Family Care capital

#### **Know your rights**

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- Granting of family benefit <u>step-by-step description of the procedure on the website</u> <u>of the City of Warsaw.</u>
- Description of supplements to the family allowance
- Granting of the one-off child birth grant <u>step-by-step description of the procedure</u> on the website of the City of Warsaw
- Granting of the parental benefit <u>step-by-step description of the procedure on the</u> website of the City of Warsaw

- Granting of the benefit for bringing up a child (500 Plus) <u>step-by-step explanations</u> on the website of the Ministry of Family and Social Policy
- <u>"For life" informant</u>
- Benefit "Good start" <u>basic information</u>
- Family Care Capital <u>basic information</u>
- Family Care Capital leaflet

European Commission websites and publications:

• Family benefits: your rights abroad as EU residents

#### Who do I contact?

#### **Ministry of Family and Social Policy - Family Policy Department**

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel. +48 538117230 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

### Parenthood

In this section, we describe all the benefits which are awarded to parents related to the birth of a child or the managing of a child's upbringing up to 7 years of age. There are 3 kinds of leave and paid benefits available during this period.

The benefits described are:

- Maternity allowance and leave (zasiłek i urlop macierzyński)
- **Parental allowance and leave** (*zasiłek i urlop rodzicielski*)
- paternity allowance and leave (zasiłek i urlop ojcowski)

#### Under what circumstances am I entitled to benefits?

Benefits for the birth of a child are awarded to people with sickness insurance, which is obligatory for all workers in Poland. It is also possible to take out voluntary insurance.

**Maternity allowance and leave** are granted to the mother of a child and she may transfer her share to the father, on the condition that most of it is enjoyed by the mother. The child's father is entitled to the full maternity allowance when the mother has died or abandoned the child.

**Parental allowance and leave** is granted to both parents in a maximum of four parts, so that the parents may take leave at the same time or in turns.

**Paternity allowance and leave** is granted to an insured father of a child and is independent of the mother's leave.

#### What conditions need to be met?

<u>Maternity allowance and leave</u> are granted to the mother of a child but she may give part of it to the father on the condition that most of the leave has been used previously.

The child's father is entitled to the full maternity allowance in cases where the mother has died or abandoned the child.

Maternity allowance is granted to an insured person who has:

- had a baby;
- adopted a child of up to 7 years of age;
- taken in a child of up to 7 years' old to raise them in a stepfamily.

**Parental allowance and leave** may start once the maternity leave ends. Both parents are granted it in a maximum of four consecutive parts which last for at least 8 weeks. The parents may take leave at the same time or in turns.

A written application for parental leave for a mother or father must also be submitted 21 days in advance.

Parental leave may be combined with, at most, half-time work for the employer granting the leave.

**Paternity allowance and leave** are independent from maternity leave and are granted entirely to the child's father. It can be taken at once or divided into two parts.

Paternity leave may be enjoyed until the child reaches 2 years. If not used, the benefit is forfeited.

If the income per capita in a family with a child does not exceed a certain threshold (the so-called income criterion), the family may be entitled to a family allowance and a one-off childbirth grant. You can read more on this topic in "Family benefits".

#### What am I entitled to and how do I apply?

#### Length of leave

The length of maternity leave depends on the number of children born during one birth:

the birth of each child	20 weeks (at least 14 weeks after the birth only for the mother; the rest may be allocated to the father)
birth of a second child	31 weeks
birth of a third child	33 weeks
birth of a fourth child	35 weeks
birth of a fifth and further children	37 weeks

6 weeks of maternity leave may come before the due date of the birth. The remaining part may be used following the birth.

Length of remaining leave:

parental leave	32 weeks in case of single birth and 34 weeks in case of a multiple birth (for the mother or father)
paternity leave	2 weeks (for the father; may be used irrespective of the maternal leave, i.e. at the same time for example)

#### Amount of the benefits

The amount of the benefits associated with births is calculated as the average monthly wage paid over the 12 months preceding the leave. The amount of benefits paid is at a flat rate:

maternity allowance	100% of the average
parental allowance	100% of the average for the first 6 weeks of parental leave and 60% of the average for following weeks

paternity	100% of the average
allowance	

Benefits are granted on the basis of a certificate of the due date (for the period before the birth) and the abridged deduction of the child's birth record (by the period from the day of birth).

The appropriate documents must be submitted to the relevant branch office of the Social Insurance Institute (ZUS) for that location. If you work in a company employing over 20 people, documents must be submitted to the employer.

#### Documents to be completed

- Certificate ZUS Z-3 if you are a worker
- Certificate <u>ZUS Z-3b</u> if you manage a company
- Certificate <u>ZUS Z-3a</u> for other insured persons

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- The government website describes the benefits granted to a family: <u>https://rodzina.gov.pl/</u>
- Contact form on the page of the Ministry of Family and Social Policy devoted to the family: <u>https://www.gov.pl/web/rodzina/dane-kontaktowe</u>
- Claiming maternity benefit for the birth of a child <u>necessary documents</u>
- Application for a birth certificate guidance on the website of Warsaw City Hall
- <u>Maternity allowance</u> leaflet of Social Insurance Institute (ZUS) in English

European Commission websites and publications:

• Welfare benefits: your rights abroad as EU residents

#### Who do I contact?

Ministry of Family and Social Policy - Department on Labour Law (in relation to the right to leave) ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117320 Internet: www.gov.pl/rodzina Email: info@mrips.gov.pl

#### Ministry of Family and Social Policy - Department of Social Insurance (in relation

to the right to allowance) ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117390 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

#### Social Insurance Institute (ZUS) – Headquarters

ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### ZUS call centre

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: zus\_centrum\_obslugi\_tel Email address for general enquiries: cot@zus.pl

Search engine of ZUS offices by place name or municipality and postcode

# Health

### Healthcare

In this section, you will learn what health insurance encompasses in Poland and how to claim medical assistance if you live in Poland or are there temporarily.

#### Under what circumstances am I entitled to benefits?

Everyone covered by health insurance is eligible for free healthcare benefits in Poland.

All people staying in Poland temporarily, residents of European Union countries and the European Economic Area are entitled to these benefits. They only need to have health insurance in their country and have the appropriate documents.

The institution which issues and finances health benefits in Poland is the <u>National Health</u> <u>Fund</u> (later in the Jargon busters).

#### What conditions need to be met?

<u>The right to enjoy free healthcare benefits</u> is provided to a very large number of groups in society. These include workers, children, students, pensioners, the unemployed and the self-employed.

The right to healthcare benefits is attained when applying for health provision, for which an institution sends a contribution, e.g., an employer or university. The exceptions are the self-employed, who have to declare themselves for insurance.

In addition, each insured person must declare the health provision of their family members who are not entitled to health insurance in another way (e.g., with children). They gain the right to health benefits according to the same principles as an insured person.

You can also apply voluntarily for health insurance.

#### What am I entitled to and how do I apply?

Each insured person has the right to free benefits from all doctor's surgeries and institutions which have a signed contract with the National Health Fund. Among these are:

- General practitioners;
- **Specialist doctors,** after a consultation with a general practitioner. It is possible to go to the following specialists without a consultation: gynaecologist, obstetrician, dentist, venereologist, oncologist, and psychiatrist. Consultations are not required in cases of serious threat to one's health or life;
- **Hospitals**, GP surgeries, guidance centres, health centres. In the event of hospitalisation, all treatments, examinations and medicines are free;
- **Private surgeries** which have signed contracts with the National Health Fund. Before your visit, you should check whether the services which you want to use in the surgery are provided under the agreement with the health fund;
- **Dentists**: it should be recalled that dentistry treatment under the insurance is extremely limited. <u>At this link</u> you can check which dentistry services are available to you under the health insurance.

#### Medicines

A few medicines in Poland are partly refundable through the National Health Fund. You can read on the pages of the Ministry of Health about <u>grounds for reimbursement</u> and consult the list of refundable medicines. If the medicine prescribed to you is not on the list, you must pay 100% of the market price.

In Poland, pharmacies have an obligation to inform customers whether it is possible to exchange a prescribed medicine against a cheaper equivalent, i.e., one at the same pharmacy or for a lower price. There is also a special hotline of the Ministry of Health which

you can call to ask whether prescribed medicines have a cheaper equivalent (look in the "Who do I contact?" section).

During hospitalisation, all medicines are free.

#### Confirmation of the right to benefits

Residents in Poland may <u>confirm their right to healthcare benefits</u> electronically (giving their PESEL number) using a document confirming health insurance coverage (e.g., that a pension is legitimate) or submit a declaration that they are entitled to insurance.

Residents in the European Union are accorded the same right to healthcare benefits as a resident in Poland. The only condition is to demonstrate that you have the right to healthcare in your country. It is therefore important to have your <u>European Union Health</u><u>Insurance Card</u> on you.

#### Jargon busters

**PESEL number** - 11-digit identification number in Poland. The process of providing a PESEL number for each person registered in Poland for at least 3 months is initiated automatically.

**National Health Fund (NFZ)** manages the healthcare system in Poland. It signs contracts with doctors and healthcare benefit offices as part of the overall healthcare system. The National Health Fund finances the benefits and also covers the costs for refunding medicines.

#### Documents to be completed

- Certificate ZUS ZZA for workers or self-employed persons
- Certificate <u>ZUS ZCNA</u> for family members of workers or self-employed persons

#### **Know your rights**

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- <u>Description of the healthcare system in Poland on the website of the Ministry of Health</u>
- Guide to patients' rights on the website of the National Health Fund
- <u>Step-by-step</u> guide to patients on the website of the National Health Fund

European Commission websites and publications:

• <u>http://ec.europa.eu/social/main.jsp?catId=849&langId=pl</u>

#### Who do I contact?

#### National Health Fund – Headquarters

ul. Rakowiecka 26/30 02-528 Warsaw Internet: <u>http://www.nfz.gov.pl</u> Email: <u>kancelariaelektroniczna@nfz.gov.pl</u> National Health Fund hotline (available24/7): 800190590, from abroad: +48221256600

#### **Ministry of Health**

ul. Miodowa 15 00-952 Warsaw Internet: <u>www.gov.pl/zdrowie</u> Email: <u>kancelaria@mz.gov.pl</u> Ministry of Health hotline (available from 8.15 a.m. to 4.15 p.m.): +48222500146 Office of the Ombudsman of Patients' Rights ul. Młynarska 46 01-171 Warsaw Tel.: +48 225328250 Internet: <u>www.gov.pl/rpp</u> Email: <u>kancelaria@rpp.gov.pl</u> <u>Ombudsman of Patients' Right question form</u> Free hotline of the Office of the Ombudsman of Patients' Rights (available on weekdays from 8 a.m. to 6 p.m. from 8 a.m. to 4 p.m.): 800190590

### **Benefits for caregivers**

In this section, you will read about the benefits which you may be granted if you have resigned from work to look after a person with disabilities.

The benefits described are:

- Nursing benefit (świadczenie pielęgnacyjne)
- Special attendance allowance (specjalny zasiłek opiekuńczy)
- Caregiver allowance (zasiłek dla opiekuna)

#### Under what circumstances am I entitled to benefits?

**Nursing benefit** is paid to individuals looking after children with disabilities and compelled to resign from work in order to provide the care. Every caregiver is entitled to this benefit, irrespective of the family's income.

Individuals who register for nursing benefits and have low incomes below the established threshold may also be granted a supplement for the child's education and rehabilitation. Read more on this topic in "Family benefits".

**Special attendance allowance** is a benefit for those caring for children or adults with disabilities. For this benefit, the size of the income of the family providing the care is taken into account as well as of the individual requiring the support. The income may not exceed a specific amount.

**Caregiver allowance** is a benefit for those caring for children or adults with disabilities and from 1 July 2013 by virtue of the law have lost their right to the nursing benefit (*świadczenie pielęgnacyjne*) and not meet the income criterion for special attendance allowance (*specjalny zasiłek opiekuńczy*).

You can read more on benefits granted to people with disabilities in the "Benefits for long-term care" chapter.

You can read about benefits for workers who have lost the ability to work in the "Disability pensions" chapter.

#### What conditions need to be met?

**Nursing benefit** is paid to a child's mother, father or the registered guardian or to another person who has custody, i.e., the obligation to support the child or other relatives.

Nursing benefit is granted when a person in need of care becomes disabled before reaching 18 years of age or while in schooling or in upper education (but not older than 25 years of age).

Furthermore, the child is required to meet one of the following conditions:

- be in possession of a ruling on their disability which indicates the need for permanent or long-term care or for assistance from another person;
- be in possession of a ruling on the severity of the disability.

A ruling on disability is issued by a disability assessment board, which is appointed at social welfare centres.

The benefit is granted without time limit. An exception is a situation in which the disability ruling or assessment on the degree of disability has been issued for a limited time period. In this case, the entitlement to nursing benefits has been set until the final day of the month in which the ruling becomes invalid.

When receiving benefits, the caregiver may not have other sources of income, e.g., collect a pension or other similar benefits.

**Special attendance allowance** is a benefit for caregivers of children or adults with disabilities. It is awarded to caregivers if they resign from employment or other gainful employment with the aim of providing permanent care to a person who has been legitimised through one of the following rulings:

- by a ruling on the severity of the disability;
- by a ruling on the disability indicating the need for permanent or long-term care or assistance for another person in connection with a severely restricted ability to live an independent existence.

A special attendance allowance is granted when the net aggregate income of the family providing care and the family of the person needing assistance is lower than PLN 764 per person per month.

The special attendance allowance cannot be claimed in combination with other benefits, including pension and nursing benefits.

<u>Caregiver allowance</u> is a benefit for caregivers of children or adults with disabilities. It is awarded to caregivers if they resign from employment or other gainful employment with the aim of providing permanent care to a person who has been legitimised by:

- a decision on the severity of the disability;
- a ruling on the disability indicating the need for permanent or long-term care or assistance for another person in connection with a severely restricted ability to live an independent existence;
- and from 1 July 2013 by virtue of the law have lost their right to the nursing benefit and not meet the income criterion for special attendance allowance.

The benefit is granted without time limit. An exception is a situation in which the disability ruling or assessment on the degree of disability has been issued for a limited time period. In this case, the entitlement to allowance for caregiver has been set until the final day of the month in which the ruling becomes invalid.

The caregiver allowance cannot be claimed in combination with other benefits, including pension and nursing benefits.

#### What are my entitlements and where can I apply for the benefits?

#### **Nursing benefit**

Nursing benefits are paid irrespective of the family income.

The amount of the nursing benefit (status as at 1 January 2023) PLN 2,458 per month

People who receive nursing benefits are covered for old-age pension insurance, disability pensions insurance and health insurance.

An application for benefits must be submitted at the regional office of the social welfare centre and in some cases (<u>e.g., in Warsaw</u>) at the district office.

#### Special attendance allowance

Special attendance allowance is granted when the net aggregate incomes of a family providing care and the family requiring care are less than PLN 764 per person.

The level of the special attendance allowance PLN 620 per month

In addition, individuals receiving benefits are covered for contributions to health insurance, old-age pension and disability pension insurance.

The application for benefits must be submitted, as in the case of the nursing benefit, at the regional office of the social welfare centre and in some cases (<u>e.g., in Warsaw</u>) at the district office.

The allowance is granted for one year. To extend it for another year, the application for benefit must be resubmitted.

Caregiver allowance is granted regardless of family income.

#### The level of the caregiver allowance - PLN 620 per month.

In addition, individuals receiving allowance are covered for contributions to health insurance, old-age pension and disability pension insurance. An application for benefits must be submitted at the regional office of the social welfare centre and, in some cases (e.g., in Warsaw) at the district office.

#### **Documents to be completed**

- <u>Application form for the right to nursing benefits</u>
- Example of a completed application to determine the right to nursing benefit
- An application form for special attendance allowance
- <u>An application form for allowance for caregiver</u>

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- Nursing benefit description of the application procedure
- Ministry of Family, Labour and Social Policy description of nursing benefit
- Special attendance allowance description of the application procedure
- <u>Caregiver allowance description of the application procedure</u>

European Commission websites and publications:

• <u>Welfare benefits: your rights abroad as EU residents</u>

#### Who do I contact?

#### **Ministry of Family and Social Policy - Family Policy Department**

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel. +48 22 538117230 Email: <u>info@mrips.gov.pl</u> Internet: <u>www.gov.pl/rodzina</u>

## **Benefits for long-term care**

In this section, we describe what benefits are payable to people with restricted ability to live independently or who are entirely unfit for work.

The benefits described are:

- **Social pension** (*renta socjalna*)
- Medical care allowance (zasiłek pielęgnacyjny)
- **Medical care supplement** (dodatek pielęgnacyjny)
- **Supplementary benefit for persons unable to live independently** (*świadczenie uzupełniające dla osób niezdolnych do samodzielnej egzystencji*)

#### Under what circumstances am I entitled to benefits?

Individuals may apply for a **social pension** if they have reached the age of 18 and are recognised to be entirely unfit for work owing to physical disabilities which occurred:

- before they were 18;
- during schooling or study (but before 25 years of age);
- during doctorate studies.

A social pension is granted to people living in Poland.

**Medical care allowance** is granted to children with disabilities, young people with severe disabilities and the elderly.

**Medical care supplement** is in addition to a retirement pension or other pension and partially covers the costs of the restricted ability to have an independent life for people with disabilities and people over 75 (it cannot be applied for in combination with medical care allowance).

**Supplementary benefit for persons unable to live independently** is granted to persons who are unable to live independently due to the functional limitations caused by significant impairments and incur excessive costs related to their daily existence.

You can read about pensions for workers who have lost the ability to work in the "Disability pensions".

If you are looking for information on benefits for caregivers of children or adults with disabilities, look at the "Benefits for caregivers".

#### What conditions need to be met?

**Social pension**: individuals of legal age (18 years' old) may apply for it if they are recognised to be entirely unfit for work owing to physical disabilities.

A person's right to a social pension is suspended if, in a given month, they have received income of 70% of the average monthly salary for the previous quarter. This income includes other benefits and allowances, as well as, for example, income from house rental.

<u>Medical care allowance</u> is granted to children with disabilities, young people with severe disabilities and the elderly.

The following are entitled to medical care allowance:

- children up to 16 with disabilities;
- people over 16 with a court decision recognising their severe disability, or else their moderate disability, if the disability occurred before they reached 21 years of age;
- people over 75.

<u>Medical care supplement</u> is a supplement to an old-age pension or other pensions, and partially covers the costs of the restricted ability to have an independent life.

To be entitled to this supplement, an individual must be eligible to apply for an old-age pension or other pensions and must meet one of the following conditions:

- be recognised as entirely unfit to work and have an independent life;
- be over 75 years of age.

People requiring long-term care and in a difficult financial situation may also receive financial support under the social welfare system.

**Supplementary benefit for persons unable to live independently** is granted if the following conditions are fulfilled:

- being at least 18 years old;
- holding a disability certificate stating that the person is unable to live independently;
- not receiving pre-existing social benefits financed from public funds or receiving benefits for a total amount not exceeding PLN 1,896.13;
- being resident in Poland.

#### What am I entitled to and how do I apply?

#### **Social pension**

A social pension is granted at a fixed amount corresponding to 100% of the minimum disability pension.

The social pension level (status as at 1 March 2022) PLN 1,338.44 per month

An advance income tax payment is deducted from the pension as well as health insurance contributions.

A ZUS-certified doctor establishes the complete incapacity to work and the period it is forecast to last. Complete incapacity to work refers to a person who has lost the ability to carry out any form of work.

#### Medical care allowance

Medical care allowance level PLN 215.84 per month

The medical care allowance is paid irrespective of the family's income.

To apply for the allowance, an application must be sent to the local social welfare centre, as well as documents certifying the disability.

#### Medical care supplement

Medical care supplement level (status as at March 2022) PLN 256.44 per month

The medical care supplement amount is not taxed. It is paid irrespective of the family income.

The medical care supplement is assigned automatically to individuals of at least 75 years of age.

In other cases, the appropriate doctor's certificate must be submitted to an office of the Social Insurance Institute (ZUS).

#### Supplementary benefit for persons unable to live independently

The maximum amount equals PLN 500 per month. If receiving other social benefits, the total cumulated amount cannot not exceed PLN 1,896.13 per month.

#### Jargon busters

**Social welfare centres** are local institutions performing social welfare tasks, e.g., entitlements for social welfare support. The centres are in every municipality.

#### **Documents to be completed**

- Social pension
- Medical care allowance provision, step-by-step guide and form
- Medical care supplement, basic information
- Supplementary benefit for persons unable to live independently
- <u>Supplementary benefit for persons unable to live independently –</u> <u>application form ESUN</u>

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- Social pension basic details on the ZUS website
- A detailed description of the procedure for awarding benefits through ZUS

European Commission websites and publications:

Welfare benefits: your rights abroad as EU residents

#### Who do I contact?

Ministry of Family and Social Policy - Department of Social Insurance (in relation to the social pension, medical care supplement and supplementary benefit for persons unable to live independently) ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117390 Internet: www.gov.pl/rodzina Email: info@mrips.gov.pl

**Ministry of Family and Social Policy - Family Policy Department** (in relation to the medical care allowance)

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel. +48 22 539117230 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

Social Insurance Institute (ZUS) – Headquarters (in relation to the social pension, medical care supplement and supplementary benefit for persons unable to live independently) ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: <u>zus centrum obslugi tel</u> Email address for general enquiries: <u>cot@zus.pl</u>

Search engine of ZUS offices by place name or municipality and postcode

# Health cash benefits

In this section, we describe all the cash benefits granted to you in the event of illness and rehabilitation. You can also read about the allowance you receive if you are compelled to look after a child or a sick family member.

The benefits described are:

- **Sickness allowance and sick pay** (*zasiłek chorobowy i wynagrodzenie chorobowe*)
- Rehabilitation benefit (świadczenie rehabilitacyjne)
- **Compensation allowance** (*zasiłek wyrównawczy*)
- **Caregiver allowance** (*zasiłek opiekuńczy*)

#### Under what circumstances am I entitled to benefits?

All workers are covered by compulsory sickness insurance. Other persons may also apply for voluntary insurance (e.g., self-employed or person working based on civil-low contracts).

**Sick pay or sickness allowance** is granted to insured persons for each day of illness during which they are unfit for work.

**Rehabilitation benefit** is granted to insured persons who, following the coverage period of the sickness allowance, are still unfit for work, but further treatment or rehabilitation would help them recover fitness for work.

**Compensation allowance** may be received by a worker who is in rehabilitation and is only partially fit to work and the employer has consequently lowered their wages.

**Caregiver's allowance** is granted to people who need to stop working for a certain period of time in order to look after a sick family member or child (or a healthy one).

Maternity allowance is also paid as part of sickness insurance - for more information, see the "Parenthood" section.

#### What conditions need to be met?

**Sickness allowance and sick pay:** People covered by compulsory insurance (e.g., workers) gain the right to these benefits 30 days after they receive insurance (called the qualifying period). For individuals who have voluntary insurance, the qualifying period extends to 90 days.

In some cases, the sickness allowance and sick pay are payable from the first day of the insurance. This affects, among other things:

- school or upper education graduates who signed up for health cash insurance within 90 days of finishing school;
- insured persons who have had an accident on the way to or from work;

• persons who have been compulsorily insured for at least 10 years (does not concern those insured voluntarily).

**Rehabilitation benefit** is granted to people who are still unfit for work after a period receiving sickness allowance.

It can be claimed for 12 months at most. People who are entitled to claim other benefits, including old-age pension, invalidity pension, unemployment benefit and early retirement benefits, shall not be granted this benefit.

A ZUS-certified doctor assesses whether someone is to receive a rehabilitation benefit (see the Jargon busters).

<u>Compensation allowance</u> is granted exclusively to workers whose remuneration has decreased following professional rehabilitation, so that they may adapt or retrain for a specific job.

The decision about who should undergo rehabilitation is taken by a certified doctor in a local medical centre or, as with the awarding of rehabilitation benefits, by a ZUS-certified doctor.

<u>Caregiver allowance</u> is granted to insured person who are dismissed from work because they must look after a healthy child of up to 8 years of age, a sick child of up to 14, or a sick family member.

Caregiver allowance is granted to people looking after:

- a spouse;
- parents or parents-in-law;
- grandparents or grandchildren;
- siblings;
- children up to 14 years of age;
- one's own children or those of a spouse, as well as other children raised and supported by the insured person or his/her spouse.

Caregiver allowance is granted to you on the condition that you are the only person in the household able to look after the child or other family member. That principle does not apply when looking after a sick child of up to two years of age.

#### What am I entitled to and how do I apply?

Sickness allowance and sick pay:

- **Sick pay** is disbursed by the employer and granted to an employee for the first 33 days of the illness in the calendar year (or 14 days if the worker is 50 or over).
- **Sickness allowance** is paid by the Social Insurance Institute (ZUS) and granted to a worker after a period covering their sick pay has expired, i.e. from the 34th day of their incapacity to work during the year (or the 15th day if the worker is 50 or over).

Both benefits are granted for each day of incapacity for work, including days on which leave has been granted. For each day of illness, 1/30 of the monthly wage is granted.

People with **voluntary sickness insurance** are entitled to the benefit from the first day of the illness (they are not entitled to sick pay).

Sickness allowance is paid for the entire period of incapacity for work, but no longer than 182 days; if the incapacity for work was caused by tuberculosis or occurs during pregnancy, then for no more than 270 days.

The amount of the sickness allowance and sick pay is, in most cases, the same and depends, among other things, on the reason for the incapacity.

Reasons for incapacity for work	Amount of sickness allowance and sick pay	
illness or accident (unconnected with work)	80% of wages	
illness or accident requiring hospitalisation	80% of wages (80% in the case of sickness allowance)	
work-related accident	100% of wages	
accident on the way to or from work	100% of wages	
occupational disease	100% of wages	
illness or accident during pregnancy	100% of wages	
situation connected with being an organ donor	100% of wages	

The amount of the benefits is calculated as the average monthly wage paid over the 12 months preceding the start of the incapacity period (or less if 12 months have been worked).

**A registered doctor confirms the incapacity for work.** The certification of temporary incapacity for work is in an especially print document used as the grounds for paying the sick pay or sickness allowance.

The medical certificate of temporary incapacity for work (e-ZLA form) is issued in electronic form by a contracted doctor and sent to the Social Insurance Institution. The insured person must then inform the employer on temporary incapacity for work.

#### **Rehabilitation benefit**

Rehabilitation benefit is a maximum of 90% of the existing wage for the first 90 days covered by the benefit. In the remaining period (no more than 12 months), it amounts to 75% of the wage.

If the incapacity for work is brought about by an accident at work, occupational disease or if it occurs during pregnancy, the benefit paid is 100% of the wage (calculated in a similar way to the sickness allowance, as an average for the past 12 months of work).

To apply for rehabilitation benefit, the relevant documents must be sent to a Social Insurance Institution (ZUS) branch office and a health certificate issued by a doctor.

#### **Compensation allowance**

The compensation allowance is granted and paid during the rehabilitation period, and for no longer than 24 months.

The compensation allowance is the difference between an average monthly wage (calculated over the previous 12 months) and the reduced monthly salary during rehabilitation.

The decision about who should undergo rehabilitation is taken by a certified doctor in a local medical centre or a ZUS-certified doctor.

#### Caregiver's allowance

Caregiver allowance stands at 80% of wages (established as an average over the previous 12 months).

The number of days during which it is possible to apply for it depends on the type of care.

Type of care	Maximum number of days for paying the allowance
for a healthy child of up to 8 years of age	60 days in a calendar year
for a sick child of up to 14 years of age	60 days in a calendar year
for a sick child over 14 years old	14 days in a calendar year
for other sick family members	14 days in a calendar year

The total period for paying caregiver allowance for the care of children and other family members may not exceed 60 days in a calendar year.

The basic document for proving entitlement to the caregiver allowance is the specially printed medical certificate. For the care of a healthy child of up to 8 years of age, a caregiver certificate can be sufficient (e.g. in the event of the unexpected closure of the school or preschool which the child attends).

#### Jargon busters

**A ZUS-certified doctor** is the body which assesses the level of incapacity for work caused by the accident or illness. It also assesses the duration of the incapacity for work. It is possible to appeal the decision of the certified doctor before the ZUS medical commission. Its decision forms the basis of the payment of some benefits, e.g. rehabilitation benefit or disability pension.

**The district medical centre** is an institution run by the local government of each voivodship (district), which is concerned with the broad coverage of medicine in the workplace. Workers in the centre are tasked, among other things, with evaluating the need for rehabilitation after an illness, which is necessary in the case of applications for compensation allowance.

#### **Documents to be completed**

- Rehabilitation benefit basic details on the ZUS website
- Application for rehabilitation benefit
- <u>Caregiver allowance</u> <u>basic details on the ZUS website</u>
- Applications for caregivers allowances <u>Z-15A</u> and <u>Z-15B</u>

#### **Know your rights**

The links below set out your rights. They are not European Commission sites and do not reflect its opinions:

- <u>A description of the scope of application of sickness insurance on the website of the</u> <u>Social Insurance Institute (ZUS)</u>
- Description of the sickness insurance benefits on the website of the Ministry of Family and Social Policy
- Compensation allowance <u>description on the website of the Social Insurance</u> <u>Institute (ZUS)</u>
- <u>Sickness benefits</u> leaflet of the Social Insurance Institute (ZUS) in English

European Commission websites and publications:

• Welfare benefits: your rights abroad as EU residents

#### Who do I contact?

#### Ministry of Family and Social Policy - Department of Social Insurance

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117390 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

#### Social Insurance Institute (ZUS) – Headquarters

ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7.

connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: <u>zus centrum obslugi tel</u>

Email address for general enquiries: cot@zus.pl

Search engine of ZUS offices by place name or municipality and postcode

# Incapacity

# **Disability benefits**

In this section you will read about benefits to which all workers are entitled who for any reason have lost partial or full ability to carry out their current work. The benefits aim to even out the loss in earnings and help in obtaining new qualifications.

The benefits described are:

- **Disability pension** (*renta z tytułu niezdolności do pracy*)
- **Training pension** (renta szkoleniowa)

#### Under what circumstances am I entitled to benefits?

Insured person who have become partially or fully unable to carry out work due to their health are entitled to a **disability pension**.

**Training pension**: if a person meets the requirements for obtaining the pension due to work incapacity and stand to obtain qualifications for another profession, they are also entitled to a training pension.

Both benefits are paid out of the <u>disability pension insurance</u>, which also in the case of death of the breadwinner, pays out a survivor's pension.

If you are unable to work due to an **accident at work** or **occupational disease**, read about the benefits you can receive in "Accidents at work and occupational diseases".

Information on benefits for disabled people can be found in the "Benefits for long-term care".

If you are looking for information about benefits for carers of disabled people, go to the "Benefits for caregivers".

#### What conditions need to be met?

You are entitled to a disability pension if:

- you have been deemed unfit for work;
- your work incapacity occurred while you were insured (e.g., employment, claiming unemployment benefits etc.) or no later than 18 months after the cessation of the insurance period;
- you have attained the required contributory or non-contributory period (see Jargon busters below), which differs according to the age at which your work incapacity occurred:

Required contributory or non-contributory period	Age at which work incapacity occurred
1 year	before the age of 20
2 years	20-22 years
3 years	22-25 years
4 years	25-30 years
5 years	over 30 years

The required period of 5 years for people whose work incapacity occurred from the age of 30 must fall in the last 10 years before the application for the pension was made or the work incapacity occurred.

The required contributory or non-contributory period is not applicable to a person who is unable to work due to an accident that took place on their way to work or from work.

You are eligible for the <u>training pension</u> if you meet the pension for work incapacity requirements, are not fit to work in your current profession and have to obtain a qualification to work in another profession.

#### What am I entitled to and how do I apply?

Disability pension

Below is the minimum disability pension. Figures applicable from 1 March 2022:

minimum disability pension PLN 1,338.44 gross per month

minimum partial disability pension PLN 1,003.83 gross per month

The disability pension can be increased. The amount depends on:

- the degree of work incapacity (partial or full);
- the duration of the contributory or non-contributory period (see Jargon busters below);
- amount awarded.

A person with complete work incapacity is someone who has lost the ability to carry out any kind of work.

**A person with partial work incapacity** is someone who, to a large extent, has lost the ability to carry out the work for which they are qualified.

Assessments of the degree of work incapacity are issued by a doctor licensed by the Social Insurance Institute (ZUS). The certificate is fundamental for making a decision as to whether or not to award benefits.

The ZUS certified doctor has the right to lodge an objection against the interested person to the ZUS medical committee within a period of 14 days from making the declaration.

A person who meets the requirements for incapacity benefits is granted a permanent or temporary disability pension.

A permanent disability pension is granted to a person who has been declared to have permanent work incapacity. A temporary disability pension is granted to a person who has been declared to have temporary work incapacity. It is payable for the period indicated in the decision.

#### **Training pension**

The training pension is calculated similarly to the disability pension. It amounts to 75% of the basis of the pension contribution (see Jargon busters below), however, it cannot be less than the amount of the lowest temporary disability pension.

The minimum amount for the training pension (figures applicable from 1 PLN 1,003.83 per month PLN 2022)

The training pension can be granted for 6 months. It can be shortened or extended to a maximum of 30 months.

It is granted by the pension body - the Social Insurance Institute (ZUS).

#### **Jargon busters**

**The contribution and non-contribution period** are periods taken into account when deciding on the entitlements for old-age pension and disability pension. The amount of benefit paid is decided on that basis.

**The contribution period** is a period in which contributions are paid for the old-age and disability insurance that is, a period of employment, running a business, but also for example claiming a maternity allowance.

**The non-contribution period** is a period in which contributions have not been paid but, due to the special character of that period, it is taken into account when applying for the benefits mentioned above. Examples of non-contribution periods: claiming sickness and care allowance, rehabilitation benefit, and also in upper education, on the condition that education has been completed.

The base level for pensions is the figure from which pension benefits are calculated. It is calculated on the basis of earnings over a period of 10 calendar years (chosen from a period of 20 years preceding the application for benefits) or any 20 years selected from the insurance period. Detailed rules on calculating old-age pension and disability pension amounts can be found <u>on the ZUS website.</u>

#### Documents to be completed

- Application for disability pension: ZUS ERN
- A description of the disability pension application procedure on the ZUS <u>website</u> with a list of documents which are needed for the disability pension application

#### **Know your rights**

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- Information about contribution and non-contribution periods on the ZUS website
- A detailed <u>description</u> of the procedure for awarding benefits through ZUS

European Commission websites and publications:

• <u>Disability pensions abroad: your rights abroad as EU residents</u>

#### Who do I contact?

#### Ministry of Family and Social Policy – Department of Social Insurance

ul. Nowogrodzka 1/3/5 00-513 Warszawa Tel.: +48 538117390 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

#### Social Insurance Institute (ZUS) - Headquarters

ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600

Skype: <u>zus centrum obslugi tel</u> Email address for general enquiries: <u>cot@zus.pl</u>

Search engine of ZUS offices by place name or municipality and postcode

### Accidents at work and occupational disease

In this section, we describe the benefits to which you are entitled if you have had an accident at work or have an occupational disease which has made it impossible for you to earn a living.

The benefits described are:

- **Employment injury pension or occupational disease pension** (*renta z tytułu wypadku przy pracy lub choroby zawodowej*)
- **One-off payment** (jednorazowe odszkodowanie)

#### Under what circumstances am I entitled to benefits?

An **accident at work** is deemed to be a sudden event caused by an external factor, leading to injury or death, and which took place in connection to work.

An **occupational disease** is an illness featured in the list of occupational diseases if it was caused by elements in the workplace which were detrimental to health or by the action of performing work.

Benefits are paid from <u>compulsory work accident insurance</u>, which covers the majority of workers. This insurance cannot be obtained on a voluntary basis.

#### What conditions need to be met?

<u>The benefits for work incapacity</u> are granted to an insured person who has become unable to work due to an accident at work or occupational disease.

The benefit is granted irrespective of the length of the accident insurance period and the date on which work incapacity occurred.

A **one-off payment** is paid to an insured person who, due to an accident at work or an occupational disease, has suffered permanent or long term health damage.

Compensation is also paid to family members of the insured person who has died due to an accident at work or occupational disease.

In addition to the benefits for accidents at work or occupational diseases mentioned above, the following are also available:

- sickness allowance (zasiłek chorobowy) paid the first 182 days;
- rehabilitation benefit (świadczenie rehabilitacyjne);
- compensation allowance (zasiłek wyrównawczy).

**Training pensions** (*renta szkoleniowa*) for people who cannot carry out their current work because of an accident, but who will be able to work in a different occupation after retraining.

**A survivor's pension** (*renta rodzinna*) is paid out to family members of a deceased insured person or of a person covered by a disability pension who is entitled to the pension paid out for an accident at work or occupational disease.

A **supplement** to a survivor's pension is payable to an orphan (*dodatek do renty rodzinnej dla sieroty zupełnej*).

#### Medical care supplement (dodatek pielęgnacyjny)

Coverage of the costs related to dental treatment, preventive vaccinations and orthopaedic supplies (within the scope stipulated by law).

#### What am I entitled to and how do I apply?

Pension for work incapacity related to an accident at work or occupational disease.

Minimum benefit amounts are as follows. Figures from 1 March 2022:

Employment injury pension or occupational disease pension and survivor's pension	Minimum PLN 1,606.13 per month
pension for partial work incapacity due to an accident at work or occupational disease	Minimum PLN 1,204.60 per month

Lump-sum work-injury and occupational disease compensation.

From 1 April 2022 to 31 March 2023, lump-sum total of work-injury and one-off payment:

- PLN 1,133 for every percentage point of permanent or long-lasting health damage;
- PLN 1,133 for every percentage point of permanent or long-lasting health damage, if due to a worsening state of health, the damage to health increases by at least 10 per cent;
- PLN 19,819 for a person with full work incapacity who is unable to live independently and also due to the worsening state of health of the person on a pension;
- PLN 101,926 if a spouse or child of the deceased insured party or beneficiary of a pension is eligible for lump-sum compensation;
- PLN 50,963 if a family member of the deceased insured person or pensioner other than a spouse or child is eligible for lump-sum compensation;
- PLN 101,926 if both the spouse and one or more children of the insured deceased party or policy holder are eligible for lump-sum compensation and an additional PLN 19,819 due to an increase in compensation for each child present;
- PLN 101,926 if two or more children of the insured deceased party or policy holder are eligible for lump-sum compensation and an additional PLN 19,819 due to an increase in compensation for a second child and each following child;
- PLN 19,819 if, apart from the spouse or children, other family members of the insured deceased party or policy holder are also entitled to lump-sum compensation; each of them is entitled to the following amount, irrespective of compensation granted to the spouse or children;

PLN 50,963 if only family members other than the spouse or children of the insured deceased party or policy holder are eligible for lump-sum compensation, and an additional PLN 19,819 due to increase in compensation for the second person and every following eligible person.

To claim an incapacity for work pension and lump-sum compensation, an application must be made to the Social Insurance Institute (ZUS).

#### Documents to be completed

- Pension for incapacity to work caused by an accident at work or occupational disease: <u>basic details on the ZUS website</u>
- Lump-sum compensation: basic details on the ZUS website

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

• Principles for calculating the disability pension amount

- <u>Amount for lump-sum work-injury and occupational disease compensation</u>
- Who qualifies for work-injury and occupational disease insurance?

European Commission websites and publications:

• <u>Unemployment and welfare benefits: your rights abroad as EU residents</u>

#### Who do I contact?

#### Ministry of Family and Social Policy - Department of Social Insurance

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117390 Email: <u>info@mrips.gov.pl</u> Internet: <u>www.gov.pl/rodzina</u>

#### Social Insurance Institute (ZUS) - Headquarters

ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

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Search engine of ZUS offices by place name or municipality and postcode

# **Old-age and survivors**

## **Retirement pensions**

In this chapter you will read about the retirement pensions system in Poland. We explain when and how to apply for a **retirement pension** (*emeryturę*) and the conditions which must be met to apply for it.

#### Under what circumstances am I entitled to benefits?

**Retirement pensions** in Poland are paid to each person who are part of a retirement scheme. It is compulsory for all workers and a few other social groups (e.g., soldiers, clergy - <u>a full list can be found here</u>). Voluntary insurance is also available.

Retirement pensions are paid out by the Social Insurance Institute (ZUS) - (see Jargon busters below). They are financed from employer and employee contributions made by the employer on behalf of the employee.

The conditions for obtaining retirement pensions and determining the amount depend on what age group the person belongs to. Certain occupational groups have different rules for granting retirement pensions (e.g. miners, uniformed services).

#### What conditions need to be met?

The conditions for claiming a retirement pension depend on the insured person's date of birth.

#### Born before 1 January 1949

<u>Retirement pensions for insured persons born before 1 January 1949</u>: individuals born before this date are entitled to a pension as soon as the following two conditions have been met:

- they have reached the pensionable age: 60 years for a woman and 65 years for a man;
- they can document a contributory period covered amounting to 20 and 25 years respectively.

The retirement pension will be increased if it emerges that the amount of the pension is lower than the minimum state pension.

Individuals who have reached the required age are also entitled to a pension if they can document at least a 15 years contributory and non-contributory period for women, and at least a 20 year contributory and non-contributory period for men. However, in this case there is no guarantee that the pension will be increased to the amount of the minimum pension.

#### Born after 31 December 1948

<u>Retirement pensions</u> for insured persons born after 31 December 1948: individuals born after this date have the right to a retirement pension upon reaching retirement age.

Since 1 October 2017, the **retirement age** has been reduced to 60 years for women and 65 years for men, irrespective of the date of birth.

The amount of the retirement pension for individuals born after 31 December 1948 depends first and foremost on the amount of contributions collected.

Insured person can decide on one of two options to collect contributions:

- the full contribution goes to the individual retirement account in the Social Insurance Institute (ZUS);
- the partial contribution goes to the insured person's account in the **Open Pension Fund** (see Terms (glossary), which invests it in the capital market. The rest of the contribution goes to the Social Insurance Institute (ZUS).

In the case of insured individuals born after 31 December 1948, there are also certain groups of people who can apply for an early retirement pension. You can find them listed <u>here</u>.

#### What am I entitled to and how do I apply?

For individuals born **before 1 January 1949** the amount of the retirement pension depends on:

- the number of contributory and non-contributory periods which the insured person is able to document;
- the compulsory base rate on the day on which the right to a pension is acquired;
- basis for the amount.

For individuals in this age group the retirement pension amount is not dependent on the sum of contributions made.

For individuals born **after 31 December 1948**, the pension base rate is equivalent to the total contributions made by the insured person. This amount encompasses the aggregated contributions for the retirement insurance as well as the initial capital, that is, contributory and non-contributory periods starting from the period of insurance before 1 January 1999.

Those who were born after 31 December 1948 and before 1 January 1969 are an exception to the rule mentioned above. If they possess a long enough employment history, they can opt for an <u>early retirement pension</u>. If they opt for this, the amount of their pension will be calculated according to the rules relevant to employees born before 1 January 1949. If they do not opt for an early retirement pension, they will fall under the same system as those born after 1948.

The retirement pension cannot be higher than its base rate and cannot be lower than the amount for a minimum pension. At present, this stands at:

minimum state pension (figures valid from 1 March 2022) PLN 1,338.44 gross per month

The decision to grant the retirement pension is made by the appropriate department of the Social Insurance Institute (ZUS) - (see Jargon busters below) depending on the place of residence of the person applying for the pension. The process of deciding whether to grant a pension begins once the application has been made.

Retirement pensions are adjusted each year on 1 March. The adjustment is made ex officio. Applications need not to be made in this respect.

#### Jargon busters

**The Social Insurance Institute (ZUS)** collects all the social insurance contributions and forwards them to the appropriate institutions. ZUS and its regional branches are responsible for sickness and maternity benefits, retirement pensions, disability pensions, survivors' pensions, accidents at work and occupational disease benefits.

**Open Pension Fund (OFE) -** pensions funds headed by private financial institutions which invest money on the capital market. Insured person do not pay contributions directly to pension funds but pay them to ZUS together with other contributions for social insurance. ZUS is responsible for forwarding part of the pension scheme contributions to the retirement fund chosen by the insured person in question. The funds are closely monitored and overseen by the state.

#### **Documents to be completed**

- Retirement pension application <u>form ZUS Rp-1E</u>
- Questionnaire on contributory and non-contributory periods form ZUS ERP-6

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- <u>A detailed description of the procedure for awarding benefits through ZUS;</u>
- <u>Calculation of the predicted retirement pension amount pension calculator ZUS</u>
- Rules for coordinating the retirement pension between European Union countries.

European Commission websites and publications:

• Retirement pensions abroad: your rights abroad as EU residents.

#### Who do I contact?

#### Ministry of Family and Social Policy - Department of Social Insurance

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117390 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

#### Social Insurance Institute (ZUS) - Headquarters

ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: <u>zus centrum obslugi tel</u> Email address for general enquiries: <u>cot@zus.pl</u>

Search engine of ZUS offices by place name or municipality and postcode

### **Survivor's benefits**

This section describes the benefits you may be entitled to in the event of the death of a working family member or one receiving a retirement pension or disability pension. The funeral benefit to help cover funeral costs of the relative is also described.

The benefits described are:

- survivor's pension (renta rodzinna)
- funeral allowance (zasiłek pogrzebowy)

#### Under what circumstances am I entitled to benefits?

**Survivor's pension** is granted to family members of the deceased person, who at the time of death had a right to a retirement pension or disability pension or met the conditions to obtain one of those pensions (e.g., they paid contributions into a pension scheme for a sufficient amount of time. For specific conditions read the "Retirement Pensions" and "Disability pensions"). Family members of the deceased will also receive a pension if the deceased received an early retirement pension or pre-retirement benefit.

**A funeral allowance** is provided to a person who has covered the costs of a funeral. Each institution is also entitled to this benefit if it has covered the costs of a funeral. This can therefore be the employer, social welfare home, municipality, district, etc.

The funeral allowance is a one-off payment.

#### What conditions need to be met?

The following may apply for a <u>survivor's pension</u>:

- a) children (one's own, spouse's children, adopted) meeting one of the following criteria:
  - until they reach the age of 16 or 25 if the child is in education (if the child reaches the age of 25 while being a final year student at tertiary education institute, the right to the pension is prolonged till the end of the year of study);
  - irrespective of age if they had become completely incapable of work before reaching the age of 16 or 25 if in education.
- b) nieces and nephews, siblings and other children taken in and raised until they reach the age of majority: provided that they meet the requirements set out above and have been taken in at least a year before the death of the insured person (either retirement pensioner or person on other pensions);
- c) widow (or widower) who meets one of the following conditions:
  - at the time of death of the husband (wife) the spouse is aged 50 or is unable to work;
  - irrespective of age but bringing up at least one child, grandchild or relative entitled to a survivor's pension after the death of the person, the child being below 16 old and if it still in education below 18, irrespective of age but the spouse is providing care to a child unable to work;
- d) **divorced spouses**: if they had the right to alimony from the deceased and meet one of the conditions for widows and widowers;
- e) **parents** of the deceased: if they meet the conditions for widows, or if their deceased child made a substantial contribution towards supporting them.

Children do not lose the right to a survivor's pension if they remarry, as is the case for a widow and widower.

<u>Funeral allowance</u> is payable in the event of the death of:

- the insured person;
- a person receiving a retirement or other pension;
- a family member of the insured person, old-age pensioner or people on other pensions.

#### What am I entitled to and how do I apply?

#### Survivor's pension

When assessing the right to a pension it is accepted that the deceased person was completely incapable of working. The pension amount is therefore calculated on this basis and then, the amount of the survivor's pension is calculated according to the following criteria:

for one eligible person	85% of the benefits that the deceased would have received
for two eligible persons	90% of the benefits that the deceased would have received
for three or more eligible persons	95% of the benefits that the deceased would have received

Grounds for awarding pensions for complete incapacity to work can be found under "Disability pensions".

Every family member entitled is granted a joint survivor's pension which, if need be, is split into equal parts among those who are entitled to it.

The pension which would have been granted to the deceased person (that is, the amount based on which the survivor's pension is calculated), cannot be lower than the minimum pension.

Minimum pension (figures valid from 1 March 2022) PLN 1,338.44 per month

The decision to grant the survivor's pension is undertaken by the local pension body - the Social Insurance Institute (ZUS).

To claim the pension an application must be made.

The decision will be made within 30 days of the moment when the final condition required to grant the right to the pension has been met. It is possible for the applicant to appeal the pension body's decision.

#### **Funeral allowance**

The funeral allowance is a one-off payment.

Amount of funeral benefit PLN 4,000

The application must be made no later than 12 months after the death of the person to whom the allowance relates. After this period the right to this allowance becomes invalid.

Funeral allowances are paid out by branch of the Social Insurance Institute (ZUS).

#### Documents to be completed

- Application for survivor's pension <u>ZUS ERR</u>
- If more people are applying for the survivor's pension, <u>ZUS Rw-3</u> must also be attached
- Application for funeral allowance ZUS Z-12

#### **Know your rights**

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- How do you apply for a survivor's pension? <u>ZUS guidance</u>
- Survivor's pension Ministry of Family and Social Policy information
- A detailed description of the procedure for awarding benefits through ZUS
- Information on funeral allowance

European Commission websites and publications:

• Funeral benefits: your rights abroad as EU residents

#### Who do I contact?

#### Ministry of Family and Social Policy - Department of Social Insurance

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117390 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

#### Social Insurance Institute (ZUS) – Headquarters

ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: <u>zus centrum obslugi tel</u> Email address for general enquiries: <u>cot@zus.pl</u>

Search engine of ZUS offices by place name or municipality and postcode

# **Social assistance**

### **Social assistance benefits**

This section describes social assistance benefits in Poland. These are benefits in cash and in kind, which help people to overcome hardship cases e.g., family and financial problems.

#### Under what circumstances am I entitled to benefits?

The main aim of social assistance is to help people and families to overcome hardship cases, so that they can become independent and achieve decent living conditions.

Social assistance benefits are non-contributory and therefore, to make use of them, one doesn't need to have made contributions for any kind of insurance. They are granted to people and families whose income doesn't exceed a specified threshold.

Social assistance encompasses benefits in cash and in kind (non-cash). It includes benefits to help families affected by e.g. violence in the family, poverty, homelessness the death of parents, and help in times of hardship and natural disasters.

#### What conditions need to be met?

<u>Social assistance benefits</u> are available to people and families whose income does not exceed the so-called income criterion Polish citizens, members of the European Union and other foreigners who live in Poland can make use of the benefits.

The income criterion threshold indicates that the net income of a person applying for benefits cannot exceed:

for a single person PLN 776 per month

per person in the family PLN 600 per month

The net income for the family over the past month is taken into account when calculating income. The municipal council, by way of resolution, can increase the quotas for temporary and specific benefits.

The person or family applying for social assistance can go to a social welfare centre near them (these centres are located in every municipality).

A community interview aimed at assessing the personal, family, income and monetary situation of the applicant forms the basis for giving social assistance benefits. It is carried out by a social worker within 14 days of the application being made.

Any decision made by a social worker can be revoked.

#### What am I entitled to and how do I apply?

Social assistance provides benefits in cash and in kind.

These are the main cash benefits in social assistance:

- <u>a permanent allowance</u> (*zasiłek stały*) which supplements the income of people with work incapacity due to age or disability. These people can also be granted long-term care benefits;
- <u>a periodic allowance</u> (*zasiłek okresowy*) is for people and families without income or with incomes lower than the statutory threshold, who have insufficient financial means to meet their vital needs. If the financial situation has been caused by loss of work, the person may be entitled to unemployment benefits;
- <u>earmarked allowance and the special needs allowance</u> (zasiłek celowy i specjalny zasiłek celowy) are one-off payments made to individuals and families to enable them to satisfy their most urgent essential needs (e.g., to buy medicines, fuel);
- <u>benefit and loan for economic independence</u> (zasiłek i pożyczka na ekonomiczne usamodzielnienie);

- <u>assistance for becoming independent and to continue education</u> (pomoc na usamodzielnienie oraz kontynuowanie nauki);
- financial benefit to cover the costs of learning Polish for foreigners
- <u>supplementary parental benefit</u> (rodzicielskie świadczenie uzupełniające, Mothers 4 Plus).

Benefit amounts:

maximum amount for permanent allowance	PLN 719 per month
minimum amount for permanent allowance	PLN 30 per month
minimum amount for periodic allowance	PLN 20 per month
supplementary parental benefit	equal to the lowest old-age pension (PLN1,338.44as of 1 March 2022) In case of parents who are already entitled to a pension below the lowest old-age pension, this benefit supplements the pension in order to reach the amount of the lowest old-age pension.

Social assistance also offers benefits in kind such as:

- credited tickets;
- contributions for health and welfare insurance;
- payment for a funeral;
- specialist advice;
- social work;
- shelter, food and necessary clothing in hardship cases;
- care services;
- board and service in a social assistance home;
- education, family counselling and family therapy.

Supplementary parental benefit is granted to the following:

- the mother who either gave birth to or raised at least four children;
- the father who raised at least four children in the event of the mother's death or where the mother abandoned her children or refrained from bringing them up.

Supplementary parental benefit may be awarded upon request of the person concerned, where the following conditions are fulfilled:

- the mother or father reached the age required, i.e. 60 and 65 years respectively;
- the person concerned either gave birth to or raised at least four children;
- the parent does not have a sufficient source of income to provide necessary means of subsistence (including the right to a pension amounting to at least the lowest old-age pension provided in Poland);
- the persons concerned live in Poland and since being 16 years have had the centre of their personal or economic interests in Poland for at least 10 years.

#### **Documents to be completed**

To claim social assistance benefits, an application must be made in the relevant social welfare centre. <u>Here you will find a list of example applications from the Municipal Social</u> <u>Welfare Centre in Szemud.</u>

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- Information about social assistance system in Poland the Ministry of Family and Social Policy
- <u>Supplementary parental benefit basic information</u>
- <u>Supplementary parental benefit application form ERSU</u>

European Commission websites and publications:

• <u>http://ec.europa.eu/social/main.jsp?catId=849&langId=pl</u>

#### Who do I contact?

#### Ministry of Family and Social Policy - Assistance and Social Integration

**Department** (in relation to the allowances) ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel. +48 538117280 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

#### Ministry of Family and Social Policy - Department of Social Insurance (in relation

to the supplementary parental benefit) ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117390 Internet: <u>www.gov.pl/rodzina</u> Email: <u>info@mrips.gov.pl</u>

#### Social Insurance Institute (ZUS) – Headquarters (in relation to the supplementary

parental benefit) ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: <u>zus centrum obslugi tel</u> Email address for general enquiries: <u>cot@zus.pl</u>

Search engine of ZUS offices by place name or municipality and postcode

# Unemployment

### **Unemployment benefits**

This section is about what benefits you are entitled to if you become unemployed. You will also find out about what conditions must be met to, in the case of loss of work, apply for unemployment benefit.

The benefits described are:

- **Unemployment allowance** (*zasiłek dla bezrobotnych*)
- **Pre-retirement benefit** (*świadczenie przedemerytalne*)

#### Under what circumstances am I entitled to benefits?

If you have worked for at least 365 days in the last 18 months and have been paid the <u>minimum wage</u>, you may be entitled to **unemployment allowance**. To apply for the allowance you need to register in the labour office situated in the district which you live in. The allowance will be granted if you do not receive any employment, internship or training offer.

The allowance is granted regardless of whether you were employed by someone, or selfemployed. It is important to pay compulsory monthly contributions to the Labour Fund. Your employer or you yourself, if you are self-employed, are responsible for doing this.

You can also qualify for **pre-retirement benefit** if you were dismissed from work, have a long enough work history, and are near retirement age. However you can only apply for this benefit six months after obtaining unemployment allowance.

#### What conditions need to be met?

To qualify for unemployment allowance you must:

- have been employed for at least 365 days in the last 18 months (this period also includes employment in other countries of the European Union);
- have earned at least the minimum wage during this period;
- register at the district labour office;
- not receive any work, internship or training offer.

To qualify for a pre-retirement benefit, you must:

- be registered as an unemployed person;
- have claimed unemployment allowance for at least 6 months;
- have a long enough employment history depending on the individual case;
- be nearing retirement age;
- have lost your work for reasons connected to the employer (removal of the employer or insolvency of the employer);
- within a period of 30 days starting from when the district labour office issues the document which entitles you to 6 months of unemployment allowance, you must make the required contribution in your local branch of the Social Insurance Institute (ZUS).

#### What am I entitled to and how do I apply?

#### **Unemployment allowance**

To apply for unemployment allowance you have to register in the local Labour Office (a link to the list of labour offices in each district can be found in the "Who to contact" section). It will be paid to you for the next 6 or 12 months. The amount which you receive will depend on the length of your employment.

Unemployment allowance will be paid to you for 12 months if you fulfil one of the following conditions:

- the rate of unemployment in your district is higher than 150% of the average country unemployment rate;
- you are over 50 and have worked a minimum of 20 years;
- you are supporting a child aged over 15 and your spouse is also unemployed but cannot claim unemployment allowance anymore.

If you do not fulfil at least one of the conditions mentioned above, you will be paid benefit for 6 months.

The amounts from 1 September 2021 are:

WorkAmount for the first three months of claiming benefit (per month)		The amount for the remaining months of benefit (per month)
up to 5 years	PLN 1,043.30	PLN 819.30
from 5 to 20 years	PLN 1,304.10	PLN 1,024.10
at least 20 years	PLN 1,565	PLN 1,229

Amounts given above are gross amounts. A contribution for health insurance and an advance payment for income tax is taken off from these amounts.

#### **Pre-retirement benefit**

Amount from 1 March 2022.

The amount of pre-retirement benefits (per month): PLN 1,600.70.

A pre-retirement benefit can be obtained until the legal retirement age is reached. It cannot be connected to other benefits e.g. survivor's pension. Just as for unemployment allowance, the amount given above for pre-retirement benefit is the gross amount.

#### **Documents to be completed**

- You must contact the labour office in your district to register as unemployed. Certain labour offices allow you to complete part of the registration process on the <u>Internet</u>
- How to register as a unemployed person?
- Documents required to register as unemployed
- Documents required to register people returning from employment in the EU/EEA
- Application for pre-retirement benefits ZUS ESP

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- <u>ABC for the unemployed and jobseekers</u>
- Public employment services compulsory rates, amounts, indicators
- The right to unemployment benefits when travelling in the European Union
- Specific information about pre-retirement benefits

European Commission websites and publications:

• Unemployment and welfare benefits: your rights abroad as EU residents

#### Who do I contact?

# **Ministry of Family and Social Policy – Department of Labour Market** (in relation to the unemployment allowance)

ul. Nowogrodzka 1/3/5 00-513 Warsaw Tel.: +48 538117671 Internet: <u>www.gov.pl/rodzina</u> Email: info@mrips.gov.pl Contact details for <u>local labour offices</u> in Poland.

# **Social Insurance Institute (ZUS) – Headquarters** (in relation to the pre-retirement

benefit) ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: <u>zus centrum obslugi tel</u> Email address for general enquiries: <u>cot@zus.pl</u>

Search engine of ZUS offices by place name or municipality and postcode

# **Moving abroad**

### Previous coverage abroad can count

This section is about how a change in the place of residence in the European Union affects your right to social insurance benefits.

#### Social insurance and EU regulations

**If you intend to take up a job in another EU country**, you will not fall under the Polish social insurance system. You will fall under the rules of the country in which you carry out your work. This is the general rule to which there are a few <u>exceptions</u>.

If you have worked and/or paid social insurance contributions in another EU country, this can be taken into account while determining your right to social insurance benefit in Poland.

It is useful to note that coordinating the social security systems does not come under the scope of European Union countries alone, but also under that of the remaining countries in the European Economic Area - Norway, Liechtenstein, Iceland and Switzerland, as well as the UK\*.

\* Each case needs to be assessed individually to determine whether a person falls within the scope of Art 30 of the Withdrawal Agreement, and so the EU Coordination Regulations apply, or whether they fall within the scope of situations described in Art 32 of the Withdrawal Agreement and/or come under domestic legislation and the Protocol on Social Security Coordination attached to the Trade and Cooperation Agreement.

#### Which benefits does this concern?

Benefits which come under the coordination of the EU:

- retirement pensions and other pensions (emerytury i renty)
- pre-retirement benefits (*świadczenia przedemerytalne*) (to a limited extent)
- <u>family benefits</u> (świadczenia rodzinne)
- <u>sickness and maternity benefits</u> (świadczenia z tytułu choroby i macierzyństwa)
- <u>unemployment benefits</u> (zasiłki dla bezrobotnych)

EU regulations on the coordination of social security systems state that **periods of insurance obtained in various member states can be added up**. Periods of being insured in EU countries not only after Poland's accession to the Union in 2004, but also before, can also be added up.

Certain benefits can also be **transferred to another country**.

#### What am I entitled to and how do I apply?

If you have worked in any of the countries involved in the coordination of social security systems and are returning to Poland, you should take the documents showing your period of employment abroad and your payment of insurance contributions in that country.

#### Aggregation of insurance periods

Aggregation of insurance periods refers to cases when, in order to obtain the right for the given benefit, you need to be insured earlier for a certain period of time (e.g. in the case of unemployment allowance), or you need to prove that you have had the stipulated period of insurance (e.g. to have the right to a retirement pension). If you can prove that you were insured for the mandatory period in one of the EU countries, then that time is valid in every other country.

If you want to apply for **unemployment allowance in Poland**, the document that confirms the period of contribution payments in a country under EU coordination is <u>form</u>

 $\underline{U1}$  (earlier: E 301). It can be applied for before your return to the country or after, through the Provincial Labour Office.

If you are a Polish citizen and have worked in Poland for a too short time to obtain **a retirement pension or other pension**, the Social Insurance Institute (ZUS) will add on a foreign insurance period for countries which coordinate the social security systems. It is enough for you to send your application to the Social Insurance Institute which will contact the appropriate department in the country in which you have insurance periods.

#### **Transfer of benefits**

Benefits can also be transferred to your country of residence.

If you are already receiving **unemployment benefits** and want to transfer them to Poland, you should obtain <u>form U2</u> (previously E 303).

If you are receiving e.g. **a retirement or other pension** in one of the countries coordinating the social security systems, you can ask for it to be transferred to Poland.

#### Know your rights

The links below set out your rights; they are not European Commission sites and do not reflect its opinions:

- Information on periods agreed when deciding on the right to a retirement pension and other pensions and calculating the amount of those benefits
- <u>Retirement pension</u> from ZUS subject to EU social security coordination
- <u>Disability pension</u> from ZUS subject to EU social security coordination
- <u>Survivor's pension</u> from ZUS subject to EU social security coordination

European Commission websites and publications:

• <u>http://ec.europa.eu/social/main.jsp?catId=849&langId=en</u>

#### Who do I contact?

# Ministry of Family and Social Policy – Department of Coordination of Social Security Systems

ul. Nowogrodzka 1/3/5 00-513 Warsaw tel. +48 538117210 Email: <u>info@mrips.gov.pl</u> Internet: <u>www.gov.pl/rodzina</u>

#### **Employment Services Information Centre Zielona Linia (Green Line)**

ul. Trawiasta 20b 15-161Białystok tel. +48 2219524 Email: <u>kontakt@zielonalinia.gov.pl</u> Internet: <u>http://zielonalinia.gov.pl</u>

#### Social Insurance Institute (ZUS) – Headquarters

ul. Szamocka 3, 5 01-748 Warsaw Internet: <u>www.zus.pl</u>

#### **ZUS call centre**

Consultation hours are 7 a.m. to 6 p.m. on working days. An automatic information system is available 24/7. number intended for connections with mobile telephones and fixed and foreign lines: +48 225601600 Skype: <u>zus centrum obslugi tel</u> Email address for general enquiries: <u>cot@zus.pl</u>

Search engine of ZUS offices by place name or municipality and postcode

# **Main residence**

## Place of residence

In this section you will read about how the concept of 'place of residence' is defined in Polish law. You will also find out about what benefits require your place of residence to be in Poland.

#### Definition of place of residence

In EU law there is a concept of <u>habitual residence</u> (*miejsce zwykłego pobytu*). This refers to the place in which you usually live due to your personal and professional ties.

In Polish law the closest concept to this is the place of residence.

**A place of residence** (*miejsce zamieszkania*) can be defined as a place in which the person lives and intends to live permanently. Two factors which must feature together, decide on the place of residence:

- The external factor, that is, the physical presence of the person in that given place;
- The internal factor, that is, the desire of the person to live in that place.

Taking into account the internal factor - the subjective one - means that even a physical absence from the place of residence for a longer period of time (e.g. during university studies), is not enough to declare that the person has changed their place of residence, since they do not consider this true themselves.

The place of residence is a specific place, not a specific address, building or premises. Every individual can only have one place of residence. It deemed not possible for a person to live permanently in two (or more) places simultaneously.

**The child's place of residence** is the place of residence of parents or a parent who has sole custody. If the parents live apart and both have parental custody over the child, the child's place of residence is where the child permanently resides.

To be eligible of some benefits you are required to have your place of residence in Poland, even if you possess Polish citizenship.

These include:

- Social pension (*renta socjalna*);
- Medical care allowance (zasiłek pielęgnacyjny);
- Social assistance benefits (świadczenia pomocy społecznej);
- Family benefits (*świadczenia rodzinne*);
- Benefits for caregivers (*świadczenia dla opiekunów*)
- Supplementary benefit for persons unable to live independently (*świadczenie* uzupełniające dla osób niezdolnych do samodzielnej egzystencji);
- Supplementary parental benefit (rodzicielskie świadczenie uzupełniające, Mothers 4 Plus).

#### Know your rights

The links below show your rights. They are not from the European Commission website and do not represent its views:

• <u>Civil Code</u> - a definition of the place of residence can be found in Section II, Article 25 of the Civil Code

European Commission websites and publications:

• <u>http://ec.europa.eu/social/main.jsp?catId=849&langId=en</u>

#### Getting in touch with the EU

#### In person

All over the European Union there are hundreds of Europe Direct information centres. You can find the address of the centre nearest you at: <u>europa.eu/european-union/contact\_en</u>

#### On the phone or by email

Europe Direct is a service that answers your questions about the European Union. You can contact this service:

- by freephone: 00 800 6 7 8 9 10 11 (certain operators may charge for these calls),
- at the following standard number: +32 22999696 or
- by email via: <u>europa.eu/european-union/contact\_en</u>

#### Finding information about the EU

#### Online

Information about the European Union in all the official languages of the EU is available on the Europa website at: <u>europa.eu/european-union/index\_en</u>

#### **EU** publications

You can download or order free and priced EU publications at: <u>publications.europa.eu/en/publications</u>. Multiple copies of free publications may be obtained by contacting Europe Direct or your local information centre (see <u>europa.eu/european-union/contact en</u>).

#### EU law and related documents

For access to legal information from the EU, including all EU law since 1952 in all the official language versions, go to EUR-Lex at: <u>eur-lex.europa.eu</u>

#### Open data from the EU

The EU Open Data Portal (<u>data.europa.eu/euodp/en</u>) provides access to datasets from the EU.

Data can be downloaded and reused for free, both for commercial and non-commercial purposes.

