



# UNIVERSITY OF GDAŃSK WORK REGULATIONS

*Consolidated text effective from 27 January 2022*

Contents:

<b>Chapter 1. Introductory provisions .....</b>	<b>2</b>
<b>Chapter 2. Responsibilities of the University.....</b>	<b>2</b>
<b>Chapter 3. Maintenance of order, basic responsibilities of employees .....</b>	<b>4</b>
<b>Chapter 4. Detailed responsibilities of the academic teacher;.....</b>	<b>4</b>
<b>Chapter 5. Detailed responsibilities of an employee who is not an academic teacher.....</b>	<b>12</b>
<b>Chapter 6. Establishment and termination of employment relationship .....</b>	<b>13</b>
<b>Chapter 7. Organisation of work .....</b>	<b>14</b>
<b>Chapter 8. Working time and settlement periods.....</b>	<b>16</b>
<b>Chapter 9. Leave from work and excusing absence from work .....</b>	<b>21</b>
<b>Chapter 10. Holiday leave, convalescent leave and paid research leave .....</b>	<b>22</b>
<b>Chapter 11. Dates and forms of remuneration payment .....</b>	<b>26</b>
<b>Chapter 12. Awards and distinctions.....</b>	<b>27</b>
<b>Chapter 13. Work discipline.....</b>	<b>27</b>
<b>Chapter 14. Occupational health and safety.....</b>	<b>29</b>
<b>Chapter 15. Labour protection of women, juvenile employees and men.....</b>	<b>32</b>
<b>Chapter 16. Surveillance .....</b>	<b>34</b>
<b>Chapter 17. Equal treatment and non-discrimination in employment .....</b>	<b>35</b>
<b>Chapter 18. Compliance with the obligation of sobriety .....</b>	<b>37</b>
<b>Chapter 19. Work on board the University ship.....</b>	<b>39</b>
<b>Chapter 20. Transitional and final provisions.....</b>	<b>39</b>

On the basis of Article 104 § 1, Article 1041, Article 1042 and Article 135 § 2 of the Act of 26 June 1974 – The Labour Code (Journal of Laws 2020, item 1320 with amendments) and Article 126 section 1, Article 127 section 4 and Article 129 section 4 of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws 2021, item 478 with amendments), and in agreement with the trade union organisations operating at the University of Gdańsk, the following is hereby established:

## **Chapter 1. Introductory provisions**

### **§ 1.**

The Work Regulations, hereinafter referred to as the “Regulations”, set forth the organisation and integrity of the work process, as well as the related rights and obligations of the employer – the University of Gdańsk, hereinafter also referred to as the “University”, and its employees.

### **§ 2.**

The provisions of the Regulations shall apply to academic teachers and employees who are not academic teachers.

### **§ 3.**

1. Each employee to whom the provisions of the Regulations apply is obliged to become familiar with their contents.
2. A declaration of familiarity with the contents of the Regulations, signed by the employee and dated, is to be filed in the employee’s personnel file.

### **§ 4.**

Activities in the field of labour law are performed on behalf of the University by the Rector or other persons designated by the Rector for the performance of such activities.

## **Chapter 2. Responsibilities of the University**

### **§ 5.**

1. The University shall observe the provisions of labour regulations with regard to employment relations.
2. In line with the principles of the European Charter for Researchers, the University takes measures to provide academic teachers with an environment conducive to the achievement of positive results with regard to the creation, transfer, exchange and popularisation of knowledge and technological development, as well as the development of their academic career.
3. The University’s fundamental responsibilities comprise, in particular:
  - 1) informing new employees of the contents of the Regulations, the scope of their responsibilities, the manner in which work is to be performed in the assigned positions and of their basic rights;
  - 2) organising work in a manner which ensures maximum use of the working time as well as optimal efficiency and quality of work from employees;

- 3) ensuring safe and hygienic work conditions, conducting regular training sessions for employees in occupational health and safety and carrying out periodic occupational risk assessment for a particular workplace;
- 4) informing employees of possible hazards and correcting these;
- 5) ensuring the privacy of employees' personal data and not disclosing it without their consent or without another legal basis;
- 6) paying remunerations in a timely and accurate manner;
- 7) assisting employees in enhancing their professional qualifications;
- 8) in the case of employees who take up employment for the first time, creating conditions conducive to their adjusting to the appropriate performance of their duties;
- 9) satisfying employees' social needs, in so far as resources allow;
- 10) applying objective and fair criteria for the periodic assessment of employees who are not academic teachers, conducted in accordance with the Rector's decree, and the periodic assessment of academic teachers, conducted in accordance with the criteria specified by the Rector, in consultation with the Senate;
- 11) keeping records in matters regarding employment relationships and employees' personnel files in a manner which ensures privacy, completeness and accessibility, in conditions safe from damage or destruction, as well as retaining these records for a period of ten years from the end of the calendar year in which the employment relationship was terminated or expired, unless separate regulations provide for an extended retention of employee documentation;
- 12) observing the rules of social conduct, respecting employees' dignity and other personal rights;
- 13) treating men and women equally with regard to the establishment and termination of the employment relationship, terms of employment, promotion or access to training in order to strengthen professional qualifications;
- 14) counteracting any form of discrimination and harassment, sexual or otherwise;
- 15) providing employees with the text of the regulations on equal treatment in employment in the form of written information displayed on notice boards at the University;
- 16) informing employees of job vacancies at the University in the form of written information displayed on notice boards at the University;
- 17) counteracting harassment.

#### § 6.

The employer is entitled in particular, to:

- 1) use the results of the work performed by employees;
- 2) issue employees with instructions regarding work in so far as these instructions do not conflict with the provisions of generally applicable law, rules of social conduct or the employment contract;
- 3) determine each employee's scope of responsibilities in accordance with the provisions of employment contracts and the provisions of law;
- 4) assess employees in accordance with the provisions of law, including the University's internal regulations.

§ 7.

In the event of the termination or expiry of the employment relationship, the employer is obliged to immediately issue the employee with an employment certificate on the terms specified in labour law regulations.

**Chapter 3. Maintenance of order, basic responsibilities of employees**

§ 8.

1. The employee is obliged to perform their duties diligently and carefully and to comply with any work-related instructions issued by their superiors which are not in conflict with the provisions of law, rules of social conduct or the employment contract.
2. The responsibilities of the University employee comprise, in particular:
  - 1) observing the scheduled working time;
  - 2) observing the Regulations and the established order;
  - 3) observing occupational health and safety rules and regulations, as well as fire regulations;
  - 4) acting in the best interest of the University, protecting its property and keeping confidential any information the disclosure of which may be harmful to the employer;
  - 5) not disclosing to unauthorised persons confidential information classified on the basis of the provisions of the Act of 05 August 2010 on the protection of classified information;
  - 6) observing the Policy of Personal Data Security;
  - 7) observing the rules of social conduct.
3. The employee is also obliged to perform, within the scope of his/her duties, other tasks specified in the University's internal regulations.
4. The basic responsibilities of the academic teacher employed in the group of:
  - 1) didactic employees – comprise educating and instructing students or participating in the education of doctoral students,
  - 2) research employees – comprise conducting academic activity or participating in the education of doctoral students,
  - 3) research and didactic employees – comprise conducting academic activity, educating and instructing students or participating in the education of doctoral students.
5. Detailed responsibilities of academic teachers are specified in § 10 – § 11.
6. The employee's scope of duties shall be individualised depending on the type of duties entrusted to this employee. Models of scopes of duties are specified in Annex no. 1 to the Regulations.

**Chapter 4. Detailed responsibilities of the academic teacher;  
rules for determining the scope of responsibilities of academic teachers for particular  
employee groups and types of positions, types of didactic classes within the scope of these  
responsibilities, including the teaching load and the extent of other responsibilities for  
particular positions, as well as the rules for calculating didactic hours; rules for an  
academic teacher's fulfilment of duties outside the University and the units in which these  
duties may be carried out; rules for conducting didactic classes outside the University**

§ 9.

1. The academic teacher is obliged to follow a task-based work schedule.
2. The settling period for the academic teacher's work time is one academic year.

§ 10.

1. Detailed responsibilities of an academic teacher employed in the group of didactic employees include educating and instructing students or participating in the education of doctoral students, particularly through:
  - 1) preparing and conducting didactic classes, including in a foreign language, which constitute the teaching load referred to in § 14 and are specified in the study programmes for first-cycle, second-cycle and long-cycle studies and education programmes for doctoral studies and the doctoral school;
  - 2) other work related to the didactic process, including:
    - a) conducting examinations, course assessments, tests or other forms of the verification of learning outcomes, and participating in committee examinations,
    - b) participating in the mid-term evaluation of the implementation of a doctoral student's research plan,
    - c) compiling and storing documents confirming the learning outcomes acquired,
    - d) providing supervision over the preparation of students' diploma works, including verifying the diploma work prior to the diploma examination by means of the anti-plagiarism system,
    - e) reviewing diploma works and participating in committees which oversee diploma examinations,
    - f) conducting consultations,
    - g) managing students' work experience placements or supervising such placements,
    - h) assisting a student studying according to an individual curriculum plan through academic supervision,
    - i) supervising scientific circles,
    - j) participating in class observation,
    - k) preparing students for participation in competitions and cultural or sports events,
    - l) preparing models of course descriptions (syllabuses),
    - m) supervising a student as part of an international exchange;
  - 3) devising or implementing innovative education methods;
  - 4) popularising the results of didactic activity in the form of coursebooks, academic books and other didactic material;
  - 5) work to ensure quality of education, including securing international accreditation for the University;
  - 6) securing or implementing didactic projects and popularising science.
2. Detailed responsibilities of an academic teacher employed in the group of research employees include:
  - 1) conducting academic activity, including:
    - a) scientific research:
      - basic research, understood as empirical or theoretical work aimed primarily at gathering new insights into the bases of facts and observable phenomena, without focus on direct commercial application,

- applied research, understood as work towards new insights and skills, focused on devising new products, processes or services or on introducing substantial improvement into them,
  - b) development work, consisting in the acquisition, collation, construction and application of currently available knowledge and skills, also in respect of IT tools or software in order to plan production and to design and create altered, enhanced or new products, processes or services, excluding activity aimed at the introduction of routine and periodic changes, even if such changes constitute improvement,
  - c) artistic creation including creative activities resulting in material or non-material work, including performance, which constitutes a contribution to the development of culture;
- 2) disseminating the results of academic activity in a manner adopted in the scientific discipline represented, particularly in the form of:
  - a) academic articles published in scientific journals and in reviewed material from international scientific conferences, in international circulation and included in international databases which index leading scientific journals,
  - b) other academic articles published in reviewed scientific journals of established renown in a given scientific discipline;
  - c) academic monographs published by publishers from the publisher list compiled by the Minister of Science and Higher Education, and the academic editing of such monographs and chapters in such monographs;
  - d) patents granted for inventions, protective rights to utility models and plant breeders' rights;
- 3) securing or implementing research and research and development projects, financed from external sources, including the budget of the European Union, the National Science Centre, the National Centre for Research and Development or the Foundation for Polish Science;
- 4) liaising with the University with regard to the commercialisation of the results of academic research or development work or related know-how;
- 5) offering research services, through the University, on commission from entities outside the system of higher education and science;
- 6) participating in the education of doctoral students, particularly in carrying out the mid-term evaluation of the implementation of University doctoral students' research plans, conducting examinations or other forms of verification of learning outcomes, as well as supervising scientific circles;
- 7) ensuring full funding from the external sources referred to in point 3 for a basic remuneration received in the case of employment:
  - a) for a definite period – throughout the entire duration of employment,
  - b) for an indefinite period – throughout the entire duration of employment, with the option of a break in funding no longer than two consecutive years in each five-year period of employment.
- 3. Detailed responsibilities of an academic teacher employed in the group of research and didactic employees include the responsibilities referred to in section 1 points 1-2 and section 2 points 1-6.

#### § 11.

1. Moreover, detailed responsibilities of an academic teacher include:
  - 1) participating in the work of committees conducting admissions to studies;
  - 2) participating in the work of committees conducting admissions to a doctoral school;

- 3) participating in the work connected with the verification of learning outcomes;
  - 4) participating in the procedures to award the academic degree of doctor or doctor with habilitation and the title of professor, including:
    - a) acting as supervisor, co-supervisor or reviewer in the procedure to award the degree of doctor or doctor with habilitation or the title of professor, with the former bearing the additional responsibility of verifying the doctoral dissertation by means of the anti-plagiarism system,
    - b) participating in the work of the committee conducting doctoral examinations and the habilitation committee;
  - 5) participating in other work and implemented programmes connected with the development of the University's research and didactic standards, assigned by the Rector, vice-rector or dean;
  - 6) participating in organisational work for the University, connected with the didactic process and academic activity;
  - 7) continuously improving professional competences.
2. The responsibilities referred to in section 1 points 2 and 4 do not apply to an academic teacher with a master's degree or equivalent.

§ 12.

1. Subject to § 21, the duties of an academic teacher may also be performed, with consent of the Rector and in consultation with the dean, in other institutions outside the University, particularly in:
  - 1) scientific institutes of the Polish Academy of Science and research institutes;
  - 2) cultural institutions;
  - 3) offices referred to in Article 1 section 1 and section 2 points 1, 2 and 4a of the Act of 16 September 1982 on Employees in State Offices.
2. Detailed rules for the performance of duties referred to in section 1 shall be defined by a contract or an agreement concluded between an institution and the University.

§ 13.

The scope of responsibilities of an academic teacher with regard to particular employee groups and types of positions shall be defined by an immediate superior and approved by the Rector.

§ 14.

The annual quota of didactic classes conducted by an academic teacher employed in the group of research and didactic or didactic employees (teaching load) is:

- 1) 180 didactic hours – for a research and didactic employee employed in the position of professor;
- 2) 210 didactic hours – for a research and didactic employee employed in the position of associate professor;
- 2a) 60 didactic hours – for a research and didactic employee employed in the position of visiting professor;
- 3) 210 didactic hours – for a research and didactic employee with the academic degree of doctor with habilitation, employed in the position of adjunct;
- 4) 240 didactic hours – for a research and didactic employee with the academic degree of doctor, employed in the position of adjunct;



- 5) 240 didactic hours – for a research and didactic employee employed in the position of assistant;
  - 5a) 345 didactic hours – for a didactic employee employed in the position of professor;
  - 5b) 60 didactic hours – for a didactic employee employed in the position of visiting professor;
  - 6) 360 didactic hours – for a didactic employee employed in the position of associate professor, senior lecturer, lecturer, adjunct or assistant;
  - 7) 540 didactic hours – for a didactic employee employed in the position of language teacher or instructor
- with one didactic hour consisting of 45 minutes.

§ 15.

1. The teaching load of an academic teacher employed on a part-time basis shall be determined in proportion to the terms of the employment contract.
2. The teaching load of an academic teacher shall be redetermined during the academic year in the event of:
  - 1) a change in position – in proportion to the periods of employment in particular positions;
  - 2) a change in an employment group – in proportion to the periods of employment in particular groups;
  - 3) a change in the work schedule – in proportion to the periods of employment in particular work schedules;
  - 4) a change in position, employment group or working time – in proportion to the length of service in a given position or group or in particular work schedules;
  - 5) a change in an academic degree without a change in position – in proportion to the lengths of tenure with particular degrees.

§ 16.

1. Subject to sections 2 and 3 as well as § 16a, the types of didactic classes included in the teaching load, referred to in § 10 section 1 point 1 and including e-learning classes, comprise:
  - 1) lectures, including elective lectures;
  - 2) tutorials;
  - 3) pre-seminars and diploma seminars in first-cycle, second-cycle and long-cycle studies, including those conducted in the form of tutoring;
  - 4) foreign language courses;
  - 5) practical, laboratory, field, workshop classes as well as simulation and physical education classes (general, specialised and rehabilitation);
  - 6) doctor laboratories as well as doctoral and doctor seminars;
  - 7) other types of didactic classes arising from the programme of study.
2. The seminar in the form of tutoring referred to in section 1 point 3, shall be conducted, with the dean's consent, for a smaller number of students than the minimum number of seminar group members specified in a separate decree of the Rector. In the case of a seminar conducted in the form of tutoring the dean may, proportionately to the decrease in the number of seminar members in relation to the minimum number of seminar group members specified in a separate decree of the Rector, set a lower number of hours to be included in the given academic teacher's teaching load than the number specified in the study programme.



3. The seminars referred to in section 1 point 6 shall be included in an academic teacher's teaching load to the number of didactic hours specified in the education programme. Should the number of participants in a given seminar group be lower than the number required by the separate decree of the Rector referred to in § 17 section 1 point 2, the dean may set a lower number to be included in the teaching load than the number specified in the education programme.

§ 16a.

1. The teaching load of an academic teacher shall also include classes in full-time studies conducted in the form of field classes outside University premises from Monday to Friday. Should field classes outside the University premises be conducted by an academic teacher whose weekly quota of hours has not been specified in study programmes, with his/her stay in the required location exceeding eight hours per day, the teaching load should include an equivalent number of hours amounting to six hours of classes per each day of field practice.
2. Didactic classes conducted in the form of tutoring in full-time studies and in doctoral schools which have not been specified in the study programmes of first-cycle and second-cycle studies, long-cycle study programmes and the education programmes of doctoral studies and doctoral schools shall be included in the teaching load of an academic teacher at no more than fifteen hours in the academic year.

§ 17.

1. The dean, the director of the Foreign Languages Centre and the director of the Physical Education and Sports Centre shall be responsible for determining the didactic workload of academic teachers during the academic year and for the implementation of this workload. When determining the didactic workload of academic teachers, the dean, the director of the Foreign Languages Centre and the director of the Physical Education and Sports Centre shall take into account:
  - 1) the necessity to eliminate the occurrence of didactic short time;
  - 2) the sequence and rules for including classes in the teaching load, as specified in § 18, as well as the requirements regarding group sizes at the University specified in a separate decree of the Rector.
2. In cases of didactic short time, the dean, the director of the Foreign Languages Centre and the director of the Physical Education and Sports Centre may increase an academic teacher's responsibilities:
  - 1) referred to in § 10 section 1 points 2-6 and § 11 – in the case of a teacher employed in the group of didactic employees;
  - 2) referred to in § 10 section 1 point 2 and section 2 points 1-6 and § 11 – in the case of a teacher employed in the group of research and didactic employees.

§ 18.

1. Subject to section 2 points 1 and 2, the teaching load of an academic teacher shall include didactic classes resulting from the programme of study, in the following order:
  - 1) in the form of a university-wide lecture;
  - 2) as part of Interdisciplinary Individual Studies in Humanities and Social Sciences;
  - 3) at all levels of full-time studies (including doctoral studies) and in full-time long-cycle studies at the home faculty;

- 4) at all levels of full-time studies (including doctoral studies) and in full-time long-cycle studies at faculties other than the home faculty, on condition that the sequence for including such classes in the teaching load be decided by the dean of the home faculty, who shall determine a list of faculties other than the home faculty by which classes shall be included in the teaching load according to an established sequence;
  - 5) in doctoral schools;
  - 6) for participants in international exchange programmes, as part of these programmes, with due regard for the requirements regarding group sizes at the University, as specified in a separate decree of the Rector referred to in § 17 section 1 point 2;
  - 7) as part of the European University of the Seas SEA-EU programme, should the classes not be specified in the programme of studies conducted at the University or jointly conducted;
  - 8) in the form of tutoring referred to in § 16a section 2;
  - 9) in the secondary school under the terms specified in § 21;
  - 10) in part-time studies, subject to section 2 point 3.
2. When including class hours in the teaching load of an academic teacher, the following rules should also apply:
    - 1) in the first instance, the class hours included in the teaching load are the hours deemed to have been worked on the basis of § 24;
    - 2) subsequently, the class hours included in the teaching load are hours deemed to have been worked on the basis of § 23 section 1;
    - 3) class hours in part-time studies may only be included in the teaching load in justified circumstances, when the full completion of the teaching load in full-time studies is impossible, and bearing in mind that remuneration for conducting classes in part-time studies shall be financed from the revenue generated by this form of study at the given faculty.

#### § 19.

1. The teaching load of an academic teacher shall be reduced, should they assume the position of:
  - 1) Rector – by 120 hours of didactic classes a year;
  - 2) Vice-Rector – by 90 hours of didactic classes a year;
  - 3) dean – by 90 hours of didactic classes a year;
  - 4) deputy dean – by 60 hours of didactic classes a year;
  - 5) director of a doctoral school – by 60 hours of didactic classes a year;
  - 6) director of the Foreign Languages Centre and director of the Physical Education and Sports Centre – by 60 hours of didactic classes a year;
  - 7) head of a named chair – annually by 50% of the teaching load as specified for the position in which the teacher serving as head of a named chair is employed.
2. Should an academic teacher begin or cease to serve the role indicated in section 1 during a period in which didactic classes are conducted, his/her teaching load reduced on the basis of section 1 shall be redetermined in proportion to the period in which the position was held.

#### § 20.

1. Following a request by the dean, the director of the Foreign Languages Centre or the director of the Physical Education and Sports Centre, the Rector may reduce the teaching load of an academic teacher, determined in accordance with § 14 and § 15 should:
  - 1) the teacher be entrusted by the Rector with duties vital to the University;
  - 2) the teacher act as head in national or international bodies, institutions or organisations.

2. Following a request by an academic teacher and in consultation with the dean, the director of the Foreign Languages Centre or the director of the Physical Education and Sports Centre, the Rector may reduce the teaching load, determined in accordance with § 14 and § 15, of the academic teacher implementing a research, research and development or didactic project financed from external sources. The Rector shall determine the value of any implemented project which warrants a reduction in teaching load.
3. A request for a reduction in teaching load in the cases referred to in sections 1 and 2 should be submitted by an academic teacher, the dean, the director of the Foreign Languages Centre or the director of the Physical Education and Sports Centre by 30 June of the academic year preceding the academic year to which the request applies. In duly justified circumstances, an academic teacher, the dean, the director of the Foreign Languages Centre or the director of the Physical Education and Sports Centre may submit the request after the deadline.
4. Should an academic teacher cease to perform the duties vital to the University or to act as head in national or international bodies, institutions or organisations during the period in which didactic classes are conducted, his/her teaching load reduced on the basis of section 1 shall be redetermined in proportion to the period in which the teacher performed the duties vital to the University or acted as head.

#### § 21.

1. As part of his/her teaching load, an academic teacher may, with consent from the Rector and in consultation with the dean, conduct didactic classes in the secondary school managed or established by the University.
2. Classes for which remuneration is paid by the secondary school shall not be included in the academic teacher's teaching load (ban on double remuneration).
3. The didactic classes referred to in section 1 may be included in the academic teacher's teaching load should this teacher lack sufficient didactic hours in a given academic year.
4. Detailed rules for conducting the classes referred to in section 1 shall be specified in a decree by the Rector.

#### § 22.

1. An academic teacher may not conduct didactic classes as overtime, subject to sections 2-4.
2. In circumstances justified by the necessity to implement the study programme, an academic teacher may be required to conduct didactic classes as overtime, to the extent not exceeding:
  - 1) 1/4 of the teaching load – for a research and didactic employee;
  - 2) 1/2 of the teaching load – for a didactic employee.
3. An academic teacher may, with his/her written consent, be entrusted with overtime didactic classes, providing that these are no more than twice the number of hours in the teaching load determined in accordance with § 14 and § 15 and with regard to § 19 and § 20.
4. An academic teacher who is pregnant or a single parent of a child below the age of four cannot be given overtime hours without his/her consent.

#### § 23.

1. During the illness or another justified unforeseen absence of an academic teacher, the didactic hours resulting from the teaching load, scheduled to occur during the absence, shall be treated, for the purposes of establishing the number of didactic hours, as hours which have been taught as scheduled.

2. The dean, whose responsibility it is to ensure that particular academic teachers fulfil their teaching loads, shall determine detailed rules for the fulfilment of didactic classes, including the requirement to provide the implementation of didactic classes included in the study or education programmes.

§ 24.

For an academic teacher for whom no teaching load has been scheduled due to:

- 1) the teacher commencing employment after the start of the academic year,
  - 2) scheduled absence from work, connected in particular with sabbatical leave, long-term illness, health leave, unpaid leave or any other leave from work, completion of military service, maternity leave, leave on terms of maternity leave, paternity leave or parental leave,
  - 3) termination of the employment relationship before to the end of the academic year
- 1/30 of the teaching load, determined for a given position according to § 14 and § 15 and with regard to § 19 and § 20, shall be included in the fulfilled didactic hours, for each week of absence occurring in the period in which didactic classes are conducted at the University.

§ 25.

1. Overtime shall be calculated:
  - 1) on the basis of the actual number of hours worked by the academic teacher;
  - 2) according to the hours worked beyond the teaching load determined in accordance with § 14 and § 15, not taking into account the reduction in the teaching load on the basis of § 19 and § 20.
2. For the calculation of overtime, § 23 section 1 shall not apply.

§ 26.

The rules for the calculation of the work hours of academic teachers, including overtime, as well as the rates of remuneration due shall be specified by the Remuneration Regulations.

## **Chapter 5. Detailed responsibilities of an employee who is not an academic teacher**

§ 27.

1. The scope of responsibilities of an employee who is not an academic teacher shall be determined by the head of the administrative organisational unit in consultation with the superior in charge of the organisational unit.
2. Detailed responsibilities of the employee comprise, in particular:
  - 1) performing the work specified by the immediate superior in the scope of duties;
  - 2) observing the provisions of law related to the duties performed;
  - 3) broadening the knowledge necessary for the performance of work, enhancing professional qualifications and ensuring the quality of the work performed;
  - 4) observing the established order and organisation of work as well as provisions regarding personal data protection, classified information, occupational health and safety and fire safety;
  - 5) taking care of property entrusted;
  - 6) following official instructions from superiors;
  - 7) liaising with other employees of the University.

§ 28.

1. The head of an administrative organisational unit shall act as a superior to the employees of this unit and shall be responsible for the unit's performance of duties.
2. Basic responsibilities of the head of an administrative organisational unit comprise, in particular:
  - 1) organising, supervising and facilitating the work of subordinate employees in order to implement the unit's duties in a reliable and timely manner;
  - 2) carrying out management control activities, including risk management;
  - 3) observing the provisions of law with regard to the organisation and functioning of the unit;
  - 4) ensuring that subordinate employees observe work order and discipline, personal data protection regulations, confidential information, occupational health and safety and fire safety;
  - 5) submitting applications in individual matters concerning unit employees;
  - 6) supervising the appropriate use, protection and settlement of property entrusted to the unit;
  - 7) ensuring that unit documents are archived;
  - 8) performing other activities connected with the position held.
3. The head of an administrative organisational unit shall bear material and official responsibility with regard to losses resulting from failure or omission to perform his/her duties or the failure to exercise his/her powers.
4. The head of an administrative organisational unit shall be substituted during his/her absence by a designated employee of the unit.
5. Official duties shall be entrusted or assumed by employees employed in managerial positions and by other employees employed in independent positions by means of a handover document. Matters regarding these employees' liability for the University's property are defined by a Chancellor's decree.

## **Chapter 6. Establishment and termination of employment relationship**

§ 29.

1. The establishment of an employment relationship, irrespective of its legal basis, shall require declarations of intent by both employer and employee.
2. By establishing an employment relationship, the employee undertakes to perform a specific task for the University at the time and place assigned by the superior and under his/her supervision, while the University undertakes to employ the employee for remuneration.
3. The employment contract shall be concluded and terminated under the terms specified in the Labour Code and other provisions of labour law, and in the case of academic teachers also in the Act – Law on Higher Education and Science.
4. For the employment relationships of academic teachers concluded on the basis of appointment, the provisions of the repealed Act of 27 July 2005 – Law on Higher Education in the wording in force on 30 September 2018 shall apply.

## Chapter 7. Organisation of work

### § 30.

1. The organisation of work shall consist in establishing the scope of activity of independent organisational units, dividing tasks into detailed activities and allocating these activities to the employees of a given unit.
2. The subordination of a head of an organisational unit is specified by organisational regulations.
3. Employees are subordinate to the head of the organisational unit in which they are employed.
4. An employee may be present in University premises outside the assigned work hours only with the consent of the immediate superior.

### § 31.

1. Before being allowed to work, a new employee should be:
  - 1) referred to a pre-employment medical assessment, subject to Article 229 § 1<sup>1</sup> of the Labour Code and offered an employment contract in accordance with the requirements of Article 29 of the Labour Code;
  - 2) informed of the occupational hazards connected with the work entrusted and of the rules on prevention of hazards;
  - 3) trained with regard to occupational health and safety as well as fire safety regulations;
  - 4) acquainted with the information security policy;
  - 5) acquainted with the Personal Data Security Policy;
  - 6) acquainted with the Policy for Counteracting Harassment and Discrimination;
  - 7) acquainted with the aim as well as scope and method of using video surveillance ;
  - 8) supplied, where required, with personal protection equipment as well as work clothing and footwear.
2. The immediate superior should introduce the employee to:
  - 1) the scope of occupational duties and the manner in which they are to be performed;
  - 2) the place of work.
3. Should the work assigned to an employee not provide for the full use of his/her worktime, the immediate superior may also allocate other work, for which the employee possesses the required qualifications.

### § 32.

1. In the event of absence at work of:
  - 1) a head of an organisational unit and a lack of a regular deputy head, the head of the organisational unit shall be substituted by an employee designated by the head.
  - 2) an employee, his/her immediate superior shall designate, should the need arise, a substitution for the period in question or divide the duties of the absent employee among other employees of the organisational unit.
2. An employee shall act on the instructions issued by the immediate superior. Should instructions be issued by a senior superior, the employee shall be obliged to act on them and inform his/her immediate superior of this fact.

### § 33.

1. The University shall provide employees with free personal protection equipment which meets the requirements regarding the assessment of conformity, specified in separate regulations,

as well as work clothing and footwear which meet the requirements set out in the Polish Standards.

2. Personal protection equipment as well as work clothing and footwear shall be issued free of charge, on the basis of the University's internal regulations which specify, in particular, their service life as set out in the "Table of Standards".
3. Protective clothing, work clothing and footwear as well as personal protection equipment shall be collected and settled by the employee on the terms specified in separate regulations.
4. Employees entitled to protective and work clothing as well as personal protection equipment shall be required to carry out their professional duties in the protective and work clothing issued and by means of the equipment issued.
5. On the basis of internal regulations, the University shall also provide employees with free issue of personal hygiene products required in the given workplace.
6. The immediate superior shall be responsible for providing the materials and equipment to employees and for their appropriate use, as well as for holding employees accountable for the use of said materials and equipment.

§ 34.

1. An employee employed to work with appliances, doing continuous work or working in a multi-shift position, may not leave their workplace unless replaced by another employee. In the event of an absence of a replacement employee, the employee shall immediately inform the superior, who shall then be obliged to provide a substitution.
2. Unauthorised transfer of official duties between employees shall not be permitted, even when they possess similar professional qualifications.

§ 35.

1. Applications, requests and explanations shall be submitted by an employee in written or oral form to the immediate superior. The superior shall be obliged to immediately inform the employee of the manner in which the issue shall be resolved.
2. The immediate superior should provide an employee with any information regarding their professional work. Should the information prove to be insufficient, the employee may request information from a senior superior or the head of an appropriate organisational unit.
3. Complaints and requests shall be accepted at the Rector's Office and the Chancellor's Office. Once a week, on Mondays between the hours of 8 a.m. and 9 a.m., the Rector or the Chancellor shall deal with employee complaints and requests regarding the general affairs of the University, managerial staff and employee matters.
4. A response to a complaint or request submitted should be given within thirty days from the date of submission.

§ 36.

An employee shall be required to inform the immediate superior or the administrator of a facility of any case of theft, loss or damage to the University's assets or of a suspicion of any criminal offence committed to the detriment of the University. Any consequence of failure to inform shall be borne by the employee.



§ 37.

Upon conclusion of work, all employees shall be obliged to tidy their workplaces, switch off computers and accompanying devices and secure the entrusted property, including documents, stamps, equipment and devices.

§ 38.

The manner in which rooms are to be secured after the conclusion of work shall be specified by the immediate superior according to the technical and organisational conditions and the University's internal regulations.

## **Chapter 8. Working time and settlement periods**

§ 39.

1. Working time is the time in which the employee remains at the disposal of the employer in the workplace or a place designated by the immediate superior for the performance of work.
2. Working time shall be fully dedicated to professional work.
3. An employee shall appear at work sufficiently early so as to take their workplace at the hour assigned as their starting time.
4. Commencing or finishing work outside of the fixed working hours shall not be included in working time, subject to section 5.
5. Commencing work early and finishing work later, if connected with overtime or making up for absence from work due to personal matters, shall be permitted only with consent or on instruction from the superior.
6. Employees shall be obliged to confirm their arrival at work by:
  - 1) signing an attendance list displayed in designated places at University's facilities – in the case of the record of the hours worked being kept in paper form;
  - 2) clocking in with an electronic card in the working time recording system – in the case of the record of the hours worked being kept in electronic form.
7. A University employee may, for legitimate reasons, obtain individual permission to change the hours at which they commence or finish work, while still observing the required working time.
8. Permission may be granted by the Chancellor at the request of the employee, approved by the immediate superior and a senior superior, in accordance with the current provisions of labour law. The permission shall be granted for a limited period of time.
9. Saturday shall constitute a non-working day with regard to the working time arrangement in an average five-day working week for employees who are not academic teachers. Non-working days with regard to an average five-day working week for service staff employed to supervise the premises shall result from the work schedule.
10. Working time standards are specified in the Labour Code.
11. Administrative, scientific and technical, engineering and technical employees, computer specialists, editorial as well as editorial and technical employees are employed in the basic working time system and work from Monday to Friday between 7:00 – 15:00. Their working time may not exceed eight hours daily and amounts on average to forty hours per week, with the settlement period being one month.
12. The working time of persons with severe and moderate disabilities may not exceed seven hours daily and thirty-five hours per week, with the settlement period being one month.

13. Deans and heads of general university units may, with consent from the Chancellor, establish other times for the commencement and completion of work by employees who are not academic teachers, resulting from the specifics of organising the work of the given organisational unit, in compliance with the regulations on working time specified in the Labour Code.
14. Service staff, subject to the employees listed in point 18, employed in the basic working time system, work from Monday to Friday at eight hours daily and on average forty hours per week. Their work is performed in a two-shift system:
  - 1) first shift: between 6:00 – 14:00,
  - 2) second shift: between 14:00 – 22:00- with the settlement period being three months.
15. The work schedule for the employees listed in point 12 shall be prepared for the period of one month by the immediate superior who shall communicate it to the employees no later than seven days prior to the commencement of the next working month. Acceptance of the schedule to be completed shall be confirmed by employees in writing.
16. The working time of service staff and reception administration staff in Leżno, including overtime work, may not exceed twelve hours daily.
17. The maximum number of overtime hours for UG service staff and Leżno reception administration shall be fixed at three hundred per calendar year.
18. Service staff employed to protect persons and property as well as administrative staff in Leżno are employed in a balanced working time system and work up to twelve hours daily and on average forty hours per week within the settlement period not exceeding one month. In exceptionally justified circumstances, the settlement period may be extended but by no more than a maximum of three months. For these employees, the maximum number of overtime hours shall be fixed at three hundred per calendar year.
19. The work schedule for employees listed in point 17 shall be prepared for the period of one month by the appropriate head of an organisational unit, who shall communicate it to employees no later than seven days prior to the commencement of the next working month. Acceptance of the schedule to be completed shall be confirmed by employees in writing.
20. The working time of drivers employed at the University of Gdańsk shall not exceed twelve hours per day, at an average of forty hours per week in a three-month settlement period.
21. The work schedule for particular drivers, specifying the times for the commencement and completion of work on particular days, shall be determined by the head of the Administration and Transport Department for the coming week and communicated to employees by the previous Friday.
22. The week referred to in point 20 shall be understood as the period between 0:00 on Monday and 24:00 on Sunday.
23. Receipt of the schedule shall be confirmed by each driver in writing.
24. Work on a Sunday or over a holiday should be understood as work performed between 6:00 on that day and 6:00 the following day.

#### § 40.

1. Library employees are obliged to follow a forty-hour working week in a two-shift work system at the following times:
  - 1) first shift: between 7:30 – 15:30,
  - 2) second shift: between 12:00 – 20:00

- with the settlement period of one month. The working time may not exceed eight hours a day.
- 2. The two-shift work system shall apply to employees involved in direct work with the users of the Main Library and specialist libraries. The remaining staff employed in library positions shall be obliged to follow the afternoon shift schedule in user access areas, determined at least fourteen days in advance. The fourteen-day period shall not apply in unforeseen circumstances, particularly regarding a substitution of an employee absent due to sickness. The time of afternoon shifts at the user access areas constitutes working time for which an employee shall be entitled to a supplement for work in the second shift.
- 3. Detailed working time schedules of Library employees shall be determined by the Director of the Library in consultation with the University trade unions and communicated to the employees at least fourteen days before they come into force.

§ 41.

1. In organisational units which also work on Sundays, employees should be entitled to a Sunday free from work at least once every four weeks.
2. An employee working on a Sunday should be provided by the employer with another non-working day within six days prior to or following the Sunday or, if this is impossible, by the end of the settlement period. An employee working over a holiday should be granted an extra non-working day by the end of a given settlement period.
3. By the end of a given settlement period and in agreement with the employee, the employee should be granted an extra day off for their work on a non-working day in the general five-day working week.
4. Night-time should be understood as the eight hours between 22:00 and 6:00. Employees shall be granted additional remuneration for night shifts, as specified in separate regulations.
5. Employees whose working time amounts to at least six hours shall be entitled to a 15-minute break. The time of the break shall be determined by the head of an organisational section.
6. Employees with severe and moderate disabilities shall be entitled to an additional 15-minute break for exercise or relaxation.
7. Staff employed in positions connected with the use of display screens shall be entitled to a 5-minute break after each full hour of work with the screen.
8. The break periods referred to in sections 5-7 shall be included in the employees' working time.

§ 42.

1. Overtime work is defined as work beyond the employee's working time standards or beyond the extended daily working time as set out in the employee's work system and schedule.
2. In the contract with an employee employed part-time, the parties shall specify the maximum acceptable number of working hours, the exceeding of which shall entitle the employee to the same supplement as for overtime work.
3. Overtime work may be performed only on explicit instruction from the immediate superior in the case of:
  - 1) the necessity to conduct a rescue operation to protect the life and health of others, or to protect property or rectify damage;
  - 2) specific needs of the employer.
4. For overtime work, apart from the standard remuneration, the employee shall be entitled to a supplement on the terms specified in separate regulations.

5. Making up for absence from work due to personal matters, granted upon a request from the employee, shall not constitute overtime work.
6. The employee may request to be granted corresponding time off in exchange for time worked as overtime. Should the time off be granted by the employer without the employee's request, the time granted shall constitute 50% more than the number of hours worked. In that case, the employee shall not be entitled to a supplement to the remuneration.

§ 43.

1. Within each 24-hour period the employee shall be entitled to a minimum of eleven hours of uninterrupted rest.
2. This entitlement shall not apply to employees managing the workplace on behalf of the employer or employees in the event of the necessity to conduct a rescue operation to protect the life and health of others, or to protect property or rectify damage. In these cases such employees shall be entitled to an equivalent period of rest, granted within the given settlement period.
3. Within each week, the employee shall be entitled to a minimum of thirty-five hours of uninterrupted rest, including at least eleven hours of uninterrupted daily rest. As a rule the rest shall fall on a Sunday.

§ 44.

1. The employee may be obliged to be on duty in the workplace or another location where work is performed, also in his/her place of residence.
2. The length of duty time may not infringe the right of the employee to the daily or weekly rest referred to in 43 sections 1 and 3.
3. The length of duty time shall not be included in the working time should the employee not be performing work at this time.
4. The employee should be granted time off on an hour-per-hour basis or paid remuneration according to his/her pay rate for the length of duty time rendered in the workplace or another location where work is performed.

§ 45.

The working time of a juvenile employee under the age of sixteen may not exceed six hours per day and eight hours per day if over the age of sixteen.

§ 46.

The working time of persons employed part-time shall be specified in individual employment contracts.

§ 47.

1. If necessary, the Chancellor and the Chief Financial Officer or their deputies shall perform overtime work per day and on non-working days without the right to additional remuneration.
2. If necessary, heads of organisational units shall be obliged to perform overtime work without the right to additional remuneration.
3. The employees referred to in section 2, performing work on non-working days, should be granted an equivalent of another day off or, if this is not possible, paid a supplement to the remuneration.

§ 48.

1. The head of an organisational unit shall maintain a record and supervision of the working time for each subordinate employee individually.
2. The working time record shall be kept in electronic or paper form.
3. The documents regarding record-keeping of the working time shall comprise:
  - 1) working time record, containing information on:
    - a) the number of hours worked and the time on which work started and finished,
    - b) the number of hours worked at night-time,
    - c) the number of overtime hours,
    - d) days off, with justification for granting them,
    - e) the number of hours of duty and the time on which duty started and finished, with indication of the location in which duty was performed,
    - f) the kind and length of leave from work,
    - g) the kind and length of other excused absence from work,
    - h) the length of unexcused absence from work,
    - i) the length of work of a juvenile employee rendering work not permitted for adolescents, the performance of which shall be allowed in order to complete their professional training;
  - 2) the employee's requests regarding:
    - a) the granting of leave from work due to personal matters,
    - b) the application for and leave from work if caring for at least one child under the age of fourteen,
    - c) the arrangement of an individual time schedule within the employee's working time system,
    - d) the application of a shorter working week system,
    - e) the application of a work system in which work is rendered only on Fridays, Saturdays, Sundays and on holidays,
    - f) the application of a work schedule which allows work to begin at different times on an employee's scheduled working days,
    - g) the application of a work schedule which allows the employee to determine a time period for work to start on a scheduled working day;
  - 3) documents regarding:
    - a) the application of the task-based work system,
    - b) the arrangement with the employee as to the date on which another day off has been granted in exchange for work on a non-working day resulting from the work schedule in an average five-day working week,
    - c) the performance of overtime work or remaining at work outside the regular work hours in readiness to perform work;
  - 4) documents confirming the consent of:
    - a) an employee caring for a child under the age of four to perform work in working time systems which allow for the daily work time to be extended as overtime, at night-time, in the interrupted working time system and to be posted outside the regular workplace,
    - b) a pregnant employee to be posted outside the regular workplace and to be employed in the interrupted working time system.
4. Detailed rules regarding record-keeping of the working time are specified in a Chancellor's decree.

§ 49.

The working time of the Chancellor, the Chief Financial Officer and their deputies as well as academic teachers and other employees working in the task-based work system shall not be subject to record-keeping.

**Chapter 9. Leave from work and excusing absence from work**

§ 50.

1. The reasons which excuse the absence of an employee from work are the events and circumstances specified by labour law regulations which do not permit the employee to appear at the workplace and perform work, as well as other cases of inability to perform work indicated by the employee and deemed by the employer as justification for absence.
2. The employee should give the employer prior notice of the reason for and expected period of absence from work if the reason is known in advance or can be predicted.
3. In the event of reasons preventing presence at work, the employee shall be obliged to inform the employer immediately of the reason for and expected duration of the absence but no later than on the second day of the absence from work. The employee shall communicate this fact to the immediate superior or an employee of the Personnel Department in person or by proxy, by telephone or by another means of communication, or by mail, in which case the date of the postmark shall be deemed to be the date of notice.
4. The employee shall be obliged to provide the employer with a medical certificate, if issued in paper form, no later than within seven days from the date of issue.
5. Not observing the deadline referred to in section 2 may be justified by exceptional circumstances which make it impossible for the employee to comply with this obligation within the deadline, particularly due to serious illness exacerbated by a lack or absence of household members, or to another fortuitous event. The provision of section 2 shall apply accordingly upon cessation of the reasons preventing the employer from being notified of the reason for and expected period of the employee's absence from work.
6. The following shall constitute evidence excusing absence from work:
  - a) a medical certificate of temporary incapacity for work, issued in accordance with the regulations on certifying temporary incapacity for work;
  - b) a decision by a competent sanitary inspector, issued in accordance with the regulations on combating infectious diseases, in the case of the employee's isolation for reasons provided for by these regulations;
  - c) an employee declaration in the event of circumstances justifying the necessity to provide personal care for a healthy child below the age of eight due to the unforeseen closure of the child's creche, kindergarten or school;
  - d) a personal summons containing confirmation of compliance, issued by a competent body with regard to the universal duty of defence, a government administration body or local government body, a court, prosecutor's office or the police, for the employee to appear as a party or witness in proceedings by these bodies;
  - e) an employee declaration confirming an overnight business trip, completed less than eight hours before the commencement of work, in conditions which did not permit a full night's rest.

§ 51.

1. Each departure from the workplace shall require the consent of the employee's superior.
2. Unauthorised departure from the workplace shall constitute a serious breach of work discipline and result in the employee's accountability for non-compliant behaviour.
3. In the event of lateness for work, the employee shall be obliged to report to the immediate superior. The employee shall be entitled to remuneration for the period of lateness provided he/she makes up for this time.
4. The University shall be obliged to exempt the employee from work should this obligation result from the Labour Code, the executive regulations to the Labour Code or from other provisions of law.
5. Upon a request from the employee, the superior may grant short-term leave from work due to personal matters. Remuneration for this period shall not apply unless the employee makes up for this time.
6. The employee enhancing his/her professional qualifications shall use the training leave or leave for part of the working day on the terms specified in the Labour Code and the training agreement concluded with the employer.

**Chapter 10. Holiday leave, convalescent leave and paid research leave**

§ 52.

1. Each employee shall be entitled to an annual, uninterrupted, paid holiday leave to the duration specified by the Act – Law on Higher Education and Science in the case of academic teachers, and by the Labour Code in the case of employees who are not academic teachers.
2. Holiday leave shall be granted in the calendar year in which the employee acquired the right to that leave.
3. The employee shall be granted holiday leave at a time agreed with the employer.
4. At the employee's request, the leave may be divided into parts, with at least one of the parts lasting no less than fourteen consecutive calendar days.
5. The employer shall be obliged to grant the leave unused in the agreed time no later than by 30 September of the following calendar year.
6. During the period of notice or in the case of an employment relationship concluded for a limited period, the employee shall be obliged to use the leave due before the termination of employment, should leave during this period have been granted by the employer.
7. In exceptional circumstances, which were not known at the time leave was granted, the employer may recall the employee from holiday leave whilst covering all the costs directly related to the recall incurred by the employee.
8. At the employee's written request, the employer may grant unpaid leave.
9. The period of unpaid leave shall not be included in the period of work covered by employee entitlements.
10. The employee may be granted unpaid leave, with his/her written consent, to perform work for another employer for a period agreed between the employers.
11. The period of unpaid leave referred to in section 10 shall be included in the period of work covered by employee entitlements at the University.



§ 53.

1. An academic teacher's holiday leave of must be used only during the period free from didactic classes resulting from the organisation of the academic year and the given academic teacher's timetable.
2. In exceptionally justified circumstances and with consent of the dean or the head of a general university unit, part of the leave may be used during the period of didactic classes.
3. Holiday leave shall be granted in accordance with the leave schedule.
4. The leave of vice-rectors, deans and heads of organisational units shall be granted by the Rector. The person taking leave should nominate a deputy for the duration of this absence.
5. The leave of academic teachers not referred to in section 4 shall be granted by the dean or the head of a general university unit.
6. The leave schedule, separate for each academic teacher and including his/her requests, shall be drawn up by the dean or the head of a general university unit, or a person authorised by the dean or head.
7. The leave schedule must include all days of leave due in a given calendar year and days of outstanding leave, unused in previous years.
- 7a. At the request of an academic teacher and within the dates indicated, the University shall be obliged to grant a maximum of four days of leave in each calendar year (leave on demand).
- 7b. The leave schedule shall not include leave on demand.
- 7c. At the very latest, leave on demand should be communicated by the academic teacher prior to the commencement of work on the day in question.
8. The academic teacher shall confirm in writing his/her familiarity with the dates for leave indicated in the schedule. The approved leave schedule shall be construed as the teacher's submission of a request to be granted leave in the dates indicated (a leave card).
9. The leave schedules approved by deans or heads of general university units shall be submitted to the Personnel Department by 31 March of a given calendar year at the latest.
10. The responsibility for the implementation of leave schedules shall rest with deans or heads of general university units or persons authorised by them.
11. In justified circumstances, the academic teacher may use holiday leave at a date different from that indicated in the leave schedule. A written request by the employee, including a suggestion for the maximum use of the leave due, shall constitute the basis for such leave to be granted.
12. The holiday leave referred to in section 11 shall be granted by the dean or the head of a general university units or by a person authorised by them. The teacher's request shall be forwarded to the Personnel Department.

§ 54.

1. For the holiday leave of employees who are not academic teachers § 52 shall apply, or the Labour Code in the absence of specific provisions.
2. The holiday leave of the employees referred to in section 1 shall be granted by the immediate superior.
3. At the request of and time indicated by the employee the University shall be obliged to grant no more than four days' leave in each calendar year (leave on demand).
4. The leave schedule shall not include leave on demand.
5. At the very latest, leave on demand should be communicated by the employee prior to the commencement of work on the day in question.

§ 55.

1. An academic teacher below the age of 65, employed full-time, shall be entitled to paid convalescent leave after a minimum of ten years of employment at the university.
2. The length of service, on which the right to convalescent leave depends, shall include all periods of work at universities in the post of academic teacher.
3. An academic teacher who requests convalescent leave but whose length of service at the University is less than ten years shall be obliged to present a statement from other universities to clarify whether convalescent leave has or has not been taken, including the period of leave granted referred to in section 1.
4. The total length of convalescent leave in an academic teacher's entire period of employment may not exceed one year, with the proviso that, should the leave be granted in parts, the subsequent leave may not be granted sooner than three years after the date on which the previous leave ended.
5. An academic teacher shall be granted convalescent leave by the Rector on the basis of a medical certificate. The decision regarding the need to grant an academic teacher convalescent leave shall rest only with an occupational medicine specialist employed in an occupational medicine unit with which the University has signed an agreement.
6. The specialist shall conduct a medical examination on the basis of a referral issued by the Rector at the request of an academic teacher.

§ 56.

1. The Rector may grant to an academic teacher:
  - 1) with the degree of no less than doctor, paid research leave to a total maximum length of one year in order to conduct research, within a period of seven years of employment at the University;
  - 2) preparing his/her doctoral dissertation, paid research leave to a maximum length of three months;
  - 3) paid leave in order to pursue education, or to participate in an academic or didactic internship, a conference or joint scientific research conducted with a foreign entity on the basis of a scientific cooperation agreement;
  - 4) paid leave in order to participate in joint scientific research conducted in conjunction with the Łukasiewicz Centre or an institute in the Łukasiewicz Network.
2. The detailed rules and procedures for granting the leave referred to in section 1 are specified in § 57 – § 59.
3. Upon completion of the research leave, an academic teacher shall submit a written report on the research leave to the Vice-Rector for Research. A model of the report constitutes Annex 2a to the Regulations.
4. In exceptionally justified circumstances, including a long-term illness confirmed by a doctor's note, or another fortuitous event, the Rector may, on request from the teacher, consent to the research leave to be discontinued and the remaining part to be used at a later date.

§ 57.

1. An academic teacher entitled to request the research leave referred to in § 56 section 1 point 1, shall submit the request to be granted research to a competent dean or head of a general university unit, accompanied by a justification, addressed to the Rector and reviewed by the immediate superior. A model of the request constitutes Annex 2b to the Regulations. The request should be accompanied by a list of academic achievements over the period of two

years preceding submission, available in the employee's academic profile in the UG Knowledge Base.

2. The dean or head of a general university unit shall submit the teacher's request to be granted the research leave referred to in section 1 for review of the faculty council or the council of the general university unit.
3. The dean or head of a general university unit shall forward the request to be granted research leave to the Vice-Rector for Research, accompanied by the documents and review referred to in section 2.
4. The Vice-Rector for Research shall forward the request to the Rector together with a recommendation or suggestion for rejection.
5. The leave shall be granted for the period indicated in the Rector's written decision.
6. The Rector's decision shall be registered in a competent organisational unit for research, with a copy forwarded to:
  - 1) the applicant and the immediate superior;
  - 2) the dean or head of a general university unit;
  - 3) the Personnel Department and the Payroll Department.

#### § 58.

1. An academic teacher entitled to request the leave referred to in § 56 section 1 point 2 in order to prepare a doctoral dissertation shall submit a request addressed to the Vice-Rector for Research and reviewed by the supervisor and the immediate superior. A model of the request constitutes Annex 2c to the Regulations.
2. The request should be accompanied by a statement regarding the acceptance of the proposed dissertation research or a copy of a resolution by the scientific discipline council regarding the appointment of a supervisor or supervisors, as well as a list of academic achievements.
3. The leave shall be granted for the period indicated in the written decision issued by the Vice-Rector for Research acting on authorisation from the Rector.

#### § 59.

1. An academic teacher entitled to request leave in order to pursue education, to participate in an academic or didactic internship, a conference or joint scientific research conducted with a foreign entity or in order to participate in joint scientific research conducted in conjunction with the Łukasiewicz Centre or an institute in the Łukasiewicz Network, referred to in § 56 section 1 points 3 and 4, shall submit the request to a competent dean or head of a general university unit, accompanied by justification, addressed to the Rector and reviewed by the immediate superior. A model of the request constitutes Annex 2d to the Regulations.
2. The request should be accompanied by a list of academic achievements over the two years preceding the submission, available in the employee's academic profile in the UG Knowledge Base, as well as a copy of an agreement with another entity on scientific cooperation.
3. The dean or head of a general university unit shall submit a teacher's request to be granted the leave referred to in section 1 to the faculty council or the council of the general university unit for review.
4. The dean or head of a general university unit shall forward the request for leave to the Vice-Rector for Research, accompanied by relevant documentation and the review referred to in section 3.
5. The Vice-Rector for Research shall forward the request to the Rector together with a recommendation or suggestion for rejection.

6. The leave shall be granted for the period indicated in the Rector's written decision.
7. The Rector's decision shall be registered in a competent organisational unit for research, with a copy forwarded to:
  - 1) the applicant and the immediate superior;
  - 2) the dean or head of a general university unit;
  - 3) the employee's personnel file.
8. Rules for settling the trip as part of the leave referred to in section 1 are specified in separate regulations.
9. In the case of research projects financed from external sources and entailing a long-term stay abroad or in a domestic research centre, the leave referred to in section 1 shall be granted with due regard to the provisions of the project financing. Double remuneration of an employee by combining payment for the completion of research tasks from the grant obtained with the use of paid leave shall not be permitted (ban on double remuneration).
10. Should the request for leave referred to in section 1 be rejected, the applicant may request unpaid leave under the terms specified in the Labour Code.

### **Chapter 11. Dates and forms of remuneration payment**

#### **§ 60.**

1. For the completion of the occupational duties entrusted, an employee shall receive remuneration for work in accordance with the employment contract or the act of appointment.
2. The conditions of remuneration for work are specified in the remuneration regulations.

#### **§ 61.**

The fixed components of the remuneration of an academic teacher shall be paid in advance, on the first working day of the month. The remaining remuneration components shall be paid in arrears upon completion of duties.

#### **§ 62.**

1. In the case of employees who are not academic teachers and whose remuneration is determined at a monthly rate, the remuneration shall be paid on the last working day of the month.
2. In the case of employees whose remuneration is determined according to the amount of work performed, the remuneration shall be paid on the tenth day of the following month, with the proviso that should this day be a non-working day, the remuneration shall be paid on the preceding day.

#### **§ 63.**

1. Remuneration shall be paid to the bank account indicated by the employee unless the employee requests that the remuneration be paid out directly.
2. Direct payments shall be made on working days at the University's cash office during office hours.

## **Chapter 12. Awards and distinctions**

### **§ 64.**

1. For their achievements in professional work, academic teachers and employees who are not academic teachers may receive Rector's awards, the granting of which is specified by separate regulations.
2. For their exceptional scientific achievements, academic teachers may be honoured by the Rector with a scientific award. Rules for granting the award are specified by a separate decree of the Rector.
3. For their exceptional didactic achievements, academic teachers may be honoured by the Rector with the Krzysztof Celestyn Mrongovius Teacher of the Year Award. Rules for granting the award are specified by a separate decree of the Rector.
4. For exceptional service to the University, employees may be awarded with the Medal of the University of Gdańsk, the granting of which is specified by the UG Statute.

## **Chapter 13. Work discipline**

### **§ 65.**

An employee missing all or part of a working day without prior consent from the immediate superior shall be justified only by important reasons, in particular:

- 1) an accident or an illness resulting in the employee's incapacity for work, or isolation due to an infectious disease,
- 2) an accident or the illness of a family member which requires the employee to take direct care of the family member,
- 3) circumstances which require the employee to take direct care of a child under the age of eight,
- 4) exceptional circumstances preventing the employee from arriving at work on time,
- 5) the necessity for an employee to rest for up to eight hours after completing an overnight journey if travel conditions prevented rest.

### **§ 66.**

1. For the employee's non-compliance with the established organisation and integrity of the work process, occupational health and safety regulations, fire regulations, as well as the observed method for the confirmation of arrival and presence at work and for excusing absence at work, the University may impose:
  - 1) a caution;
  - 2) a reprimand.
2. For the employee's non-compliance with the occupational health and safety regulations or fire regulations, leaving the workplace without an excuse, arriving at work in a state of intoxication or under the influence of narcotic substances, consuming alcohol or using narcotic substances at work – the employer may also impose a financial penalty, under the terms specified in Article 108 § 3 of the Labour Code.
3. For each identified violation of employee duties the employee may be punished with only one of the penalties referred to in section 1 points 1-2 and section 2. Revenue from the financial penalties shall be used towards the improvement of occupational health and safety at the University.

§ 67.

1. The penalties of caution or reprimand, or the financial penalty referred to in § 66 sections 1 and 2, must be imposed within two weeks of notification of the employee's violation of duties and within three months of the violation having been committed.
2. The penalty may be imposed only after the employee is given a hearing.
3. Should a hearing not be possible due to absence from work, the two-week deadline referred to in section 1 shall not be initiated, or should it have begun, it shall be suspended until the employee appears at work.
4. The penalty for the violation of the integrity and discipline of work shall be imposed by:
  - 1) the Rector or the Vice-Rector acting on authorisation from the Rector – in the case of an employee who is an academic teacher,
  - 2) the Chancellor or the Deputy Chancellor acting on authorisation from the Chancellor – in the case of an employee who is not an academic teacher.
5. The University shall communicate the penalty imposed to the employee in writing, indicating the nature and date of the violation of employee duties, and informing the employee of the right to object and the deadline for such an objection. A copy of the notification should be placed in the employee's personnel file.

§ 68.

1. Should the imposition of the penalty have been carried out in breach of the provisions of law, the employee may lodge an objection within seven days from being informed of the penalty.
2. The decision to uphold or reject an objection shall rest, on behalf of the employer, with a person holding the post referred to in § 67 section 4 point 1 or 2, after due consideration of the position of a trade union organisation representing the employee. An objection shall be considered to have been upheld should no decision to reject it be made within fourteen days.

§ 69.

1. The employee who has lodged an objection may, within fourteen days from being notified of the rejection to this objection, apply to the labour court for the imposed penalty to be revoked.
2. The penalty shall be considered void, and the copy of the penalty notification removed from the employee's personnel file:
  - 1) after one year of exemplary work;
  - 2) if the employer has upheld the objection;
  - 3) if the labour court passes a judgement revoking the penalty.
3. A person serving a role referred to in § 67 section 4 points 1 and 2 may, upon his/her initiative or following a request by a trade union organisation representing the employee, consider the penalty void before the deadline specified in section 2. The decision to deem the penalty void should be communicated to the employee.

§ 70.

The employee who has, due to non-performance or improper performance of employee duties, and through his/her own error, caused the employer to sustain damage, shall bear material liability under the terms specified in Articles 115-122 of the Labour Code.

§ 71.

1. The employee entrusted (under the obligation to return or account for) with:
  - 1) money, securities or pre-numbered forms,

- 2) tools, equipment or similar objects, as well as work clothing and footwear – shall be liable in full for damage caused to this property.
2. The employee shall also be liable in full for damage caused to property other than that specified in section 1, entrusted to him/her under the obligation to return it or account for it.
3. The employee may be discharged of the liability specified in sections 1 and 2 if he/she demonstrates that the damage was caused due to reasons beyond his/her control, and in particular as a result of the employer failing to provide appropriate conditions to secure the property entrusted.

§ 72.

The disciplinary liability of academic teachers is specified by separate regulations.

#### **Chapter 14. Occupational health and safety**

§ 73.

The responsibilities of the University with regard to occupational health and safety shall comprise:

- 1) maintaining the buildings and workspace within as well as related areas and devices in a condition which ensures a safe and hygienic work environment;
- 2) providing employees with the preventive health care referred to in the Act of 27 June 1997 on occupational health services;
- 3) providing employees with appropriate sanitation and hygiene facilities;
- 4) providing employees with the necessary personal hygiene products according to the standards for particular employee groups, in accordance with current internal regulations;
- 5) providing employees with supplies to administer premedical first aid in the case of an accident;
- 6) providing employees with free personal protection equipment for work which may lead to exposure to bodily harm or mechanical injuries, burns, poisoning or electrocution, as well as providing such equipment to employees working in low temperatures, humidity, noise or other harmful conditions;
- 7) providing employees with free work clothing and footwear should their own clothing be at risk of damage or significant soiling, as well as for reasons of occupational health and safety;
- 8) ensuring that the personal protection equipment and the work clothing and footwear used have protective and performance characteristics, and providing appropriate washing, maintenance, repair, dust removal and decontamination; moreover, work clothing and footwear must meet the requirements specified in the appropriate Polish Standards and personal protection equipment must have valid certification (complying with the requirements on conformity assessment specified in the regulation of the Minister of Economy of 28 December 2005 on essential requirements for personal protection equipment);
- 9) conducting periodic occupational risk assessment and informing employees of any occupational risk connected with the work performed, and regulations on risk prevention;
- 10) conducting, at the University's cost, tests and measurements of hazardous factors, recording and storing the results of these tests and measurements and making them available to the employees who are exposed to hazardous factors in the workplace.



§ 74.

1. The responsibilities of the employee with regard to occupational health and safety shall comprise:
  - 1) being familiar with occupational health and safety rules and regulations, participating in training and instruction in this regard and undergoing the required examinations;
  - 2) performing work in compliance with occupational health and safety rules and regulations and following superiors' instruction and advice in this regard;
  - 3) keeping machinery, appliances, tools and equipment in good condition and maintaining cleanliness and order in the workplace;
  - 4) undergoing pre-employment, periodic and follow-up medical examination and presenting the original of a current medical certificate of fitness for work to the immediate superior;
  - 5) immediately notifying the superior of any identified accident at work or hazards to human health or life, and warning those in the risk area of the danger;
  - 6) in the event of an unfortunate incident, if injured, reporting to the Health and Safety Inspectorate in order to complete post-incident documentation, even if the employee has not been issued with a medical certificate of being unfit for work;
  - 7) being familiar with emergency phone numbers for the ambulance services, police and fire services in the event of a fire or other fortuitous events,
  - 8) cooperating with the employer and superiors in the implementation of occupational health and safety obligations.
2. A person managing employees shall be obliged to:
  - 1) organise workplaces in accordance with occupational health and safety rules and regulations;
  - 2) organise, prepare and manage work with due regard for protection of employees against work-related accidents, occupational diseases and other diseases connected with workplace conditions;
  - 3) enforce compliance with occupational health and safety rules and regulations;
  - 4) maintain safe and hygienic condition of workplaces and equipment and ensure that collective protection equipment is fully functional and used as intended.

§ 75.

1. A prospective employee shall be subject to a pre-employment medical examination. Pre-employment medical examinations shall also be obligatory for employees transferred to positions in which they may be exposed to factors harmful to health or to arduous working conditions.
2. Each employee shall be obliged to undergo periodic medical examination. In the event of unfitness for work for a period exceeding thirty days due to an illness, the employee shall be obliged to undergo a follow-up medical examination in order to determine his/her suitability for work in the current position.
3. The employee may be allowed to perform work if he/she is in possession of a valid current medical decision following a medical examination. Employees and prospective employees shall undergo preventive medical examination in accordance with the current decree of the Rector on the medical examination of employees.
4. Should the symptoms of an occupational disease have been identified, the University shall be obliged to, on the basis of a medical decision, within the deadline and for the duration specified in the decision, transfer the employee to other work which no longer exposes him/her to the factor causing the symptoms.

§ 76.

The University shall observe the following procedures for familiarising employees with occupational health and safety regulations, and fire regulations:

- 1) before being allowed to work, employees shall undergo pre-employment training for newly employed staff which comprises:
  - a) general training, conducted by employees of the Health and Safety Inspectorate in order to instruct them on the main occupational health and safety regulations, fire regulations and the rules on administering first aid,
  - b) work position training, conducted by the immediate superior in the workplace in which the employee is to be employed, in order to inform him/her of the documented occupational risk assessment for the given workplace, instructions regarding the facility's fire safety, practical methods for the safe performance of work, and risk prevention in the workplace; employees who are to be employed in positions which pose a significant health or accident risk or in positions connected with special responsibility with regard to occupational health and safety should, regardless of the training completed, receive written instruction defining the rules of safe work and their responsibilities in this regard.
- 2) periodic training and development held during work hours for:
  - a) staff employed in blue-collar positions – once every three years,
  - b) remaining staff – once every five years.
- 3) certificates confirming the completion of training sessions and courses in occupational health and safety and fire safety shall be archived in employee personnel files.

§ 77.

The immediate superior shall be held responsible if an employee is permitted to work without training in occupational health and safety or fire safety necessary for the entrusted job segment, the necessary pre-employment, follow-up or periodic medical examination, or without a supply of protective/work clothing tailored to the specific conditions, or without personal protection equipment.

§ 78.

1. The head of a didactic unit must not allow classes with students to be held without the supervision of an employee or another person adequately prepared to ensure that classes are conducted in accordance with occupational health and safety rules and regulations.
2. The class instructor shall directly oversee class participants.
3. Before students are admitted and the class commences, the class instructor shall be obliged to verify whether the condition of the laboratory, specialist laboratory or gym does not pose a risk to the life or health of students.
4. Students shall not be permitted to participate in classes held in laboratories or specialist laboratories without prior information from the class instructor regarding occupational health and safety rules and regulations, the procedural regulations in force as well as the contents of the relevant safety data sheets for the hazardous substances and mixtures in use.

§ 79.

The responsibilities of an employee with regard to fire safety, apart from the responsibilities resulting from other provisions of the Regulations, shall additionally comprise:

- 1) observing the provisions of the emergency instructions and fire safety instructions;

- 2) participating in training sessions in fire safety;
- 3) notifying supervisors of potential fire hazards;
- 4) knowing the location of portable firefighting equipment and its instructions for use;
- 5) participating in evacuation drills and other such measures ordered by persons listed in the fire safety instructions.

§ 80.

Employees shall be issued with free work clothing and footwear as well as personal protection equipment to safeguard against hazardous or potentially harmful factors in the workplace, under the terms specified in § 33.

§ 81.

1. Should the work conditions fail to comply with occupational health and safety regulations and pose a direct threat to the life or health of an employee or should the work performed by the employee pose such a threat to others, he/she shall have the right to cease work while immediately notifying the superior.
2. Should the cessation of work fail to remove the threat referred to in section 1, the employee shall have the right to leave the area while immediately notifying the superior.
3. For the time in which the employee ceases work or leaves the danger area in the case referred to in sections 1 and 2, he/she shall retain the right to remuneration.
4. After notifying the superior, the employee shall have the right to cease any work which requires exceptional psycho-physical efficiency should his/her psycho-physical condition not guarantee the safe performance of work or pose a threat to others. The employee shall not be entitled to remuneration for the time in which he/she ceases work.

## **Chapter 15. Labour protection of women, juvenile employees and men**

§ 82.

1. For the manual transport of objects by one employee (female and male):
  - 1) the weight lifted and carried by one employee must not exceed:
    - a) for women – 12 kg for permanent work and 20 kg for casual work,
    - b) for men – 30 kg for permanent work and 50 kg for casual work;
  - 2) the weight lifted by one employee above the shoulder girdle must not exceed:
    - a) for women – 8 kg for permanent work and 14 kg for casual work,
    - b) for men – 21 kg for permanent work and 35 kg for casual work;
2. For manual transport of objects by one employee over distances more than 25 metres, the weight of objects carried must not exceed:
  - 1) for women – 12 kg;
  - 2) for men – 30 kg.
3. Should objects be transported manually by one employee upwards across an uneven surface, or up ramps or stairs with a max angle of inclination less than thirty degrees and less than four metres in height, the weight of these objects, irrespective of the distance over which they are carried, must not exceed:
  - 1) for women – 12 kg;
  - 2) for men – 30 kg.

4. Should objects be transported manually by one employee upwards across an uneven surface, or up ramps or stairs with a max angle of inclination more than thirty degrees and more than four metres in height, the weight of these objects, irrespective of the distance over which they are carried, must not exceed:
  - 1) for women – 8 kg for permanent work and 12 kg for casual work;
  - 2) for men – 20 kg for permanent work and 30 kg for casual work.
5. The remaining standards, including manual transport by a group of workers, are specified by the regulation of the Minister of Labour and Social Policy of 14 March 2000 on occupational health and safety for manual handling of loads.

§ 83.

If necessary, auxiliary equipment should be applied for the manual handling of loads. The weight of the load together with the auxiliary equipment must not exceed the standards specified in § 82 and § 85.

§ 84.

1. The University may not terminate or dissolve the employment contract of a female employee during pregnancy or maternity leave, unless there are reasons to justify the dissolution of the contract without notice through her fault and the trade union organisation representing the employee has expressed consent to the dissolution of the contract. This provision shall not apply to a female employee on a probation period less than one month.
2. An employment contract concluded for a limited period of time, for a period of performing specific work or for a probation period exceeding one month, which would otherwise be dissolved after the third month of pregnancy, shall be extended until the delivery date.
3. The provision of section 2 shall not apply for an employment contract for a limited period of time concluded in order to substitute an employee during his/her excused absence at work.
4. At the University, pregnant or breastfeeding women shall only perform arduous and exceptionally hazardous work in compliance with the rules specified in Annex no. 3 to the Regulations.
5. The head of an organisational unit shall be obliged to transfer a pregnant woman to a different post:
  - 1) should she be employed in work from which pregnant women are excluded by law;
  - 2) should a health care centre deem her unfit for regular work due to the condition of the pregnancy.
6. A female employee transferred to another post for the duration of the pregnancy shall be entitled to:
  - 1) a compensatory allowance for the period in question, should employment in another position cause a decrease in remuneration;
  - 2) be employed in the position specified in the employment contract, once the causes which justified the job transfer are no longer valid.
7. During the period of pregnancy, a female employee shall be entitled to use paid leave in order to undergo pregnancy-related medical examination provided she presents an appropriate medical certificate stating that such an examination is necessary and cannot be conducted outside work hours.
8. A pregnant woman cannot be employed to work overtime or at night. Neither can she be assigned to work outside her regular place of work without her consent.

9. No employee taking care of a child below the age of four can be employed, without his/her consent, to work overtime, at night, in the interrupted working time system referred to in Article 139 of the Labour Code or assigned to work outside his/her regular place of work.

§ 85.

Juveniles cannot be employed in:

- 1) manual lifting and carrying over a distance of more than twenty-five meters of loads exceeding:
  - a) in casual work:
    - for girls – 14 kg,
    - for boys – 20 kg,
  - b) with repetitive strain:
    - for girls – 8 kg,
    - for boys – 12 kg;
- 2) manual transport of loads up ramps or stairs more than five meters in height and with the angle of inclination more than thirty degrees, exceeding:
  - a) in casual work:
    - for girls – 10 kg,
    - for boys – 15 kg,
  - b) with repetitive strain:
    - for girls – 5 kg,
    - for boys – 8 kg;
- 3) work exclusively involving the carrying and transport of loads, requiring a large number of repetitive movements;
- 4) the performance of work in rooms whose lighting parameters do not comply with the requirements specified in the Polish Standards;
- 5) work involving risk of exposure to ionising radiation over the natural background radiation, as specified in separate regulations.

## **Chapter 16. Surveillance**

§ 86.

1. The University uses video surveillance in order to ensure the on-campus security of members of the academic community, to protect the University's property and public utility facilities, as well as to keep confidential any information the disclosure of which may be detrimental to the University.
2. As part of the video surveillance system, the University processes image recordings exclusively for the purposes for which they have been gathered.
3. Video surveillance particularly covers the following areas within University premises: entrances and exits, car parks, building facades, main entrances of buildings as well as internal corridors and staircases.
4. The video surveillance used at the University does not cover sanitary facilities, cloakrooms, canteens, smoking areas or rooms used by a trade union organisation unless it is necessary for the implementation of the objective specified in section 1 and does not compromise employee dignity or violate the principle of freedom and independence of trade unions.

5. The supervised rooms and areas shall be marked in a visible and legible way by means of appropriate graphic symbols.
6. Video surveillance is conducted by means of cameras to register events and devices to record images.
7. The video surveillance system operates around the clock and the recorded material is stored for a maximum period of one month from the date of recording.
8. Should the recording of an image constitute evidence in proceedings conducted on the basis of law, or should the University become notified that it may constitute evidence in such proceedings, the deadline specified in section 7 shall be extended until the legally binding conclusion of proceedings.
9. After the conclusion of the deadlines referred to in sections 7 and 8, the recording obtained as a result of the video surveillance shall be destroyed in a manner which prevents data recovery.
10. Access to video surveillance recordings is strictly limited and may be granted only to persons or bodies authorised to process the recorded data.
11. The information clause for employees regarding the processing of data as part of the video surveillance is available at the University's webpage at: <https://bip.ug.edu.pl/>.

## **Chapter 17. Equal treatment and non-discrimination in employment**

### § 87.

1. Employees should be treated equally with regard to the establishment or termination of employment relationships, terms of employment, promotion or access to training in order to enhance professional qualifications, irrespective of gender, age, disability, race, religion, nationality, political views, trade union affiliation, ethnic origin, creed or sexual orientation, irrespective of the terms of employment (limited or unlimited, full- or part-time).
2. Equal treatment in employment denotes the absence of any form of discrimination, indirect or direct, for the reasons specified in section 1.
3. Violation of the principle of equal treatment in employment shall be considered to have occurred when the employee's circumstances are differentiated for one or several of the reasons specified in section 1, leading in particular to:
  - 1) a refusal to establish an employment relationship, or the termination of employment;
  - 2) unfavourable policy regarding remuneration for work or other terms of employment, or omission in promotion or allocation of other work-related benefits;
  - 3) omission from selection for participation in training to enhance professional qualifications, unless the employer is able to demonstrate that objective reasons existed.
4. The principles of equal treatment in employment shall not be violated by actions related to:
  - 1) failure to employ an employee for one or several of the reasons specified in section 1, if this is justified by the type or conditions of work or by professional requirements expected of employees;
  - 2) the termination of employment conditions with regard to working time, if this is justified by reasons unconnected to employees;
  - 3) the application of measures which set the employee's legal position apart, due to age, disability or the protection of parenthood;
  - 4) determining the terms of employment and dismissal of employees, the terms of remuneration and promotion, and access to training to enhance professional qualifications with regard to length of service.

5. Actions undertaken for a specific period of time, intended to create equal opportunities for all or a significant number of employees singled out for one or several of the reasons specified in section 1, by reducing the actual inequalities in favour of these employees, to the extent specified by this regulation, shall not constitute a violation of the principle of equal treatment in employment.
6. Employees shall have the right to receive equal remuneration for equal work or work of equal value.
7. The remuneration referred to in section 6 shall comprise all remuneration components, irrespective of name or character, as well as other work-related benefits granted to employees in a monetary or non-monetary form.
8. Work of equal value is work which requires comparable professional qualifications from employees, confirmed by documents specified in separate regulations, or by professional practice and experience, as well as comparable responsibility and effort.
9. The subject of the employer's violation of the principle of equal treatment in employment shall have the right to compensation to an amount no lower than the minimum remuneration for work determined on the basis of separate regulations.
10. An employee exercising his/her rights over the violation of the principle of equal treatment in employment cannot constitute justification for the employer's termination of the employment relationship or termination of employment without prior notice.

§ 88.

1. Any form of discrimination in employment, whether direct or indirect, particularly on the grounds of gender, age, disability, race, religion, nationality, political views, trade union affiliation, ethnic origin, creed, sexual orientation or terms of employment (limited or unlimited, full- or part-time) shall be unacceptable.
2. Direct discrimination occurs when an employee, for one or several reasons (gender, age, disability, race, religion, nationality, political views, trade union affiliation, ethnic origin, creed, sexual orientation or terms of employment, whether limited or unlimited, full- or part-time) has been or may be treated less favourably than other employees in a comparable situation.
3. Indirect discrimination occurs when a seemingly neutral decision, a criterion applied or an action undertaken creates or may later create unfavourable disparities or a particularly detrimental situation with regard to the establishment or termination of employment relationship, terms of employment, promotion or access to training in order to enhance professional qualifications, in relation to all or a significant number of employees belonging to a group selected for one or several reasons (gender, age, disability, race, religion, nationality, political views, trade union affiliation, ethnic origin, creed, sexual orientation or terms of employment, whether limited or unlimited, full- or part-time), unless the decision, criterion or action is objectively justified due to a legitimate aim which must be achieved, and the measures for achieving this aim are appropriate and necessary.
4. Signs of discrimination shall also include:
  - 1) action consisting in ordering or encouraging another person to violate the rule of equal treatment in employment;
  - 2) behaviour intended to or resulting in the violation of an employee's dignity, or his/her degradation or humiliation (harassment).
5. Gender discrimination also comprises any unacceptable behaviour of a sexual nature or referring to an employee's gender, aimed at or resulting in the violation of an employee's



dignity, or his/her degradation or humiliation; such behaviour may include physical, verbal or non-verbal elements (sexual harassment).

§ 89.

1. The employer shall be obliged to counteract bullying.
2. Bullying denotes actions or behaviours related to or aimed at an employee, consisting in persistent and prolonged harassment or intimidation which leads to an employee underestimating his/her own professional competence, and results in or is aimed at the humiliation or embarrassment of the employee, or his/her isolation or removal from a team of colleagues.
3. An employee in whose case bullying has resulted in a health disorder may pursue a claim for an appropriate sum of money from the employer as financial redress for the injury suffered.
4. An employee who has terminated the employment contract as a result of harassment shall have the right to pursue a claim for compensation from the employer to the amount no lower than the minimum remuneration for work, on the basis of separate provisions.
5. The employee's declaration of the termination of employment should be made in writing, stating the reason referred to in section 2 justifying the termination of employment.

§ 90.

1. The employer shall be obliged to counteract harassment.
2. Harassment denotes undesired behaviour aimed at or resulting in the violation of an employee's dignity and the creation of a threatening, hostile, humiliating, degrading or offensive environment. Such behaviour shall be a sign of discrimination.
3. Sexual harassment denotes any undesired behaviour of a sexual or gender-related nature, aimed at or resulting in the violation of an employee's dignity and in particular the creation of a threatening, hostile, humiliating, degrading or offensive environment; such behaviour may include physical, verbal or non-verbal elements. Sexual harassment constitutes gender discrimination.
4. Should an employee submit to harassment or sexual harassment or undertake actions to oppose such harassment, he/she must not face any negative consequences.

## **Chapter 18. Compliance with the obligation of sobriety**

§ 91.

1. Heads of independent organisational units shall be responsible for the application of an effective system to monitor that the obligation of sobriety in the workplace is observed.
2. In particular, the system to monitor compliance with the obligation of sobriety should ensure that:
  - 1) employees under the influence of alcohol are not permitted to perform work or to be on University premises;
  - 2) the reaction to cases of alcohol consumption during work is immediate and strict and that employees guilty of such misconduct are excluded from work;
  - 3) if in doubt, employees' sobriety is to be verified, primarily that of persons especially required to maintain full mental and physical fitness at work, including in particular persons who perform work demanding exceptional psychomotor performance, concentration and attention.

3. The system to monitor compliance with the obligation of sobriety should ensure that alcoholic beverages cannot be brought to, obtained or consumed on University premises nor consumed during work. Upon entering University premises, persons in possession of alcoholic beverages shall be obliged to deposit them at the reception.
4. Monitoring should also apply to the system of storing as well as issuing and using methyl and ethyl alcohol in the scientific research process.

§ 92.

1. Should reasonable suspicion exist that an employee has appeared at work under the influence of alcohol or that he/she has consumed alcohol during work, he/she cannot be allowed to perform work.
2. A sufficient basis for making the decision not to allow an employee to perform work, with all the consequences resulting from the Labour Code, the Regulations and the University's other internal regulations, is that the persons who supervise employees or security personnel infer by the employee's behaviour, appearance or smell that he/she has consumed alcohol. The circumstances forming the basis for such a decision should be communicated to the employee, who may request that an alcohol screening test be provided by an authorised health centre or a medical practitioner in accordance with separate regulations.
3. An alcohol screening test in order to determine the content of alcohol in the system may be conducted upon an employee's request and comprises a:
  - 1) breath test;
  - 2) blood test;
  - 3) urine test.
4. Should an employee give his/her consent, the breath test may be performed by means of a breathalyser by the immediate superior in the presence of another employee. A test performed in such a way shall not deprive the employee of the right to demand that a test be conducted in the manner specified in section 3.
5. An employee may request that the test specified in section 4 be performed in the presence of the third party. A report should be prepared on the test procedure, describing the symptoms and the circumstances justifying the test.
6. The University shall bear the costs related to the tests at the request of an employee specified in section 3. Should the test result prove positive, the University shall charge these costs to the employee.
7. Should an employee not request that tests referred to in § 93 be performed, the persons referred to in section 4 may determine that the employee has violated the obligation of sobriety on the basis of other means provided by law, in particular:
  - 1) a declaration by the employee regarding the offence of which he/she is suspected;
  - 2) witness statements;
  - 3) conclusions drawn on the basis of the description of the employee's appearance and behaviour;
  - 4) medical examination.
8. A report shall be drawn up on the activities referred to in sections 2, 4 and 7, to be signed by the employee concerned. The report should contain in particular:
  - 1) the name and surname of the person reporting the employee's violation of the obligation of sobriety;
  - 2) the employee's personal data as well as a description of the manner and circumstances of the violation of the obligation of sobriety;

- 3) evidence;
- 4) date on which the report was prepared and the signature of the person who prepared it.
9. The report should be prepared without undue delay and a copy delivered to the employee.
10. Heads of independent organisational units shall be obliged to call the police or medical emergency services when an intoxicated employee's conduct may be considered offensive, or when he/she is in a situation dangerous to life or health, or which poses a risk to the life or health of others.
11. In situations not regulated by the provisions of these Regulations, the regulations of the Labour Code and the Act of 26 October 1982 on Upbringing in sobriety and counteracting alcoholism shall apply.

#### § 93.

1. Employees using, being under the influence of, selling, distributing or possessing controlled substances during work, on University premises or in the workplace, shall be prohibited and shall constitute gross dereliction of basic employee duty.
2. The prohibition shall not apply to medication and pharmaceuticals prescribed to an employee by a doctor, provided that their use does not exceed justified or specific standards.
3. An employee taking medication or other pharmaceuticals prescribed by a doctor shall be obliged to be familiar with any side effects and the influence of the body's responses, ability to take decisions and perform professional duties. The employee should inform his/her superior of the fact prior to the commencement of work.
4. The cases provided for in § 94, which constitute a suspected violation of law and which have been identified on University premises, shall be immediately reported to the authorities so that appropriate proceedings may be conducted.

#### § 94.

Smoking is strictly prohibited on all University of Gdańsk premises.

### **Chapter 19. Work on board the University ship**

#### § 95.

The work of seafarers and other persons employed on board the University of Gdańsk ship shall be governed by separate Regulations of work and stay on University of Gdańsk ships, issued by the Rector.

### **Chapter 20. Transitional and final provisions**

#### § 95a

§ 18 section 2 point 3 shall be used when including the hours of didactic classes in part-time studies into the teaching load of academic teachers, commencing with the academic year 2022/2023.

#### § 96.

1. The Regulations shall be made available for inspection at each organisational unit of the University of Gdańsk.

2. In matters not covered by the Regulations, the provisions of labour law shall apply.
3. The Regulations shall come into force after prior consultation with trade union organisations and approval from the Rector and following two weeks from the Regulations being communicated to the employees in the manner adopted at the University of Gdańsk.
4. The Regulations may only be modified after the alterations have been consulted with trade union organisations.

Annexes:

1. *Models of the scope of responsibilities*
2. *Models of request forms and reports relating to research leave*
3. *Rules for the performance of arduous and exceptionally hazardous work by pregnant and breast-feeding women*