

Working time standards

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▣ Introduction

An employee's working time must be planned and accounted for according to the standards specified in the Labor Code. An employer who exceeds these standards or incorrectly accounts for working hours risks sanctions from the National Labor Inspectorate and claims from the employee. Below, we present the key principles regarding **permissible working time**, its accounting, and planning.

▣ 1. Working Time Standards - Basic Definitions

▣ Daily Working Time Standard

According to **Article 129 § 1 of the Labor Code**:

- **The daily standard is 8 hours per day,**
- But it can be different in some work time systems (e.g., equivalent – up to 12, 16, or even 24 hours).

▣ Weekly Working Time Standard

- **On average 40 hours per week** (in the designated accounting period),
- Including overtime: **a maximum of 48 hours per week,**
- Minimum uninterrupted weekly rest: **35 hours.**

▣ 2. Work Time Systems

Basic - 8 hours - The most commonly used system

Equivalent - up to 12h - Extended day, compensated with a day off

Special equivalent - up to 16-24h - Applies to, among others, medical staff, security

Interrupted - 8h + break - Allows for a longer break during the workday

Shortened workweek - up to 12h - Work less than 5 days a week

Task-based - no standard - Unspecified time – completion of the task is important

☐☐ The use of certain systems (e.g., interrupted) requires the introduction of **collective labor agreements or arrangements with employees.**

☐☐ **3. Accounting Periods for Working Time**

The accounting period is the time during which the **average number of working hours cannot exceed the legal standards.**

Basic - 1 month

Equivalent - up to 1 month (with justification – up to 4)

Agriculture, forestry - up to 3 months

Shift work - up to 4 months

Weather-dependent work - up to 12 months

☐☐ Extending the accounting period **requires organizational justification and provisions in the work regulations or collective agreement.**

☐☐ **4. Daily and Weekly Rest**

☐☐ **Daily Rest:**

- At least **11 hours of uninterrupted rest** in each working day (Article 132 LC).

☐☐ **Weekly Rest:**

- Minimum **35 hours of uninterrupted weekly rest**,
- Including **11 hours of daily rest**,
- Usually includes **Sunday** (in the accounting week).

▣ 5. Overtime and Working Time Standards

Working beyond the daily or weekly standard constitutes **overtime work**, which:

- is subject to limits (150h/year – unless the internal agreement sets a higher limit),
- must be compensated with a bonus (50% or 100%) or time off,
- cannot exceed **an average of 48 hours per week** inclusive of overtime (according to EU directive – the so-called "work time directive").

▣ 6. Employer Responsibilities

The employer is required to:

- define the working time system in the **employment contract or work regulations**,
- **maintain a record of working time** (as of 2019, hourly recording is mandatory),
- provide the employee with the required breaks and rest,
- comply with maximum weekly standards (including totals with overtime).

▣ Legal Basis

- **Labor Code**: Articles 129–151
- **Regulation of the Minister of Labour and Social Policy of May 28, 1996** on working time schedules and systems
- **Directive 2003/88/EC** of the European Parliament (working time directive)