Payment date of remuneration

Igor Kyrczewski · 16.05.2025 · Kadry i Płace – JDG, Kadry i Płace – Spółki

📄 Introduction

 Correctly determining the payment date for wages is the duty of every employer. Failure to comply with regulations in this regard may result in penalties from the National Labor Inspectorate, employee claims, and also a loss of trust in professional relationships. In this article, we describe when salaries should be paid and what the boundaries of flexibility in this area are.

📌 1. Wage payment date – what does the Labor Code say?

According to **Article 85 § 1 and 2 of the Labor Code**:

- The remuneration for work should be paid **at least once a month**, on a **fixed and predetermined date**.
- If it is paid once a month, it must occur **no later than the 10th day of the following calendar month** after the month for which it is due.

📌 2. Can the payment date be set later than the 10th day of the month?

No. The employer cannot set a wage payment date later than the 10th day of the month. Such a provision in a contract or regulations is **invalid by law** (according to Article 18 § 2 of the Labor Code), and the statutory provision applies instead.

📌 3. Establishing an earlier date

The employer has full freedom to establish an earlier payment date (e.g., the 1st, 5th, or 7th day of the month), provided that:

- it is a **permanent** date (e.g., "every 5th day of the month"),
- it is recorded in the **employment contract**, wage regulations, or collective agreement.

4. Form of defining the payment date

The remuneration may be paid:

- **by a specific day of the month** (e.g., "by the 5th day of each month"),
- or on a **specific day of the month** (e.g., "on the 5th day of each month").

It is recommended to use the wording: **"by the X day of the month"** – this gives the employer greater flexibility without violating the law.

5. Documentation obligations

The payment date should be clearly defined:

- in the **employment contract** (Article 29 § 1 point 5 of the Labor Code),
- or in the **wage regulations**, if required (the company employs at least 50 people).

7. Sanctions for violating regulations

An employer who:

- does not pay remuneration on time,
- sets an unlawful payment date,

may be subject to a **fine ranging from 1,000 PLN to 30,000 PLN** (Article 282 § 1 point 1 of the Labor Code), as well as **control by the National Labor Inspectorate**.

📖 Legal basis

- **Labor Code**:
  - Article 85 – payment date of remuneration,
  - Article 29 – mandatory elements of the employment contract,
  - Article 18 – invalidity of provisions unfavorable to the employee,
  - Article 282 – liability for offenses against employee rights.

✏️ Summary

The payment date for wages must be:

- **predetermined, consistently and predictably**,
- **no later than the 10th day of the month**,
- **specified in the contract or regulations**.

Any violation of these principles may result in the employer's liability. It is recommended to use provisions like: **"Remuneration will be paid by the 5th day of each month"**.