

Submissions to ZUS and US

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□ Introduction

Every employer hiring an employee under an employment contract (or a contract subject to contributions) is required to make **notifications to the Social Insurance Institution (ZUS) and the tax office** and maintain appropriate documentation. Failure to meet these obligations may result in financial penalties and inspections by state institutions.

□ 1. Legal basis

- **Labor Code**
- **Act on the Social Insurance System**
- **Act on Personal Income Tax (PIT)**
- **Regulations of the Ministry of Finance and ZUS** – regarding forms and deadlines

□ 2. Obligations to ZUS - step by step

□ 1. Registration of the contribution payer -ZUS ZFA

If the company is hiring an employee for the first time, it must register as a contribution payer:

- within **7 days from the date of employment of the first person**,
- form: **ZUS ZFA (company) + ZUS ZPA (individual as payer)**.

□ 2. Registration of the employee -ZUS ZUA or ZZA

The registration is to be done **by the start date of work**.

Employment contract - **ZUS ZUA** - full insurance (pension, disability, sickness, accident)

Mandate agreement (individual without other title to insurance) - **ZUS ZUA** - as above

Mandate agreement (individual employed elsewhere full-time) - **ZUS ZZA** - only health insurance

The insurance title code depends on the type of contract (e.g., 01 10 00 for an employment contract).

□ 3. Monthly reports -ZUS DRA and RCA/RZA

ZUS DRA - by the 20th day of the month (by the 15th for employed employees) - settlement declaration - total contributions

ZUS RCA - by the 20th day of the month (by the 15th for employed employees) - individual report on employee contributions

ZUS RZA - if the person is not subject to all insurances - e.g., only health insurance

□ 4. Deregistration -ZUS ZWUA

In case of termination of the contract:

- the employee must be deregistered **within 7 days**,
- form: **ZUS ZWUA**,
- the date of termination of insurance and the reason for deregistration must be specified.

□□ 3. Obligations to the tax office (US)

□ 1. Registration as a PIT payer -NIP-8

If the employer was not previously a payer of PIT advances:

- they must register using the **NIP-8** form,
- within **7 days from the employment of the employee**.

□ This refers to updating the NIP-8 field with the date of first employment.

□ 2. Monthly PIT advances -**PIT-4**

The employer is the payer of PIT advances for the employee:

- Calculation and collection of PIT advance - with each salary payment
- Submission to US - **PIT-4** - by the 20th of the following month

□ 3. Annual tax information -**PIT-11** and **PIT-4R**

PIT-11 - by the end of February - For each employee and to the US

PIT-4R - by the end of January - Consolidated annual declaration to the US

□ From 2023 **only electronic form** applies – submission via e-Declaration, PUE ZUS or ePUAP gateway.

□ 4. Additional obligations

- **Registration for Employee Capital Plans (PPK)** (if applicable) – within deadlines set by law,
- **Informing the employee about tax and contribution obligations** (e.g., PIT-2 clause, choice of tax residence),
- **Keeping registration and settlement documents – for 10 years**, in accordance with the archival law.

5. Consequences for failing to meet obligations

- Failure to notify ZUS or US - Fine up to 5,000 PLN (tax penal code)
- Late payment of contributions - Statutory interest + blocking of funds from PUE ZUS
- Failure to submit the annual declaration (PIT-11) - Fine + tax liability

Legal basis

- **Labor Code**, art. 94
- **Act on the Social Insurance System**
- **Act on Personal Income Tax**
- **Regulations of the Ministry of Finance and ZUS regarding forms and notifications**