



## REPORT

# VOCATIONAL EDUCATION SYSTEM IN POLAND TAKING INTO ACCOUNT CRAFTSMANSHIP EDUCATION



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## **The Educational System in Poland (Excluding Higher Education)**

The education system in Poland operates on the basis of a separate law. The system includes kindergartens, elementary schools, junior high schools, and senior high schools, institutions of lifelong learning, other educational institutions, and colleges. It should be noted that in the educational system there are also elementary schools, junior high schools and senior high schools which are intended for adults.

Currently, pre-school education can include children from the beginning of a school year in a calendar year in which the child turns 3, and until the end of a school year in a calendar year in which a child turns 6 (since 2014 – 5 years of age). A child at the age of 5 is obliged to participate in a one year preparation for preschool in a kindergarten, a preschool department organised in a primary school or in any other form of preschool education.

Traditionally, children in Poland start their school education at 7 years of age. Since the school year 2009/2010 – at the request of the parents and upon the approval of the school principal – school education can also be pursued by 6-year olds. From 1 September 2014, the compulsory education shall start at the beginning of the school year in the calendar year in which the child completes 6 year of age.

**Compulsory schooling lasts until the completion of junior high school, however, no longer than until the completion of 18 years of age.**

Education in a primary school lasts for 6 years. During the last year of education, all children take a test. Participating in the examination is a prerequisite for obtaining the completion certificate. The test cannot be 'failed,' and its result is recorded on the certificate, and has no effect on the admission of a student to a junior high school.

After completing primary school, all children begin the three-year junior high school which ends with an exam. Taking the junior high school examination is a prerequisite for obtaining a certificate of junior high school education. This exam, similarly to the exam after the sixth year of education, is impossible to 'fail' but the results of the junior high school examination are taken into consideration during the recruitment process for secondary school education.

A junior high school graduate, who has completed compulsory schooling, is still subject to compulsory education until the age of 18. The school obligation can be fulfilled in a secondary school or vocational training at the employer's (in crafts).

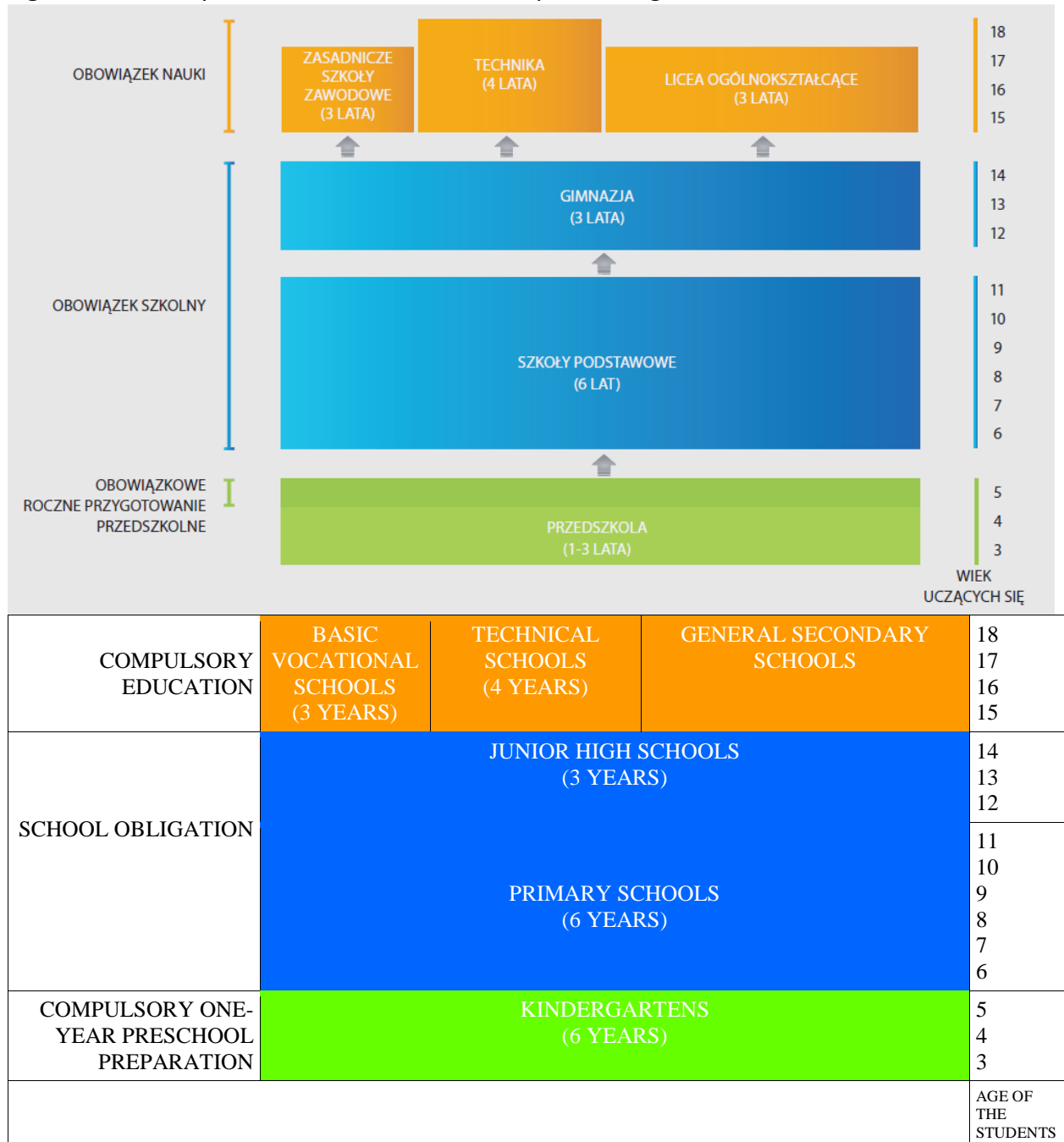
**Secondary schools are divided into:**

- three-year basic vocational schools which allow the students to obtain a diploma confirming their vocational qualifications after passing the examinations confirming qualifications of given professions, as well as allowing for further education starting from class 2 of high school for adults,
- four-year technical high schools which allow for obtaining a vocational qualifications diploma after passing the examinations confirming the qualifications in a given profession, which allow for obtaining a secondary school diploma after having passed the Matura exam,

- three-year general secondary schools which allow for obtaining a high school diploma after having passed the Matura exam.

In addition, the act on the educational system of secondary schools mentions post-secondary schools within the secondary schools, which allow the students to obtain a diploma confirming their professional qualifications after passing the examination confirming vocational qualifications, three-year special schools providing professional education to students with moderate or severe mental disability and for students with multiple disabilities; their completion allows the students to obtain a certificate of preparation to work.

**Fig. 1** Education system in Poland, with the exception of higher education



## The Core Curriculum of Education in Professions

The core curriculum<sup>1</sup> was specified in three parts:

- 1) part 1 defines the general aims and objectives of vocational education and defines the general objectives and tasks of vocational education, and includes a table containing a list of qualifications along with their connections with particular professions and learning outcomes;
- 2) part 2 determines the learning outcomes common to all professions, learning outcomes common to the professions within the framework of the area of education, constituting the foundation for education in a profession or in a group of professions, as well as the education effects relevant to qualifications singled out for particular professions;
- 2) part 3 determines the description of education in particular professions, including: the names and numbers of professions in accordance with the classification of professions in vocational education, objectives of education in the professions, names of profession qualifications distinguished in the professions, condition for the implementation of education in the professions, the minimum number of hours of vocational education and the possibilities to gain additional qualifications in the professions within the framework of education area determined in the classification of professions within vocational education.

**The implementation of the core curriculum determines precisely the topics of vocational education in the professions, as well as the number of teaching hours.** The profession of hairdresser may serve as an example here. A student (an adolescent employee must possess knowledge to the extent necessary to perform the following professional tasks: performing hair treatments, performing chemical hair treatments, cutting hair, performing hair styling. The minimum number of teaching hours in the case of theoretical education is 250 hours, and in the case of practical training: 800 hours.

### Apprenticeship in the Crafts

**An adolescent** within the meaning of the Labour Code (Art. 190 of the Polish Labour Code.<sup>2</sup>) is a person who completed 16 years of age but has not exceeded 18 years of age. It is forbidden to employ a person who has not completed 16 years of age.

**The objective of vocational training** is for the student / adolescent employee to master practical and theoretical skills in the profession, and to confirm them with a certificate of vocational qualification by way of taking the journeyman's exam.

An adolescent employee is obliged to pursue education until the completion of 18 years of age.

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<sup>1</sup> Ordinance of the Minister of Education of 7 February 2012 on the core curriculum for vocational education.

<sup>2</sup> The [Polish] Labour Code – a legislative act constituting a collection of regulations governing the rights and obligations included in the employment relationship in relation to all employees, regardless of the legal basis of their employment.

An adolescent employee is particularly obliged to:

- pursue additional education within the scope of the primary and middle school if the student has not graduated from such a school;
- pursue further education within the scope of senior high school or in the form of extracurricular training.

**Apprenticeship consists of two integral parts implemented in parallel:** the practical part – organised at a crafts establishment – and the theoretical part – organised at vocational school or at career development courses.

**From 1 September 2012, the duration of apprenticeship is 36 months.** In exceptional cases, the Chamber of Crafts may extend (by no more than 6 months) or shorten (by no more than 12 months) the period of education at the request of the student or upon the consent of the employee.

To start apprenticeship in a crafts employment establishment, **a student must meet the following conditions:**

- be at least 16 years of age,
- have completed junior high school,
- submit a medical certificate stating that the type of work does not endanger the student's health.

At the same time, in accordance with Article 191 § 5 of the [Polish] Labour Code, the Minister of Labour and Social Policy in consultation with the Minister of Education may by regulation specify the cases in which it is exceptionally permitted to:

- employ adolescents who have not completed junior high school,
- dismiss adolescents who do not have professional qualifications for vocational preparation,
- employ persons who have not yet completed 16 years of age who have completed junior high school,
- employ persons who have not yet completed 16 years of age who have not completed junior high school.

In the period of apprenticeship, an adolescent must undergo further education in a basic vocational school or within the framework of training courses.

Adolescents who have completed 18 years of age during the period of apprenticeship shall be treated as **adolescent employees** until the end of training and/or passing the exam. If an adolescent has not completed vocational preparation before reaching 18 years of age, the obligation of further education may be extended until the completion of vocational training.

An adolescent shall be subject to **initial medical examination** before the admission to work and periodic examination and checks during employment. The tests should be confirmed by the relevant certificate issued by authorised medical staff, stating that the work in a given profession does not endanger the health of the young person, and that there are no contraindications to perform the work within the scope of the taught profession.

**The working hours** of an adolescent under the age of 16 shall not exceed 6 hours a day (Art. 202 § 1 of the [Polish] Labour Code), whereas in the case of a person of over 16 years of age,

the working hours cannot exceed 8 hours a day (Art. 202 § 2 of the [Polish] Labour Code). The working hours of an adolescent include the learning time within the scope resulting from the compulsory school curriculum, regardless of whether it takes place during the working hours. The employer is obliged to release the adolescent from work for the time needed to attend training classes in connection with further education.

Adolescents cannot be employed in overtime and at night. It is also not permitted to employ adolescents to perform forbidden works, the list of which is determined by the Council of Ministers by way of an ordinance.

**The completion of the apprenticeship at the craftsman's** jest is the journeyman's exam <sup>3</sup> taken before the examination board of the Chamber of Crafts. The journeyman exams are conducted exclusively by the examination boards of chambers of crafts.

The obtained journeyman certificate is a state document confirming professional qualifications, recognised also outside Poland. Adolescents who chose theoretical training at school shall also obtain a vocational school completion certificate, which enables them to continue their education in a secondary school and taking the Matura exam.

**Permissions for training students** – vocational preparation of adolescent employees can be conducted by the owner of the crafts establishment or an employee designated by them. The training person must demonstrate the possession of at least the master title in the profession in which the training is to be conducted, as well as the pedagogical preparation obtained upon the completion of a pedagogical course ending with an exam.

The employer is obliged to provide adolescent employees with guidance and assistance necessary for them to adapt to the proper performance of work, as well as conducting their records.

**The basic legislative act** regulating the issues of employment of adolescents is the act dated 26 June 1974 Labour Code (Journal of Laws 1974 No. 24, item 141, as amended), containing Section 9 devoted entirely to the issues of adolescent employees. Specific provisions relating to the principles of vocational preparation are determined by the Ordinance of the Council of Ministers of 28 May 1996 on vocational training of adolescents and their remuneration (Journal of Laws No. 60, item 278, as amended).

## **Basic Legal Aspects of the Employment Contract**

**The basis for the organisation of training** shall be an employment contract for vocational training, concluded by and between the employing craftsman and a student – an adolescent employee.

In connection with the concluded employment contract and the fact of attending a vocational school, a young person has a **double legal status**, i.e. a student and an adolescent employee or

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<sup>3</sup> The legal basis for the examination is the Act of 22 March 1989 on the crafts (Journal of Laws No. 112, item 979 from 2002 – consolidated text – and Journal of Laws No. 137, item 1304 from 2003) as well as the Ordinance of the Minister of Education dated 14 September 2012 on the journeyman's exam, the master's exam and the verifying exam, carried out by the examination boards of the Chambers of Crafts (Journal of Laws from 2012, item 1117).

just an adolescent employee, if the theoretical training is carried out in an extracurricular system.

**The employment contract for vocational training should specify in particular:**

- type of vocational training (apprenticeship or training for particular job);
- duration and place of vocational training;
- method of theoretical training;
- amount of remuneration.

An employment contract for vocational training shall be signed by the employer – owner of the crafts employment establishment and a student – adolescent employee, and if the adolescent employee has not completed 16 years of age (with reference to Art. 191 § 5 of h [Polish] Labour Code) also by their legal guardian.

Contracts for adolescents trained at basic vocational schools should be concluded in the period of acceptance of candidates to secondary schools.

If an adolescent is trained in an extracurricular system, signing the contract may take place at some other time.

Guilds can provide the training establishments with comprehensive assistance within the scope of appropriate preparation of the agreement and during the vocational training, including the provision of the student documentation necessary for training.

During their training, the employee shall be subject to compulsory social insurance and shall receive remuneration from the craftsman. The regulations specify the minimum salary, the percentages of which are calculated in relation to the average monthly remuneration in the national economy in the previous quarterly period, and they amount to:

- in the first year of education not less than 4%,
- in the second year of education not less than 5%,
- in the third year of education not less than 6%.

**The employment contract for the purposes of apprenticeship is concluded for the period of 36 months.**

**Termination by notice of the employment contract concluded for vocational training is only permitted in the case of:**

- non-compliance of the adolescent with the obligations resulting from the employment contract or the obligation to pursue further education, despite the use of educational measures against them;
- announcement of bankruptcy or liquidation of the employer;
- reorganisation of the employment establishment which makes it impossible to continue vocational training;
- determining that the adolescent is unsuitable for the work for which the professional training is conducted.

A contract with an adolescent employee can be terminated at any time only by way of a mutual agreement of the parties.

## **Benefits for SMEs arising from the employment of adolescents – the financial aspect.**

### **Reimbursement of the remuneration paid to adolescents and social security contributions.**

The greatest additional benefit that can be achieved by the employer as a result of employing an adolescent is the possibility to obtain a reimbursement of remuneration paid to the adolescents, as well as the social security contributions. The employer **must** employ adolescents on the basis of an employment contract and in order to provide vocational training.

In accordance with the Act of 20 April 2004 on the employment promotion and the labour market institutions (Journal of Laws No. 99, item 1001) as amended, **Voluntary Labour Corps** (a state unit specialised in activities for the benefit of young people, in particular young people at risk of social exclusion and the unemployed up to 25 years of age) from 1 September 2004 have become the only labour market institution which accepts applications for the conclusion of contracts and concludes contracts for the reimbursement of the remuneration paid to adolescent employees as well as social security contributions from the refunded remunerations from the resources of the Labour Fund. Only the minimum amount shall be subject to reimbursement.

It is particularly necessary to highlight here that the **employment contract for vocational preparation may be concluded with an adolescent only after the submission of the application** (on the next day at the earliest). Otherwise, the application shall be rejected.

An application for the conclusion of a contract concerning adolescents who pursue further education in the school forms shall be submitted to the centre for education and employment of juvenile persons, having jurisdiction over the place where the adolescent pursues vocational training, in the period **from 1 January to 15 November each year**. It is worth noting that the indicated date shall cease to apply if an adolescent is forced to continue vocational training with a new employer. This applies to situations in which the employment contract for vocational training with the former employer has been terminated as a result of:

- announcement of bankruptcy or liquidation of the employer;
- reorganisation of the employment establishment which makes it impossible to continue vocational training,
- a medical certificate containing contraindications to continue their education in a given profession by an adolescent.

In contrast, the application to conclude a contract concerning adolescents who do not pursue their education in schools but e.g. in a course system, can be submitted at other dates announced by the centre for education, at the registered office of the centre.



**To apply for the reimbursement of remunerations paid to adolescents, it is necessary to meet certain conditions:**

- employment of adolescents in occupations specified in the list of the provincial gazette,
- fulfilment of conditions for conducting vocational preparation within the scope of professional and pedagogical requirements,
- no conviction by final judgement for the violation of the Act on employment and contradicting unemployment, within the period of one year preceding the date of submitting the application.

Details on how to apply for the reimbursement are regulated by the Ordinance of the Ministry of Labour and Social Policy of 26 April 2007 on the reimbursement of remuneration paid to adolescent employees from the resources of the Labour Fund (Journal of Laws from 2007 No. 77, item 518 as amended).

The request may concern a certain number of employees. An employer who employs adolescents only is entitled to obtain a refund for three such persons. In the case of other employers, the application may concern such a number of adolescents which does not exceed three times the number of the employees (but not adolescent employees) for an unspecified period in a full-time equivalent.

An adolescent receiving co-financing from the **Labour Fund**<sup>4</sup> should be employed for 6 months after the completion of vocational training.

Employers shall not incur the costs of employing an adolescent if they do not pay them more than the amount of the refund. The paid remuneration and the insurance premiums shall be reimbursed after receiving the refund.

## **Subsidies to the costs of education**

The employees who conclude an employment contract for vocational education with adolescent employees shall be entitled to a **vocational training subsidy** in accordance with Art. 70B of the Act dated 7 September 1991 on the education system.

The amount of funding of the training costs of one adolescent employee is dependent on the period of training resulting from the employment contract for vocational preparation and amounts to:

- in the case of apprenticeship: PLN 8081 — with the training period of 36 months;
- in the case of preparation to the performance of a particular job – PLN 254 for each full month of training.

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<sup>4</sup> Since [1991](#), the Labour Fund is under the jurisdiction of the [Ministry of Labour](#), and is a [special purpose fund](#). Its budget consists of compulsory contributions paid by the employers and the persons conducting a non-farming activity, subsidies and incomes from the conducted [business activity](#), interest rate on deposits and participation in [companies](#). These resources are distributed by employment agencies in the form of unemployment benefits, intervention works, public works, training and retraining of the unemployed, development of vocational guidance, **refund of social security contributions, financing the costs of adolescent employee training.**

The co-funding amounts referred to in item 2 shall be subject to indexation with the indicator of the prices of consumer goods and services in general, if this indicator is at least 105% in the calendar year preceding the year in which the co-financing is paid.

Art. 70b item 11 of the Act on the education system has been supplemented with a new regulation which requires treating the co-financing of the adolescent employee training costs as **de minimise aid** granted in accordance with the conditions set out in the Commission Regulation (EC) No. 1998/2006 dated 15 December 2006 on the application of Art. 87 and 88 of the Treaty on the de minimise aid (Official Journal of the EU L 379 of 28 December 2006, pp. 5).

In conclusion, the system of vocational education in Poland prevents the implementation of the Hamburg Model in our country. The basic problem is the lack of possibility to 'test' several professions during the first year of training to choose the right one eventually. In Poland the training cycle in **one profession** lasts **36 months** and it is not possible to sum up learning different professions within this period. In addition, a significant barrier seems to be the issue of financing the apprenticeship. Both the reimbursement of remuneration paid to adolescent employees, as well as the subsidies to the costs of education. Both parties to the contract: the employer and the adolescent employee, care so that the course of training is in accordance with the applicable regulations.

## References

- *Reference Report – Polish Qualification Framework – Institute for Educational Research (Warsaw 2013)*
- *Legislation governing vocational education in Poland*