MINISTRY OF LABOUR AND SOCIAL POLICY
REPUBLIC OF POLAND

Tripartite Commission
for
Social and Economic Affairs
Introduction:

The willingness to establish the Tripartite Commission for Social and Economic Affairs had been expressed in the “Pact of national entrepreneurship in the transformation process”, signed on February 6th, 1993. The purpose of its establishment was to create a panel in order to elaborate a common positions in the matters of directions and tools of socio-economic policy of the state – being a forum of just and responsible dialogue between the social partners and the governmental party. The fulfilment of the decisions contained in the Pact was the establishment of the Commission based on the resolution No. 7/94 of the Ministers’ Council of February 15th, 1994.

The Commission is composed of the representatives of main national administration bodies as well as trade unions and employers’ organisations, being the signatories of the “Pact of national entrepreneurship...”.

From the very beginning of the Commission’s existence, there was a need to create its legal frames. Such notes were visible in the “Pact...” as well. For many years, the trade unions and the employers’ organisations had also stipulated it. As in the new Constitution appeared the principle saying that dialogue and co-operation of social partners are a basis of economic structure of Poland, the necessity to create the legal frames of the Tripartite Commission had become essential. In the end of 1999, the preparation of new project of the Act on the Tripartite Commission had begun in the Ministry of Labour and Social Policy. On July 6th, 2001 the Sejm (Polish parliament) passed the “Act on Tripartite Commission for Social and Economic Affairs and on voivodship social dialogue commissions”, which defines its personal framework, organisation, competencies and tasks. It had been published in the Official Journal No. 100 item1080 on September 18th, 2001 and it came into force one month later.

**Mission:**

According to the Act, the Tripartite Commission for Social and Economic Affairs being the most important national dialogue institution in Poland is a forum of social dialogue held in order to conciliate the interests of employees, the interests of employers and public welfare. The aim of Commission’s activity is to achieve and maintain the social peace through:

1. holding social dialogue in the matters of salaries and social benefits as well as other social or economic matters;

2. examination of cases of great social or economic importance inferred by one of parties if its solution is essential in order to maintain social peace;

3. participation in works on the project of Budgetary Act as well as acts connected with it.

**LEGAL REGULATIONS – BASIS FOR PARTICULAR TASKS OF THE COMMISSION:**

- act of 16 December 1994 on negotiating system of creation of entrepreneurs’ average wage increase;
- act of 23 December 1994 on creation of wages in the national budgetary sphere;
- act of 10 October 2002 on minimum wage for work;
- act of 28 November 2003 on family benefits;
- act of 12 March 2004 on social support;
- act of 28 July 2005 on change of act on pensions and annuities from Social Insurance Fund
Membership:

The Tripartite Commission is composed of representatives of government, employees’ and employers’ parties.

The representatives of the Council of Ministers appointed by the Prime Minister represent the governmental party in the Commission. At present, the governmental party of the Commission is composed of the appointed representatives of: Ministry of Labour and Social Policy, Ministry of Treasury, Ministry of Finances, Ministry of Health, Ministry of National Education, Ministry of Economy (at present the Minister for Economy is simultaneously the Chairman of the Commission), Ministry of Infrastructure, Ministry of Regional Development, Ministry of Internal Affairs and Administration, Ministry of Agriculture and Rural Development, Ministry of Science and Higher Education.

The employees’ party in the Commission is represented by the representative trade union organisations. These are: Independent Self-Governed Trade Union “Solidarność” (NSZZ “Solidarność”), All-Polish Trade Union Alliance (OPZZ) and Trade Union Forum (FZZ).

The employers’ party in the Commission is represented by the representative employers’ organisations. These are: Polish Employers’ Confederation (KPP), Polish Confederation of Private Employers (PKPP), Polish Artisan Association (ZRP) and Business Centre Club – Employers’ Union (BCC – ZP).

The counselling voice in the Commission’s works belongs to the representatives of: Central Statistical Office and National Bank of Poland. Moreover, representatives of: Common Commission of Government and Territorial Self-Government, National Co-operative Council, Association for Non-governmental Initiatives Forum, Consumers Federation as well as All-Polish Unemployed Organisation Alliance had also been invited to take part in works of the Commission.
Persons called to be members of the Commission take part in person in the works of the Commission.

**Representativeness criteria:**

**Employers’ organisations:**

- they affiliate employers employing more than 300,000 workers,
- they have a nation-wide range of activity,
- they are active in those fields of national economy the basic kind of activity of which is listed in more than one half of sections of the Polish Activity Classification (PKD), mentioned in dispositions relative to public statistics

**Employees’ organisations:**

National trade unions, trade unions’ alliances (federations) and inter-trade union national organisations (confederations) that meet the following criteria:

- they affiliate more than 300,000 member employees
- they are active in those fields of national economy the basic kind of activity of which is listed in more than one half of sections of the Polish Activity Classification (PKD), mentioned in dispositions relative to public statistics

**Organisation:**

The Chairman of the Commission designated by the Prime Minister leads the works of the Commission together with the Presidium. The Presidium is composed of Commission’s chairman – representative of the government appointed by the Prime Minister – and vice-chairmen – the heads of every representative employees’ and employers’ organisation. The Presidium determines the activity program and works schedule as well as the agenda of Commission’s plenary sessions. While performing
its tasks, the Presidium is supported by its secretaries. Every member of the Presidium designates one secretary from the organisation.

The Commission holds plenary sessions which are held if needed, but not less often than once every two months. The members of the Commission and the Presidium may be supported by the invited advisors during the session. The representatives of every organisation as well as the governmental party may use the help of one advisor on the matter scheduled in the session’s agenda.

The Commission passes the bill on the Commission’s regulations, which defines detailed principles and working mode of the Commission, the Presidium and the working groups as well as give the members of the Commission their rights connected with the participation in the Commission’s works.

Office services to the Commission are provided by its Secretariat, which is composed of the employees of the Social Dialogue and Partnership Department of Ministry of Labour and Social Policy.

**Working methods:**

By implementation of Art. 11 of Act 1 of July 6th, 2001 on Tripartite Commission for Social and Economic Affairs and on voivodship social dialogue commissions, on March 6th, 2002 the Commission passed the Bill No. 3 on creation of permanent working groups: for social insurance, for labour law and collective agreements, for budget, salaries and social benefits, for economic policy and labour market, for social dialogue development; the Bill No. 9 of September 9th, 2002 on creation of group for public services, the Bill No. 12 of December 13th, 2002 on creation of group for co-operation with International Labour Organisation, the Bill No. 25 of July 6th, 2004 on creation of group for structural funds of the European Union., and the Bill No. 27 of September 14th, 2005 on creation of group for the European Social Charter (Revised).
At present, 9 permanent working groups work in frames of the Commission. Their aim is to elaborate common positions and opinions in such matters as: social insurance, labour law and collective agreements, budget, salaries and social benefits, economic policy and labour market, social dialogue development, public services co-operation with ILO, structural funds of the EU as well as European Social Charter (Revised):

- working group for social insurance
- working group for labour law and collective agreements
- working group for budget, salaries and social benefits
- working group for economic policy and labour market
- working group for social dialogue development
- working group for public services
- working group for co-operation with ILO
- working group for structural funds of the EU
- working group for European Social Charter (Revised).

According to the Act of 8th October 2004 on change of the Act on Tripartite Commission for Social and Economic Affairs and voivodship social dialogue commissions and on change of other acts, employers’ and employees’ organisations - representative in the sense of this Act - have the right to present their opinions regarding the consultative documents of the European Union, particularly such as white books, green books, communiqués and projects of legal acts, in the field of their tasks. Therefore, a consultative group for issues connected with European Union had been created. This team - being a consultative group of the Commission’s Presidium - is composed of experts from each representative organisation of the Commission. It deals with consultation of the European legal acts as well as formulating questions concerning the European issues to the government.

There is a possibility to create the voivodship social dialogue commissions in frames of the Act on the Tripartite Commission for Social and Economic Affairs. The specific principles and activity mode as well as the principles of composition are described in
the Prime Minister’s resolution of February 22nd, 2002 on voivodship social dialogue commissions (Official Journal No. 17 item 157). They act as the forum of social dialogue held in order to conciliate the interests of employees and employers as well as to preserve the public welfare at the voivodship/regional level. Thanks to the activity of voivods being the representatives of the governmental party, the regional dialogue on the voivodship level enable to unburden the national social dialogue institutions and to adjust the particular aims of government’s policy to the local conditions. Moreover, it helps to solve many problems on the territorial level in the situation of threats connected with existence of possible socio-economic conflicts in the region. Voivodship social dialogue commissions are independent on the Tripartite Commission.

At present, voivodship social dialogue commissions act in every of 16 voivodships. In 15 regions, the commissions had been established in virtue of voivod’s resolutions and in one case – in virtue of voivod’s decision.
Other information:

President of the Commission -

Waldemar Pawlak
Minister for Economy
President of Tripartite Commission for Social and Economic Affairs

Secretary General –

Marek Waleśkiewicz
Director of Social Dialogue and Partnership Department
Ministry of Labour and Social Policy

Secretariat of the Commission –

Anna Szwad - Head of Section
Social Dialogue and Partnership Department
Ministry of Labour and Social Policy

Agata Oklińska – international co-operation
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