

Agreement on the introduction of standards for cooperation and social dialogue

dated July 14, 2021.

concluded between:

1. the City Hall of Jaworzno based in Jaworzno at 33 Grunwaldzka Street, represented by Ms. Ewa Sidelko-Palczy - Town Secretary
2. the Municipal Center for Culture and Sports, based in Jaworzno, ul. Krakowska 8, represented by Mr. Sebastian Kusia - Director
3. the Poviát Employment Office in Jaworzno, based in Jaworzno, at 9B Północna Street, represented by Mr. Łukasz Curyło - Director
4. Waterworks Jaworzno Sp. z o.o. with its registered office in Jaworzno, 34 Św. Wojciecha Street, represented by Mr Józef Natonek - President of the Management Board and Mr Grzegorz Waligóra - Vice-President of the Management Board
5. Urban Public Transport Company Ltd. with its registered office in Jaworzno, ul. Krakowska 9, represented by Mr Zbigniew Nosal - President of the Management Board and Mr Zenon Torba - Vice-President of the Management Board

hereinafter referred to as the employers

1. the Company Trade Union Organization NSZZ Solidarność the Town Hall of Jaworzno with its seat at ul. Grunwaldzka 33, represented by Ms. Halina Jamroz - Chairperson and Mr. Grzegorz Pawelec - First Deputy Chairperson
2. the Company Trade Union Organization of the NSZZ Solidarność Trade Union at the Municipal Center for Culture and Sports in Jaworzno, with its seat at ul. Krakowska 8, represented by Mr. Sebastian Madrak - Chairman and Mr. Zbigniew Lorka - Deputy Chairman

3. the Company Trade Union Organization of the NSZZ Solidarność Trade Union of the Poviát Employment Office in Jaworzno, with its seat in Jaworzno, at 9b Pólnocna Street, represented by Ms. Marta Musiał - Chairperson and Ms. Agnieszka Grajny - Deputy Chairperson

4. the Company Trade Union Organization of the NSZZ Solidarność Trade Union Waterworks Jaworzno Sp. z o.o. with its seat in Jaworzno, ul. Wojciecha 34, represented by Mr. Andrzej Dudzik - Chairperson and Mr. Piotr Dusza - Secretary

5. the Company Trade Union Organization NSZZ Solidarność Urban Public Transport Company in Jaworzno, with its registered office in Jaworzno at ul. Krakowska 9, represented by Mr Tomasz Fidziński - Chairman and Mr Janusz Majewski - Deputy Chairman

hereinafter referred to as the trade union organizations

and

Mayor of Jaworzno, Mr. Paweł Silbert, the executive body of the city of Jaworzno

with the following content:

This agreement is the result of:

- long-term cooperation of the NSZZ Solidarność Local Section of the City of Jaworzno with the Mayor of Jaworzno manifested in the conclusion of agreements aimed at caring for the future of the city and the good of its community, while respecting values, rights and human dignity;
- the project entitled "Schemes for Social Dialogue for Decent Work in the Public Sector at the Local Government Level" implemented by NSZZ Solidarność in cooperation with the Association of Polish Cities and the Norwegian partners: the Norwegian Union of Municipal and General Employees "Fagforbundet" and the Norwegian Association of Local and Regional Authorities "KS".

This agreement is intended to help create a framework for dialogue on all issues of importance to employees, employers and local authorities. This applies both to the challenges of today, such as those related to the reconciliation of personal and professional life, as well as to those challenges that may arise in the future - related to demographic and civilization changes and the need to increase investment in human capital. The parties point out that all consequences of emerging challenges should be discussed and resolved in the spirit of social dialogue.

GENERAL PROVISIONS

§ 1

1. The purpose of the Agreement is the pilot introduction in five workplaces for which the Jaworzno local-government is an indirect employer of the good practices referred to in § 2 as a model of cooperation between employers and trade unions and strengthening and deepening the dialogue between the local-government, municipal organisational units and municipal companies on the one hand and the NSZZ Solidarność representing employees employed by entities carrying out tasks of the municipality on the other.

2. This agreement is concluded for the benefit of all employees, regardless of trade union affiliation.

3. The basis for the conclusion of this agreement are the provisions of the Labour Code and the Trade Union Act, as well as other laws and executive acts and agreements and internal normative acts in force at the employers.

GOOD PRACTICE AREAS

§ 2

The Parties shall adopt good practices in the following areas:

- Mutual treatment
- Information
- Consultation
- Negotiation
- Mobbing prevention
- City promotion/identification

MUTUAL RECOGNITION

§ 3

1. The parties to this Agreement agree to:

- to cooperate on the basis of partnership, mutual respect for each other's legitimate interests and all principles of good cooperation, and in the event of differing interpretations of these principles, the parties shall seek to resolve the discrepancies through dialogue,
- to take jointly short-term and long-term measures to protect employees and the interests of employers,
- to create joint actions for a positive image of cooperation both inside the company and within the city and beyond its borders.

2. When putting forward their demands, the trade union organizations undertake to relate them to the current financial and organizational situation of the workplace and the city budget. The parties undertake to consider demands justified by the economic situation of the workplace and the city budget.

3. Irrespective of the results of ongoing discussions, consultations or agreements, the parties to the agreement will not present negative opinions about the other party.

4. Employers enable trade union organisations to display their symbols and information materials and ensure the legibility of regulations governing the dismissal of employees to perform temporary trade union activities.

5. The parties to the agreement may not demand from the other party actions that are contrary to the provisions of the law or actions that could render them liable to criminal, official or political prosecution.

6. In the case of an evident and proven violation of the law, including the Labour Code and internal company regulations as well as occupational health and safety rules by employees, the trade union organizations undertake not to act against the employer's position.

7. The parties recognise that everyone has the right to the legal protection of private life, family life, reverence and good name, and undertake to refrain from any actions that may put both the employer's representatives, trade union organisations and their families in a bad light.

8. The parties to this agreement agree that the party who has sole responsibility for a decision or action should have the decisive influence on that decision or action.

9. The parties declare that they will make efforts to improve occupational safety and health at their respective workplaces, and in particular to encourage solutions that raise labour and occupational health and safety standards and to initiate and support innovative solutions that improve workplace efficiency. The Parties declare their willingness to train employees in the above scope.

10. The Parties shall make every effort to ensure transparent principles of remuneration, respecting the importance of the standard expressed in the Labour Code that employees have the right to equal pay for equal work or for work of equal value.

INFORMATION

§ 4

1. The parties, expressing their willingness to cooperate in good faith and with respect for the other party, undertake to hold information meetings at times to be determined as necessary.
2. Correspondence addressed to the employer by the trade union organisation will be accepted in accordance with the general rules applicable to the employer.
3. The parties undertake to respond to correspondence addressed to them within the time limits provided for by law, as far as possible without undue delay.
4. Notwithstanding the above, at the request of a trade union organisation, the employer undertakes to provide the union with information on the financial situation of the workplace.
5. Employers shall, at the request of a trade union organisation, provide the trade union organisations with information on their long-term strategy, particularly in cases where it will have a significant impact on the situation of employees.
6. Employers shall, at the request of trade union organizations, inform them of staffing structures, including providing numerical summary information on reclassifications and promotions.
7. Employers shall inform trade union organisations about significant organisational changes at their workplaces.
8. At the request of a trade union organisation, the employer provides information on the amount of funds available for remuneration, including those included in the remuneration regulations - bonuses/premiums.
9. The trade union organisations undertake to provide employees with reliable, objective and comprehensive information on the ongoing talks/ negotiations with the employer with a view to avoiding social unrest and tensions.

CONSULTATION

§ 5

1. Trade union organisations shall participate in consultations on the objectives of the City budget.
2. Employers and trade union organisations shall agree on fixed times at the workplace when they are available for ongoing consultation.
3. Employers undertake to implement the principles of remote working into work regulations in consultation with the trade unions.
4. Employers shall agree on the use of the company's social fund in accordance with the provisions of the Trade Union Act and internal regulations.

NEGOTIATION

§ 6

1. Before entering into any negotiations, the parties shall agree on the objectives and the area of negotiation, so that it is possible to determine the scope and level of expectations realistic to meet.
2. The parties agree to conduct mandatory annual negotiations, at times determined by them.
3. Negotiations shall be conducted in a spirit of mutual respect and goodwill and shall not degenerate into a dialogue of convenience.
4. The Parties undertake to communicate promptly their respective positions on the issues to be agreed.
5. The parties agree not to disclose the content of negotiations until they have been completed, unless the negotiations require consultation with the workforce.
6. The parties undertake not to undermine the content of a jointly developed unified position and to communicate it in the form agreed.

MOBBING PREVENTION

§ 7

1. Each employer will establish an anti-mobbing committee to deal with reported harassment complaints. The committee consists of representatives of the employer and the trade unions.

2. The committee will be activated if a case of mobbing is reported.
3. The committee shall operate on the basis of regulations agreed upon by the employer and the trade unions operating in its territory.
4. In case of funding opportunities for trainings on customer service, stress management, cooperation with difficult customers, employers will strive to provide them.

CITY PROMOTION/IDENTIFICATION

§ 8

- 1 The parties declare that they will take care of the good image of Jaworzno by promoting it in their organisations' publications and websites.
2. the Parties undertake to exhibit the Jaworzno crest or its logo on events organized by them, obtaining appropriate consent of the Jaworzno City Hall.
3. the Parties undertake to cooperate in such a way as to promote Jaworzno through the implementation of good solutions and practices whose primary objective is the welfare of its residents.

FINAL PROVISIONS

§ 9

The Agreement is concluded for a definite period until 31 March 2023.

2. In the event of gross breach of the provisions of this Agreement, each party may terminate it effective at the end of a given quarter.
3. The parties declare that before the end of the period indicated in paragraph 1, a summary and verification of previous actions will take place, assess their functioning in practice and take steps to continue or modify good practices.
4. The Agreement should be an inspiration to other local government employers in Jaworzno, and its solutions are recommended by the municipal authorities to be implemented and carried out for the common good, raising the quality of public services and improving working conditions and social dialogue.