



Fundusze Europejskie

Pensions in Poland



Fundusze Europejskie
dla Lubuskiego



Rzeczpospolita
Polska

Dofinansowane przez
Unię Europejską



Lubuskie
Warte zachodu

CONTACT

Plac J. Matejki 19/5A, I PIĘTRO
ZIELONA GÓRA

e-mail: ciczg@wup.zgora.pl
573 446 415/573 446 416

WE PROVIDE FREE SERVICES

Polish Language Course

at the level: from A1 to B2

First Contact Assistant Support

concerning: individual issues related to residence and work in Poland: the education system, health, social security including social benefits, transportation, taxes and other matters of daily life in the new country, the rules for the continuation of legal residence in Poland, legal work and employment of third-country nationals.

Sworn translation of documents

Legal advice

Professional training

Psychological advice

Integration meetings

Information and adaption meetings

Career counseling

WE INVITE YOU



Dear Ladies and Gentlemen,

We are giving you an educational brochure on the rights and obligations of foreigners staying in Poland. This publication was created with the aim of facilitating your daily life in a new country - a place that may be becoming your new home.

The information collected here will help you understand the most important aspects of life in Poland - both formal and legal, social and customary. We hope that the information it contains will make it easier for you to adapt and function in our country on a daily basis.

If, after reading the brochure, you have doubts about the presented regulations or need additional assistance, we encourage you to contact the Center for Integration of Foreigners Zielona Góra (CIC). At the CIC you will receive free and professional assistance from first contact assistants. In addition, at the Center you have the opportunity to use computers and access the Internet, which can be helpful in dealing with official matters or searching for information.

Remember that knowing your rights and responsibilities is key to full integration and comfort in your new environment.

We wish you good luck and success in Poland.

The team of the Center for Integration of Foreigners Zielona Góra



Pensions in Poland

Social Insurance Institution (ZUS)

ZUS is a state organizational unit with legal personality. It is the most important institution of the Polish social insurance system. In its current form, ZUS operates on the basis of the Social Insurance System Act of October 13, 1998.

The activities of the Department are managed by the President of ZUS, appointed by the Prime Minister.

In brief, ZUS is primarily concerned with the payment of cash benefits to provide assistance to people in various life

situations. At ZUS, one can handle matters related to cash benefits paid to various groups of people (family benefits, pensions, allowances). ZUS also serves employers as payers of contributions for employed workers.

ZUS also handles a wide range of services for foreigners, such as granting and paying family benefits and transferring pensions.

At the ZUS, one can arrange matters in person at a branch office or by means of an online visit.

Link to the ZUS website:

<https://www.zus.pl/>



On the ZUS website, you can choose the language in which the content will be displayed:

What documents should you bring with you to your ZUS appointment:

- PESEL number (Universal Electronic System for Population Registration),
- current residence document (decisions on legalization of stay and work in Poland may be required),
- identity document - passport,
- any documentation regarding the benefit you intend to apply for at ZUS,
- bank account number.

To make sure what documents you need to bring with you to your ZUS appointment, contact your nearest ZUS branch to schedule an in-person visit or request an e-visit.

You can make an appointment at a ZUS branch in three ways:

- via eZUS (PUE ZUS), through the mZUS application, over the phone.

Detailed information on how to book an appointment at ZUS:

<https://www.zus.pl/o-zus/kontakt/zarezerwuj-wizyte/wizyta-w-placowce>

You can also make an appointment with a

ZUS employee via the Internet as an e-visit. For this you need:

- Internet access, computer, tablet or phone with a working camera, speaker and microphone.

Detailed information on how to book an e-visit with ZUS:

<https://www.zus.pl/e-wizyta>

IMPORTANT INFORMATION:

Remember to inform any Polish institution (e.g. government offices, banks, medical clinics) of any change in your contact information (phone number, email address, home address, mailing address, workplace address, etc.). - this has a key impact on the process of communication on your case between you and the institution. Failure to do so may have negative consequences for your stay in Poland.

If you are a foreigner and apply for a disability or pension benefit in Poland, you must first of all meet the conditions for legal residence in Poland, meet the conditions for

legal employment in Poland and the specific conditions for a given disability or pension benefit. The decision on granting the benefit and the number of documents required to be submitted may also be affected by the nationality of the applicant, important if you are a citizen of a country with which Poland has, for example, signed international agreements on social security. It should be remembered that each type of pension has its own detailed and specific conditions for granting and amount, which depends on accumulated contributions, length of service and other factors.

For detailed information on foreigners applying for benefits in Poland, contact the Social Insurance Institution.



Pensions in Poland: disability pension, survivor pension and social pension

I. Disability pension

It is paid to persons who are unable to work due to illness or disability.

A person who is unable to work is a person who has partially or completely lost the ability to perform gainful employment due to a health condition.

- Losing the ability to perform work that is compatible with your qualifications makes you a person who is partially unable to work,
- loss of the ability to perform any work, makes you a person who is completely unable to work.

What conditions must be met?

The right to a pension for incapacity for work, you are entitled to when you meet the following conditions together:

- you are incapacitated for work;
- you have the required - age-appropriate - length of insurance (contributory and non-contributory period):
 - 1 year - if you became incapable of work before you turned 20,
 - 2 years - if you became incapacitated for work between the ages of 20 and 22,
 - 3 years - if you became incapacitated between the ages of 22 and 25,
 - 4 years - if you became incapacitated between 25 and 30 years of age,
 - 5 years - if you became incapacitated for work after the age of 30, and this period must fall within the last 10 years:
- before the date on which you applied for a pension, or

- before the date on which your inability to work arose;
- your inability to work arose during the contributory or non-contributory periods indicated in the Pension Act, periods of receipt of a nursing benefit, special care allowance or guardian's allowance for which there was no obligation to pay social security contributions, or within 18 months of the cessation of such periods. This requirement does not apply if you meet the following conditions together:

- you are totally unable to work and
- you have at least:
 - 20 years of insurance seniority - if you are a woman,
 - 25 years of insurance seniority - if you are a man.

Important! If a person became incapacitated after the age of 30, he does not need to have 5 years in the 10 years before the application or the onset of incapacity, if he is completely incapacitated and proven:

- 25 contributory years - female,
- 30 contributory years - male.

Types of disability pensions:

- permanent pension - if you are not likely to regain the ability to work;
- interim pension - if there are prognoses that you will regain the ability to work.
- Training disability pension - if you meet the conditions for a disability pension for incapacity for work, but it has been decided that vocational retraining is advisable due to your inability to work in your current occupation.



II. Survivor pension

This type of pension is paid to the families of deceased insured or pensioners to provide financial support.

Family members of a person who, at the time of death, is entitled to a survivor pension:

- had an established right to an old-age pension, or met the conditions for obtaining one,
- had an established right to a bridge pension;

- had an established right to a disability pension, or met the conditions for its acquisition;
- was collecting a pre-retirement benefit;
- was collecting a teacher's compensation benefit.

The following are entitled to family pension:

1. Own children, children of the other spouse, and adopted children:

- up to the age of 16;
- if they are studying - until they reach the age of 25 (if a child has reached the age of 25 in the last year of study at a higher education institution, the right to a pension is extended until the end of that year of study);
- regardless of age, if they have become totally incapacitated before the age of 16 or if they are continuing their schooling before the age of 25.

2. Grandchildren and siblings - adopted at least one year before death for upbringing and maintenance before reaching the age of majority.

3. Other children - adopted at least one year before death for upbringing and maintenance before coming of age, with

the exception of children who were raised and maintained within the framework of a foster family or family orphanage.

4. Spouse (widow or widower) who remained in marital cohabitation until the date of death (after meeting certain conditions), a widowed person who does not meet these conditions and has no source of income is entitled to a survivor pension (after meeting certain conditions)

A spouse or divorced spouse, or a widow or widower, who at the time of their spouse's death were not in marital cohabitation with him or her, is entitled to a survivor's pension if, in addition to meeting the listed conditions, they were entitled to alimony from their spouse on the date of their spouse's death as established by a judgment or court settlement.

A divorced or separated spouse is also entitled to a pension if she proves that immediately before her spouse's death she received alimony from him under a divorced/separated agreement (this does not apply to a man).

5. Parents (also after meeting certain conditions).



The amount of the survivor pension is:

- 85% of the deceased's benefit - if one person is entitled to a survivor pension;
- 90% of the deceased's benefit - if two persons are entitled to a survivor's pension;
- 95% of the deceased's benefit - if three or more persons are entitled to a survivor's pension.

III. Social pension

Social pension as a benefit, is aimed for people who are unable to work due to illness or disability, and who do not meet the conditions for a pension.

What conditions must be met?

You may be entitled to a social pension if you meet the following conditions:

- you are an adult:
 - you are at least 18 years old, or
 - you are a woman who married after the age of 16;
- the ZUS doctor/medical commission ZUS has determined that you are totally incapable of working due to impairment of bodily functions, which arose:
 - before your 18th birthday;

- during your education (including during vacation or dean's leave):
- at school or college - before you turned 25,
- during your training at a doctoral school, doctoral studies or scientific aspirant.

If you meet all the necessary conditions, you may be entitled to a social pension:

- permanently - when your total inability to work is permanent,
- on a temporary basis - when your inability to work is periodic.

Obligations to ZUS:

When you receive social security benefits, you should immediately notify ZUS of:

- starting employment, the amount of income you earn (also about any change in it), a change of data (e.g., residence, name, bank account number) - on the application for an EZP, the fact that you have been placed in jail or prison; the fact that you became the owner of a farm.



Pensions in Poland

Pension at the general retirement age for persons who were born before January 1, 1949.

Pension granted to people who were born before 1949 A person becomes entitled to a pension because of his age. In order to receive a pension, you must document the required insurance length of service, which is: 20 years for a woman, 25 years for a man.

Insurance seniority consists of:

- contributory periods (the period of professional activity, e.g., under an employment contract);
- non-contributory periods (periods for which social security contributions were not paid, but due to their nature are included in the insurance seniority, such as the collection of care or sickness benefits, or higher education).

Important! This pension is covered by the guarantee of the lowest pension. This means that in a situation where the amount of your pension calculated by us turns out to be less than the amount of the lowest pension, we will raise it to the amount of the lowest pension.

Documents that need to be submitted to ZUS:

- application for pension (EMP) - available at our branches or at www.zus.pl
- information on contributory and non-contributory periods (ERP-6)
- documents that confirm your insurance seniority (contributory and non-contributory periods) and, if necessary, periods of work on a farm or running such a farm - these include labour certificates, insurance cards, certificates, for example, about the period of higher education, military service, period of unemployment benefits, etc.,
- documents that confirm your salary.

When to submit documents to ZUS:

Given that you meet the age criteria (attainment of retirement age), you can apply for a pension at any time. ZUS will grant the pension from the month in which you submit the application.

Retirement at the general retirement age for people who were born after December 31, 1948.



Important! As of October 1, 2017, the retirement age is 60 for women and 65 for men.

Persons born after December 31, 1948 will be granted a pension after meeting the conditions:

- completed universal retirement age (60 for women and 65 for men),
- have paid social security or pension contributions for at least 1 day, e.g., as an employee or a person engaged in non-agricultural activities,
- do not have a pension granted due to the completion of the increased retirement age.

The ZUS will grant a pension from the month in which the application is filed, but not earlier than the date on which the person completes the general retirement age (60 years of age for women and 65 years of age for men).

How is the pension amount determined?

ZUS calculates the amount of the pension by dividing the basis of its calculation by the average life expectancy.

The basis for calculating the new pension is the sum of:

- of indexed pension contributions, recorded in the individual account of the insured until the end of the month preceding the month from which the pension is payable;
- of the initial capital subject to adjustment;
- funds credited to the subaccount in the ZUS.

Life expectancy is the expected number of months you will draw your pension. Tables of life expectancy are announced annually by the President of the Central Statistical Office. They are the basis for calculating pensions for applications submitted from April 1 of a given year to March 31 of the following year.

Pension benefit for foreigners

In order to receive a pension benefit in Poland, foreigners must meet certain conditions and pay contributions in Poland. Poland and Ukraine signed a bilateral agreement on social security in 2012. It protects people who work or have worked in both countries. The social security agreement stipulates that when determining the right to a pension, periods of insurance in the other country are also taken into

account. However, this does not mean that the Social Security Fund finances pensions of Ukrainian citizens for periods of work in their home country. Each country pays the benefit in proportion to the length of insurance periods in each country. According to a bilateral agreement between Poland and Ukraine, periods of work in Ukraine are also taken into account when determining the right to a minimum pension in Poland. However, the compensation of the benefit to the amount of the minimum pension is made on the sum of benefits from both countries. The Social Insurance Institution has the tools to verify whether a person meets the conditions to receive a supplement to the Polish benefit for living in our country. In order for a foreigner to live in Poland, he or she must have the right of legal residence on the basis of a document issued by the Office for Foreigners, or on the basis of the legality of residence obtained through an entry in the register of the Border Guard.

Applicants for Polish pensions not only submit a declaration of residence under penalty of law, but also, if requested by the ZUS, must submit a document confirming

legal residence in our country. It is also particularly important that the ZUS is cooperating with its counterpart in Ukraine, the Pension Fund of Ukraine. The procedures used by both institutions in handling pension applications force verification, through administrative cooperation, of a great deal of information regarding the granting and payment of benefits. This includes address data of benefit recipients.

eZUS (PUEZUS) account

If the application is submitted through a bank or the Emp@tia portal, and you do not yet have an eZUS (PUEZUS) profile, ZUS will set up such a profile on the basis of the data indicated in the application for a particular benefit. To the email address indicated in the application, ZUS will send information about confirmation of account submission and instructions for the first login.

eZUS (PUEZUS) provides online access to data stored in ZUS accounts, gives the possibility to easily generate and send electronically application and settlement documents, as well as various types of letters and applications. It is also possible to make an appointment with ZUS by this means.

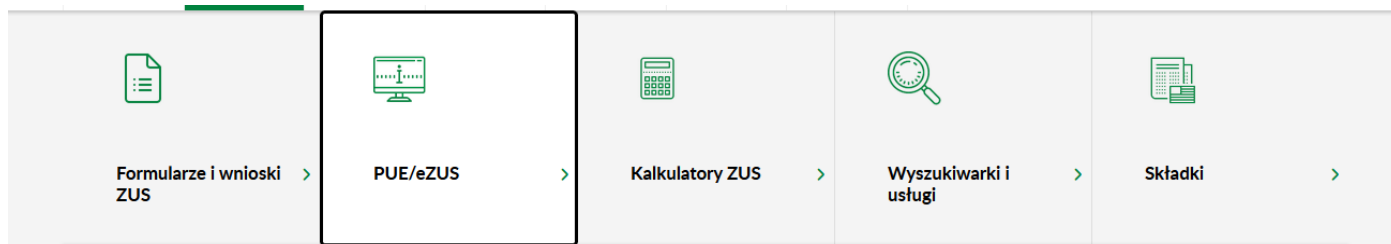
The link to PEU/eZUS is located on the website in the bar at the bottom of the website.

Link to the ZUS website:

<https://www.zus.pl/>

ZUS teleaddress information/contact details:

<https://www.zus.pl/o-zus/kontakt/centrum-obsługi-telefonicznej-cot->



IMPORTANT

Note: The educational brochure is not a source of law.

The authors have made every effort to ensure that the content of the brochure is in compliance with applicable laws. However, please note that the publication deals with typical situations and the most common cases, so it may not fully apply to individual cases.

The number and type of documents that may be requested by administrative authorities in the course of proceedings to legalize residence and work in POLAND, health and education cases may differ from those given in the brochure, depending on the specific case.

In case of any doubt, it is recommended:

- contact the relevant administrative body (e.g., Provincial Office, Office for Foreigners),
- familiarize yourself with the law,
- take advantage of the free assistance of the Center for Integration of Foreigners in Zielona Góra.



DEVELOPMENT:



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EDUCATIONAL BROCHURE

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