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TO: - Mr. Donald Tusk, Prime Minister
Aleje Ujazdowskie 1/3,
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Poland
- Ms Barbara Kudrycka, Minister of Science and Higher Education
Wsp3lna 1/3,
00-529 Warszawa
Poland
- Ms Jolanta Fedak
Minister of Labour and Social Policy
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Cc: NSZZ-KSN Solidarnosc; ZNP

Brussels, 21st of November 2011

Ref.: MR/DP/9354

Subject: Social Dialogue in Higher Education in Poland

Dear Sir/Madam,

The ETUCE wishes to express its concern regarding the current status of collective bargaining and social dialogue in Higher Education in Poland. According to our information, the Polish Ministry of Science and Higher Education has completely rejected a proposal for a collective agreement presented by the representative trade union organisations NSZZ-KSN Solidarnosc and ZNP. The Ministry has attempted to justify this move by saying that collective bargaining can only apply to wages determination. Since then, the Ministry has refused to meet the Higher Education trade union representatives.

I am writing to remind your government that the international and European standards on collective bargaining and social dialogue do not restrict in any way the scope of the bargaining to wages determination. The ILO Convention 98 on Right to Organise and Collective Bargaining refers to “*terms and conditions of employment*” as being subject of bargaining (Article 4). The ILO Recommendation

91 on collective agreement specifies that *“collective agreements mean all agreements in writing regarding working conditions and terms”* (II, 1).

At the European Union level, social dialogue is widely recognized as a standard for conducting industrial relations at cross-sectoral and sectoral level, including in education. Moreover, the commitment of EU member states in the Europe 2020 Strategy involves a significant support from national governments to education and training. Higher Education is a top priority, the member states being assigned to reach the target of 40% of the active population having completed tertiary education by 2020. This goal can only be achieved through a broad cooperation of all stakeholders involved in Higher Education, naturally including the teachers' unions.

The ETUCE therefore asks the Polish Ministry of Science and Higher Education to engage in a constructive dialogue with NSZZ-KSN Solidarnosc and ZNP in order to soon find a jointly-built solution to the current deadlock on the collective bargaining process in Higher Education in Poland.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Martin Rømer', with a stylized, cursive script.

Martin Rømer
European Director

The ETUCE, the European Trade Union Committee for Education is the European Region of Education International. It represents 135 teacher unions in Europe, i.e. 12.8 million teachers from all levels of the education sector in 45 countries. The ETUCE is a social partner in education at EU level and a trade union federation of the ETUC, the European Trade Union Confederation.