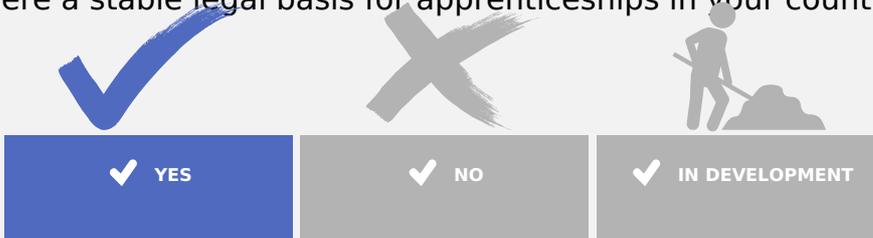


## Reference Year 2019

### 1 UNDERSTANDING OF APPRENTICESHIPS IN THE NATIONAL CONTEXT

Q1. Is there a stable legal basis for apprenticeships in your country?



<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN DEVELOPMENT
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The main regulatory framework for apprenticeship is provided in the following regulations:

- The Act of 14 December 2016 on the education law (Journal of Laws of 2019, item 1148, 1078), which lists places where an apprenticeship can take place (Article 120 (1)) and entities that may conclude agreements on apprenticeship (Article 120(5)).[1]
- The Regulation of the Minister for National Education of 22 February 2019 on practical vocational education (Journal of Laws of 2019, item. 391) establishes the procedures and conditions for organizing ‘apprenticeships’ at school premises (workshops, labs), continuing education centers, practical education institutions, employers and individual farms, and lays down the qualifications required of persons conducting apprenticeship and their roles and rights.[2]
- The Regulation of the Council of Ministers of 28 May 1996 on vocational preparation of apprentices and their remuneration (Journal of Laws of 1996, No. 60, item. 278).[3]
- The Regulation of the Council of Ministers of 13 August 2019 on changes in Regulation of vocational preparation of apprentices and their remuneration (Journal of Laws of 2019, item. 1636) [3a]
- The Regulation of the Minister of Family, Labour and Social Policy of 24 July 2019 on changes in the Regulation on Labour Fund’s remuneration of salaries paid to the apprentices (Journal of Laws of 2019, item.1395)[3b]

Other regulations:

- The Regulation of the Minister of National Education of 10 January 2017 on the apprentice examination, master's examination and readmission examination carried out by the examination boards of chambers of trade (Journal of Laws of 2017, item. 89).[4]
- The Regulation of the Minister of National Education of 22 February 2019 on the conditions and manner of assessing, classifying and promoting pupils and students and conducting tests and examinations in public schools (Journal of

Laws of 2019, item. 373).[5]

- The Regulation of the Minister of National Education of 18 December 2018 on the ways of division of parts of general educational subsidy for self-government units (Journal of Laws of 2018, item. 2446) defines the amount of subsidies gathered by the schools directors for pupils, i.a. students-apprentices
- The Act of 22 March 1989 on craft (Journal of Laws of 2018, item. 1267, 2245) defines the rules, procedures, and supervision over the course of vocational training in the craft of apprentices.[6]
- The Act of 31 July 2019 on the changes of some acts in order to limit burden of regulations (Journal of Laws of 2019, item. 1495) specifies definition of craft companies – including co-partnerships. [7]
- Labour Code Act of 26 June 1974 (Journal of Laws of 2019, item. 1040, 1043, 1495), Chapter IX - The employment of apprentices, Sections I to VI, provide definition of a young employee, acceptable conditions of employment of juveniles (apprentices 15-18 years old), essential components of the employment contract for vocational training, theoretical training obligation of an apprentice, etc. [8] .
- Regulation of Minister of Labour and Social Policy of 11 April 2014 regarding vocational preparation of adults (Journal of Laws of 2014, item. 497)
- Regulation of Minister of National Education of 16 May 2019 regarding programme basis for education in branch schooling professions and added vocational skills in certain professions (Journal of Laws of 2019, item. 991)

The first two legal documents apply to all apprenticeship schemes, but the regulations differ for juvenile workers who are also students (double status of an apprentice /'juvenile worker') and adults who participate in apprenticeship schemes.

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[1] Ustawa z dnia 14 grudnia 2016 r. Prawo oświatowe, Dz. U. z 2019 r. poz. 1148 i 1078.

[2] Rozporządzenie Ministra Edukacji Narodowej z dnia 22 lutego 2019 r. w sprawie praktycznej nauki zawodu, Dz.U. 2019 poz. 391.

[3] Rozporządzenie Rady Ministrów z dnia 28 maja 1996 r. w sprawie przygotowania zawodowego młodocianych i ich wynagradzania, Dz.U. 1996 nr 60 poz. 278.

[3a]Rozporządzenie Rady Ministrów z dnia 13 sierpnia 2019 r. zmieniające rozporządzenie w sprawie przygotowania zawodowego młodocianych i ich wynagradzania, Dz.U. 2019 poz. 1636

[3b]Rozporządzenie Ministra Rodziny, Pracy i Polityki Społecznej z dnia 24 lipca 2019 r. zmieniające rozporządzenie w sprawie refundowania ze środków Funduszu Pracy wynagrodzeń wypłacanych młodocianym pracownikom, Dz.U. 2019, poz. 1395

[4] Rozporządzenie Ministra Edukacji Narodowej z dnia 10 stycznia 2017r. w sprawie egzaminu czeladniczego, egzaminu mistrzowskiego oraz egzaminu sprawdzającego, przeprowadzanych przez komisje egzaminacyjne izb rzemieślniczych, Dz. U.2017, poz. 89.

[5] Rozporządzenie Ministra Edukacji Narodowej i Sportu z dnia 22 lutego 2019 r. w sprawie warunków i sposobu oceniania, klasyfikowania i promowania uczniów i słuchaczy oraz przeprowadzania sprawdzianów i egzaminów w szkołach publicznych

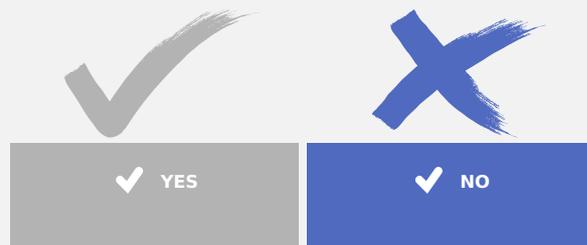
(Dz. U. 2019, poz. 373.)

[6] Ustawa z dnia 22 marca 1989 r. o rzemiośle (Dz.U. 2018, poz. 1267, 2245, a także Dz.U. 2019, poz. 1495).

[7] Ustawa z dnia 31 lipca 2019 r. o zmianie niektórych ustaw w celu ograniczenia obciążeń regulacyjnych, Dz. U. 2019, poz. 1495

[8] Ustawa z dnia 26 czerwca 1974 r. Kodeks pracy (Dz. U. 2019, poz. 1040, 1043)

Q2. Is there an official definition of 'apprenticeship' or 'apprentice' in your country?



National documents and working definitions use the term of dual learning to various forms of school and employers' cooperation to deliver training, including short-term traineeships or longer spells without a contract between the learner and the employers (See Q5).

Apprenticeship can be considered as this form of practical vocational education (*praktyczna nauka zawodu*) that is based on a contract of apprenticeship between the employer and the learner [1] and, in combination with theoretical training, is carried out to deliver skills and competencies described in relevant curricula (i.e. to acquire the vocational skills required to work in a given profession, and since activities take place at the workplace, to apply and deepen knowledge and skills in real working conditions).

In the case of upper-secondary education, apprenticeship is organised in the context of the juvenile employment framework (vocational preparation of juvenile workers - *przygotowanie zawodowe młodocianych pracowników*). Apprentices are referred to as 'juvenile workers' and must have completed 15 years of age and should not exceed 18 years.

At upper-secondary level, this framework is available mostly through first-level three-year-long programmes offered by branch (sectoral) schools (*szkoła branżowa pierwszego stopnia*). Approximately 70-80% of employers participating in the vocational preparation scheme are members of craft guilds.

There are other forms of workplace or practical training at upper-secondary level that do include periods at the workplace but cannot be considered as apprenticeships according to Cedefop definition and the Council recommendation of 5 March 2018 on a European framework for quality and effective apprenticeships (See Q3 and Q5).

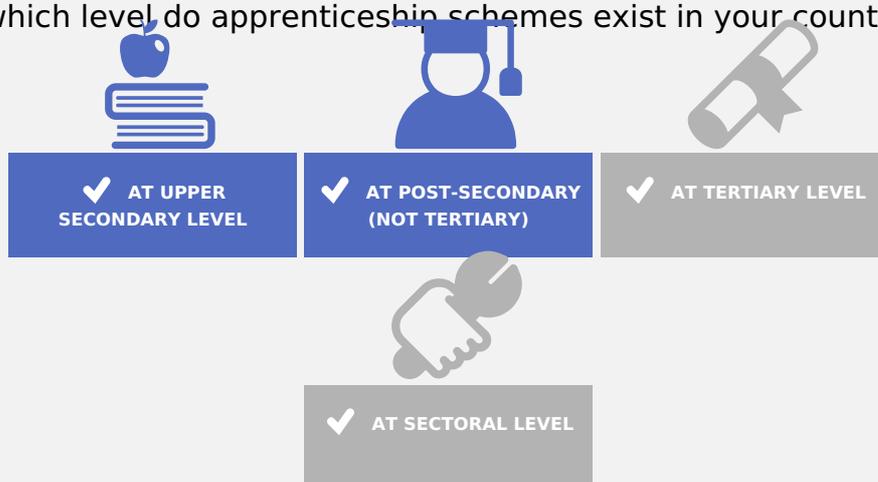
Dual learning is also offered at post-secondary level.

[1] The Regulation of the Minister for National Education of 22 February 2019 on practical vocational education (Journal of Laws of 2019, item. 391).

[2] ibidem.

[3] The Act of 14 December 2016 on the education law (Journal of Laws of 2019, item 1148, 1078) foresees that practical vocational education for students organized by the school can take place in the institutions of continuing education, practical education centers, school workshops and laboratories, at employers, as well as in individual farms, based on the agreement signed between the school and the above-mentioned entities.

Q3. At which level do apprenticeship schemes exist in your country?



Apprenticeship at upper secondary level is offered under the scheme of vocational preparation of juvenile workers (*przygotowanie zawodowe młodocianych pracowników*) [1] that can be organized:

1. In alternance between schools and employer premises, as a form of upper-secondary level education offered by three-year-long first-level programmes offered by branch (sectoral) schools (*szkoła branżowa pierwszego stopnia*). This scheme aims at preparing a young person to work as a skilled worker (after assessment and certification of qualifications) or journeyman and includes apprenticeship[2]. The apprentice is directed by the employer to undertake theoretical training at schools. Branch (sectoral) schools (SBI) include the former basic vocational schools (ZSZ) and supplementary technical school at ISCED level 3. They can be public and non-public, the latter established by associations, NGO's and craft guilds and chambers. 1st grade Branch schools (SBI) offer initial vocational education (IVET), including through apprenticeship programmes at Polish NQF level 3.
2. Entirely at the employer premises: It is also possible for the craftsman to provide both practical and theoretical vocational preparation. The apprentice does not attend school but may still obtain qualifications that result in a journeyman certificate. In this case the employer must ensure those delivering the theoretical learning hold a pedagogical qualification, statutorily specified. Nowadays about 2,000 apprentices are trained in this form in the

whole country – e.g. 1,684 apprentices in crafts in 2018[3])

3. In alternance with vocational centers: theoretical education of juvenile workers / apprentices might be offered also by the vocational training centers “CKZ” (turnusy dokształcania teoretycznego) on the basis of an executive act from 19.03.2019 on continuous education in non-school forms [4].

Apprenticeships can be organized by employers who may or may not be members of craft guilds. Craft apprenticeships lead to a journeyman exam, whereas non-craft ones lead to exams in the relevant qualification. Craftsmen offer about 70-80% of all apprenticeships in Poland [5]. Nevertheless, craft apprenticeships suffer from results of many educational reforms (2012, 2017, 2019) and the number of apprentices in crafts has dramatically decreased from 93.000 in 2010 to the level of 67.500 in 2017 (and it's observed not only in crafts). [6]

In this scheme, apprentice is a ‘juvenile worker’, employed on the basis of an employment contract signed between him/her and the employer.

Other forms of practical / workplace training at secondary level are not considered as apprenticeships (see also Q2 and Q5). They may include practical activities at various venues [7], including those at the workplace:

- practical activities (*zajęcia praktyczne*) other from apprenticeship for which the contract is signed only between the school and the employer [8],
- student's internship (*staże uczniowskie*) started from 01.09.2019 as a new form of practical activities (*zajęcia praktyczne*) with certain time at the workplace (during winter or summer vacation) and with student-employer contract but not necessarily with salary [9].
- short-term traineeships (*praktyki zawodowe*) in occupations taught in technical secondary and post-secondary schools, usually lasting 4 weeks (max. 160 hours) spent at the employer's premises.

In fact, based on the analysis of framework teaching plans for technical and vocational schools, it can be concluded that technical schools offer practical vocational education in a form of 4- to 12-week long traineeships, and basic vocational schools offer a form of practical activities at the school workshops (without salary paid to the student).[10] None of these offers can be considered as an apprenticeship scheme.

Apprenticeships at post-secondary (non-tertiary) level are organized for unemployed adults based on the Regulation of Minister of Labour and Social Policy of 11 April 2014 regarding vocational preparation of adults (Journal of Laws of 2014, item. 497) called *przygotowanie zawodowe dorosłych*. It is initiated, organized and financed by the district labour offices and financed by the Labour Fund. It can take two forms:

- 1) Practical vocational education for adults (from 6 to 12 months) enabling the undertaking of the qualification examination in the profession or journeyman's exam; The duration of learning process depends on the experiences of a learner and profession chosen to be taught (usually it is closer to 12 months);
- 2) Practical job training for adults (*przyuczenie do pracy dorosłych*) (3 to 6 months) aiming to gain some qualifications or skills required to perform specific professional tasks.[11] [11a]

[1] The scheme is also translated as ‘juvenile employment for the purpose of vocational training’ in other Cedefop publications, e.g. the ReferNet series.

[2] Article 16 (5a)(6b) of the Act on the education system and articles 190-205 of the Labour Code.

[3] [https://zrp.pl/wp-content/uploads/2019/05/TABELA-1-Informacja-ošwiatowa\\_2018.pdf](https://zrp.pl/wp-content/uploads/2019/05/TABELA-1-Informacja-ošwiatowa_2018.pdf)

[4] <https://www.infor.pl/akt-prawny/DZU.2019.069.0000652,rozporzadzenie-ministra-edukacji-narodowej-w-sprawie-ksztalcenia-ustawicznego-w-formach-pozaszkolnych.html>

[5] Apprenticeship and Traineeship Schemes in EU27: Key Success Factors.

[6] Stępnikowski A. W. (2020), "Master in craftwork apprenticeship. Social and pedagogical competencies", Scientific Publishing of Łukasiewicz - Institute for Sustainable Technologies, p. 54.

[7] [http://www.koweziu.edu.pl/faq\\_print.php](http://www.koweziu.edu.pl/faq_print.php)

[7] VET is seen mainly as part of upper secondary education and hence vocational education (though not 'higher') is defined only in the school system and in the craft sector. The responsibility for all education activities at the highest levels of education falls under the Ministry of Science and Higher Education and there is no specific distinction of VET at these levels.

[8] The Act of 11 July 2014 amending the Act - Law on Higher Education and other laws.

[9] <https://www.gov.pl/web/edukacja/staz-uczniowski>

[10] Ministry of Education, 6 August 2015, [https://men.gov.pl/wp-content/uploads/2015/08/uzasadnienie\\_pnz\\_06.08.15....](https://men.gov.pl/wp-content/uploads/2015/08/uzasadnienie_pnz_06.08.15....)

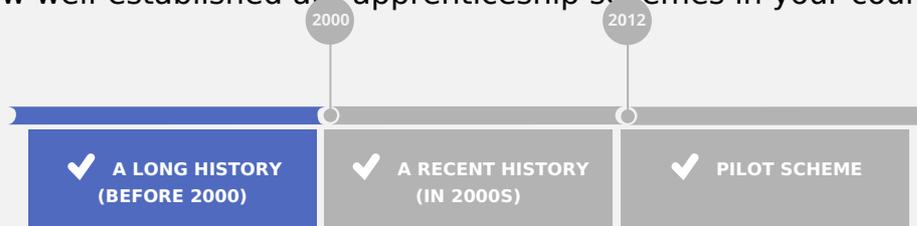
[11] The Act of 20 April 2004 on employment promotion and labour market institutions (Journal of Laws of 2019, item. 1482),

<http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20040991001/U/D20041001Lj.pdf>

[11a] Rozporządzenie Ministra Pracy i Polityki Społecznej z dnia 11 kwietnia 2014 r. w sprawie przygotowania zawodowego dorosłych, Dz. U. 2014, poz. 497

<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20140000497>

Q4. How well-established are apprenticeship schemes in your country?



Small and medium-sized crafts have been traditionally engaged in the training of students for many years. According to the Polish Craft Association practical learning an occupation at the workplace dates back in Poland to medieval times.[3] This long history in crafts and other trades includes i.a. the Act of 31 December 1816 in the matter of organization of crafts, arts and trades, Journal of Laws 1816, no. 17, item 4,

p.114[1].

The following periods in VET development can be distinguished in Poland since the country regained its independence in 1918:

The period between two world wars: three types of schools existed, those preparing for the profession, vocational secondary schools (gymnasia), and vocational lyceums. Also, factories took part in training skilled workers by creating workplace schools or workshops dedicated to learning the profession.

The communist period from the end of World War II until 1989: vocational education was not under the remit of the Ministry of Education and the following types of schools were created: basic vocational school, technical school, vocational preparation school (as well as agricultural), designed for adolescents over 16 years of age. Experts of that time stressed the importance of workplace schools and at the same time pointed out to their deficiencies, such as considerable dispersion throughout the country, division into too small organizational units and adaptation to the needs of a single company. They also emphasised the importance of workplaces in creating the conditions for the implementation of practical training, practice and traineeships. In this period VET was characterized by overloaded programmes and manuals, traditional teaching methods, poorly equipped school workshops and laboratories, graduates' inability to use the acquired knowledge in practice and to work with other people.

The post-1989 period of educational reforms: especially since 2012 reforms are directed particularly at vocational and continuing education. Since 2017 as well as 2019 attentions is given to the school-based VET technical classes (*technikum*) and lately the 2nd level branch schools, which are based on other forms of practical training, and not apprenticeships. Incentives are given for employers to participate in these levels rather in the levels where apprenticeship is offered (1st level branch schools, replacing the former basic vocational schools). Juvenile workers (apprentices) are not appreciated in the way, that technical students are – especially from public schools. Both the number of juvenile workers and the level of subsidies for apprentices are decreasing: subsidies for an apprentice are three times lower than those earmarked for a student of school-based programmes.

Despite some positive developments in terms of apprentices' remuneration and incentives for employers (see Q32 and Q13 on the relevant Polish apprenticeship scheme fiche), during the reform of 2019, new obstacles for employers that wanted to train an apprentice were added. Employers are required to have written ascertainment by school directors on the conditions of practical vocational preparation – and get it even before the recruitment processes at schools. Another major obstacle for SMEs is that each employer interested in apprenticeship needs to prepare and attach 6-7 documents to the apprenticeship agreement. We assume that the recent changes in the Polish VET system will extend the decrease of the apprentices' numbers.

Certain challenges remain, such as the quality of the practical training at the employers, difficulties attract companies (despite that the Ministry of Education has lately lowered requirements for instructors), the changing classification of vocational education occupations, the implementation of newly developed core curriculum for vocational education, the restructuring of the external examinations system that leads to qualifications.

[1] Uchwała z dnia 31 grudnia 1816 w sprawie urządzania rzemiosł, kunsztów i professy, Dziennik Praw, nr 17, t. 4, s. 114

[2] Obwieszczenie Ministra Edukacji Narodowej z dnia 22 marca 2019 r. w sprawie prognozy zapotrzebowania na pracowników w zawodach szkolnictwa branżowego na krajowym i wojewódzkim rynku pracy, M.P. 2019, poz. 276

[3] <http://www.zrp.pl/Onas/Historia/tabid/118/language/pl-PL/Default.aspx>

Q5. Relevant information that is essential to understanding the specificity of apprenticeships in the country and which does not fit under the scheme specific sections below.

VET in Poland at upper-secondary level is mainly offered through technical schools (EQF level 4 - *teckhnikum*) and branch (sectoral) schools at two levels: first-level branch schools (EQF level 3, *szkoła branżowa pierwszego stopnia* - formerly known as basic vocational schools) and second-level branch schools (EQF level 4 - *szkoła branżowa drugiego stopnia*). Post-secondary level VET programmes are also offered (EQF level 5) [1].

According to a working definition of the Ministry of Education, dual education is a combination of theoretical education at school and practical vocational education at the employer's premises ("Dual education in the Polish vocational education model. Cooperation with entrepreneurs with special emphasis on the changes resulting from the Act of 20 February 2015 amending the Act on the education system and some other acts")[2].

This kind of "Dual system" is also specified at the Regulation of the Minister for National Education of 22 February 2019 on practical vocational education (Journal of Laws of 2019, item. 391- where it is not restricted only to apprentices (juvenile workers at 1st Level Branch Schools) but it refers to other forms of cooperation between school and employer, such as shorter-term traineeships in programmes of technical schools, 2nd Level Branch Schools and post-lyceum schools.

However, not all the forms of workplace training included in this context respond to Cedefop's definition of apprenticeships and to the Council recommendation of 5 March 2018 on a European framework for quality and effective apprenticeships no 6779/18 – such conditions are only fulfilled by the scheme offered to juvenile workers, according to the art. 3. point 6 of above mentioned the Craft Act (Journal of Laws of 2019, item. 1495) which states that vocational preparation in crafts are realized on the basis of the dual system.

[1] <https://www.cedefop.europa.eu/en/tools/vet-in-europe/systems/poland>

[2] Dokument Ministerstwa Edukacji Narodowej pt. „Kształcenie dualne w polskim modelu szkolnictwa zawodowego. Współpraca z przedsiębiorcami ze szczególnymi uwzględnieniem zmian wynikających z ustawy z dnia 20 lutego 2015 r. o zmianie ustawy o systemie oświaty oraz niektórych innych ustaw”.

[3] The Regulation of the Minister for National Education of 22 February 2019 on practical vocational education (Journal of Laws of 2019, item. 391