

Anna Matuszewska, PWSZ Kalisz Poland

Mária Longauerová, UNIVERZITA MATEJA BELA V BANSKEJ BYSTRICI

COMPARATIVE ANALYSIS OF SOCIAL INSURANCE CONTRIBUTION BURDEN IN POLAND AND SLOVAKIA

Abstract: The aim of this article is to analyse provisions and compare social insurance contribution burden due to employment under a contract of employment in Poland and Slovakia. Therefore, the article focuses on presenting and calculating concrete numeric cases – sums of contributions paid by employees (the insured party) and their employers (contribution payers) in these two countries. Slovakia is often compared with Poland due to, for instance, their communist past, similar demographic problems, and the fact that they joined the UE at the same time. This article was created as a result of interinstitutional cooperation between universities within Erasmus+ Programme. The parallel aim of this article is to present the scope of activities that HR and payroll offices are responsible for due to obligations arising from the Labour Code and the Social Insurance Act. The monographic method and case studies were used in the study.

Key words: social insurance system, the insured party/employee, contribution payer/employer, Social Insurance Institution, employer's costs, quality of work.

1. Introduction:

Issues connected with employment, social insurability, and overlapping titles for insurance coverage are of great importance and therefore discussed by numerous experts. However, the dynamics of changes in legal provisions, complex ways of thinking about insurance, and responsibility of HR and payroll offices for failing to fulfil their obligations were main reasons to look into this subject. Authors of this article, as practitioners, refer mainly to issues connected with obligatory insurance contributions calculated with reference to employment under a contract of employment. Due to the fact that this article was written as a result of cooperation within Erasmus+ Programme, academics employed in higher education institutions are of interest here.

The main hypothesis of this article, formulated in a general way, assumes that the overall amount of social security contributions calculated for contracts of employment in Poland are higher than in Slovakia.

In Poland, it is the Labour Code that defines rights and duties of employees and employers with regard to employment relationship, remuneration, leaves, time of work, and health and safety regulations [Act of 26 June 1974]. On the other hand, issues connected with social insurance, understood broadly, are regulated in the Social Insurance Act [Act of 13 October 1998]. Additionally, academic activity carried out by universities requires international cooperation, which means that it is necessary to apply for insurance as well as calculate and pay contributions in a proper way. It is often the case that legal provisions cause interpretation difficulties, which necessitates the need to contact experts of the Social Insurance Institution. It becomes even more difficult when business entities in Slovakia, employing Polish citizens who have already submitted A1 document, implement provisions which are in effect in Poland. Therefore, it is necessary to study Polish legislation, apply for insurance, and calculate contributions on proper Polish forms.

Each and every case needs to be carefully analysed by HR and payroll offices, whose workers decide on the form of employment, insurance obligation as well as benefit entitlement, and calculate their amount. Moreover, they are obliged to submit monthly reports, settlement declarations, and eventually transfer contributions. Multiplicity of tasks and specificity of employment at higher education institutions may cause problems which influence the quality of work, perceived as its effectiveness, i.e. combination of efficiency and proficiency in a given field, and efficacy and ability to make the aim attainable [T. Kotarbiński 1965, s. 113].

2. Social insurance system in Poland – selected provisions

The Act of 13 October 1998 on social insurance system draws up rules of subjection to social insurance, rules of calculating social insurance contributions and their basis, the procedure, dates, and regulations concerning:

- applications for social insurance,
- conducting records of the insured parties and contribution payers,
- accounting for social insurance contributions as well as sickness and work accident benefits,
- payment of social insurance contributions [Act of 13 October 1998].

On the basis of Article 1 of the Act, social insurance includes: retirement pension, social security insurance, sickness benefit, and work accident benefit. The Act also determines rules of running accounts of the insured parties and contribution payers,

and regulations concerning the control of social security-related tasks. Moreover, it regulates the functioning of the Social Insurance Fund, hereinafter called “FUS”, and the Demographic Reserve Fund “FRD”. Furthermore, provisions of the Act determine the organisation and rules of functioning and financing the Social Insurance Institution¹. According to the provisions, persons who are employees in the territory of Poland are obligatorily subjected to retirement and social security insurance from the first day they establish their employment relationship until the moment it ceases. Article 8 of this Act indicates all persons who are understood as employees for social security-related tasks.

An employer/contribution payer has to apply for insurance for his employee within 7 days from the moment he employs him. The insurance includes:

- retirement pension,
- social security insurance,
- sickness benefit,
- work accident benefit.

Such applications must be submitted on a strictly defined form ZUS ZUA [Regulation of 20 December 2018] – application for insurance/personal data change of the insured person – by means of the Płatnik (‘Contribution Payer’) software².

The rate of pension insurance contributions and sickness insurance contributions are expressed as an interest rate, equal for all the insured parties, and amount to:

- 19.52% contribution calculation basis – for retirement pension,
- 8.00% contribution calculation basis – for social security insurance,
- 2.45% contribution calculation basis – for sickness benefit.

When employing a person under a contract of employment, income from employment relationship will constitute the contribution calculation basis for social insurance, in particular: base salary, overtime salary, various bonuses, awards, unused leave payments, cash benefits for employees, and the value of other free or partially paid benefits. Obviously, there are numerous benefits not included by an employer to the contribution calculation basis, for instance jubilee awards (gratifi-

¹ The Social Insurance Institution will be hereinafter abbreviated to the ZUS

² Płatnik (‘Contribution Payer’) software - free of charge software, produced by Asseco Poland PLC, which allows to send documents of the insured parties to the Social Insurance Institution in an electronic form by persons and companies obliged to do that.

ation) that employees are entitled to no more often than once every five years, payment for a period of work inability caused by illness or isolation due to infectious disease, sickness allowances, work accident allowances, rehabilitation benefit, and retirement gratuity. Additionally, the Social Insurance Act indicates a range of exceptions to the general rule. Therefore, it is the manager of an institution – and, to be more precise, the HR and payroll office – that is obliged to determine the contribution calculation basis. The aim of this article is to compare social insurance contribution burden in Poland and Slovakia, but it is also necessary to present the scope of tasks that employers/contribution payers are obliged to perform – which significantly influence the sum that particular contribution interest rates are calculated on.

Interest rates for work accident insurance contribution are different for particular contribution payers and defined with regard to the job risk level and its outcomes [Act of 13 October 1998]. This diversity is to motivate employers to obey health and safety regulations and take all possible measures to prevent accidents. The amount of work accident insurance contribution defined by the ZUS is influenced by:

- the number of people employed in dangerous conditions,
- the number of people injured in accidents at work.

Depending on the number of accidents at work and the number of people employed in dangerous conditions, the interest rate can be increased or decreased. Currently, according to the rules, the amount of the contribution can range from 0.40% to 8.12% of the calculation basis. Interest rates of work accident insurance contribution for the contribution year which started on April 1st 2019 are similar to the ones which were in effect until March 31st 2019 [www.zus.pl]. The rates are defined according to Appendix 2 of the Regulation of the Minister of Labour and Social Policy of 29 November 2002 on differentiating the amount of work accident and occupation disease insurance contribution rates depending on occupational dangers and their outcomes [Regulation of the Minister of Labour and Social Policy of 29 November 2002]. The amount of work accident insurance contribution is of great importance, because it influences directly the sum of contributions financed by employers and costs of a given business entity. In the analysed numeric cases, the rate of work accident insurance, calculated for employees employed in Poland was 0.93%.

All the contributions deducted from employees' (employed in business entities/universities) remuneration are calculated, settled, and transferred to the ZUS every month by contribution payers – employers. Table 1 presents infor-

mation on the rates of social insurance contributions in Poland, divided into those financed by an employee/the insured party and an employer/contribution payer. Assuming that work accident insurance is 0.93% - employers finance costs of 19.74% from employees' gross salary, whereas employees – 13.71% for social insurance and 9% for health insurance.

Table 1. Social insurance contribution rates and the way they are financed in Poland

Contribution	Part paid by the insured party (employee)	Part paid by the contribution payer (employer)
pension insurance contribution	9.76%	9.76%
social security insurance contribution	1.50%	6.50%
sickness insurance contribution	2.45%	-
health insurance contribution	9%	
work accident insurance contribution	-	0.93% ³
Labour Fund		2.45%
Fund of Guaranteed Employee Benefits		0.10%
Total	22.71%	19.74%

Source: own study

Gross salary of a person employed under a contract of employment is firstly reduced with obligatory social security contributions financed by the insured party (employee). In 2019, employees pay 9.76% for pension insurance contribution, 1.5% for social security insurance contribution, and 2.45% for sickness insurance contribution – which in total means a deduction of 13.71% from their gross

³ For the purpose of this article, work accident insurance rate is set at the level of 0.93% (for a person employed in Poland).

salary. The reduced salary (by 13.71% from the gross salary) is the contribution calculation basis for sickness insurance contribution. Another numeric case is presented in the further part of this article which explains the calculation procedure as well as allows to compare salary burdens for persons employed in Poland and Slovakia.

The total salary cost for employers does not include the gross salary only, but also the rate of social insurance contributions financed by employment enterprises (contribution payers). In Poland, contributions financed by employers amount to:

- pension insurance contribution – 9.76%
- social security insurance contribution – 6.50%
- work accident insurance contribution - 0.93%
- Labour Fund - 2.45%
- Fund of Guaranteed Employee Benefits – 0.10%
- Bridging Retirement Pension Fund – since January 1st 2010, employers are obliged to pay contributions to the Bridging Retirement Pension Fund for employees born after December 31st 1948 and who perform work in specific conditions or of special character, according to Article 3 points 1 and 3 of the Act of 19 December 2008 on old-age bridging pensions⁴.

3. Social insurance system in Slovakia – selected provisions

In Slovakia, it is the Labour Code that defines rights and duties of employers and employees, whereas the Social Insurance Act regulates the scope of social insurance, legal relations while using it, its organisation, financing, state control over its implementation, social insurance proceedings, and debt recovery proceedings [Act of 30 October 2003]. Social insurance falls within the competence of the Minister of Labour, Social Affairs and Family of the Slovak Republic.

The social insurance system in Slovakia comprises:

- pension insurance, which includes:
 - old-age pension, which is to provide income for the elderly, and survivors' pension for nearest relatives of the deceased person;

⁴ There was no need to pay contributions for the Bridging Retirement Pension Fund in the analysed cases. Therefore, the authors do not take that component into consideration.

- invalidity pension, which is paid to the insured party in case their work ability is limited or lost due to unfavourable health conditions or death.
- **sickness insurance** – protects from sickness-related decrease or loss of income. It provides income in case of temporary working incapacity, pregnancy or motherhood;
- **accident insurance** – provides benefits in case of health damage, death due to accidents at work, injuries at work, or occupational diseases;
- **guarantee insurance** – provides employees with protection against the risk of employer’s insolvency and guarantees payment of unpaid pension insurance contributions in case employers fail to fulfil this obligation;
- **unemployment insurance** – protects from losing remuneration as a result of unemployment and guarantees income to those who have lost their jobs. It is obligatory for all the employed (except for people entitled to retirement benefits). The minimal period of insurance is 2 years within 4 years preceding unemployment [Ušcińska 2011, p.105].
- **health insurance** – obligatory public health insurance, forms basis for providing health related services. There are 3 health insurance companies: general health insurance company (the state), Dôvera health insurance company, and Union health insurance company. Ministry of Health of the Slovak Republic is responsible for health care in Slovakia [Act of 21 October 2004].

Table 2 presents information on the rates of social insurance contributions in Slovakia, divided into those financed by employees/the insured party and employers/contribution payers. Contributions paid by employers are calculated as percentages and deducted from employee’s gross salary.

Table 2. Social insurance contribution rates and the way they are financed in Slovakia

Contribution	Part paid by the insured party (employee)	Part paid by the contribution payer (employer)
pension insurance	4%	14%
invalidity pension	3%	3 %
sickness insurance	1.40%	1.40%

unemployment insurance	1%	1%
health insurance	4%	10%
accident insurance		0.80% ⁵
guarantee insurance		0.25
Reserve solidarity fund		4.75%
Total	13.40%	35.20%

Source: own study

In Slovakia, it is an employee's gross salary that forms the basis for calculating and financing all contributions (13.40%). Employers cover the costs of 35.20% from employees' gross salaries. After analysing legal provisions determining insurance-related obligations connected with employing a person under a contract of employment in both countries, HR and payroll offices submit applications for insurance and calculate contributions. Table 3 presents a comparison of sums of contributions financed by employees/the insured party in Poland and Slovakia. A gross salary of 1,360 Euro⁶, or 5,782.72 Polish Zloty⁷, was taken as the base for calculations.

Table 3. Calculation and comparison of social insurance contributions deducted from salaries in Poland and Slovakia – contributions financed by employees

	<i>SLOVAKIA</i> (Euro)	<i>SLOVAKIA</i> (Polish Zloty)	<i>POLAND</i> (Polish Zloty)
Gross salary	1,360	1,360 euro x 4.2520 = 5,782.72	5,782.72
Social insurance			

⁵ So far it is 0.8% for all employers. Although it should vary depending on the employer's nature, it has not changed for years.

⁶ Model salary used for calculations.

⁷ Salary in Euro was converted into Polish Zloty according to the exchange rate in Table 124/A/NBP/2019 of June 28th 2019.

contribution calculation basis	1,360	5,782.72	5,782.72
Pension insurance	$1,360 \times 4\% =$ 54.40	$5,782.72 \times 4\% =$ 231.31	$5,782.72 \times 9.76\%$ = 564.39
Social security insurance/ invalidity pension	$1,360 \times 3\% =$ 40.80	$5,782.72 \times 3\% =$ 173.48	$5,782.72 \times 1.5\%$ = 86.74
Sickness insurance	$1,360 \times 1.4\% =$ 19,04	$5,782.72 \times 1.4\% =$ 80.96	$5,782.72 \times 2.45\%$ = 141.68
Unemployment insurance	$1,360 \times 1\%$ 13.60	$5,782.72 \times 1.0\% =$ 57.83	-
Total – social contributions	127.84	543.58	792.81
Health insurance contribution calculation basis	1,360	5,782.72	$5,782.72 - 792.81 =$ 4,989.91⁸
Health insurance	$1,360 \times 4\% =$ 54.40	$5,782.72 \times 4\% =$ 231.31	$4,989.91 \times 9\% =$ 449.09
<u>Total of contributions financed by employees/the insured party</u>	➤ <u>182.24 Euro</u>	➤ <u>774.89 Polish Zloty</u>	➤ <u>1,241.90 Polish Zloty</u>

Source: own study

⁸ As mentioned before, in Poland gross salaries reduced by the sum of social contributions form health insurance calculation basis.

Contributions are partially financed by employees/the insured party and partially by their employers in both countries. Table 4 presents detailed calculations which allow to determine and pay (on the due date) social insurance contributions, health insurance contributions, the Labour Fund, and the Fund of Guaranteed Employee Benefits.

Table 4. Calculation and comparison of social insurance contributions financed by employers in Poland and Slovakia.

	<i>SLOVAKIA</i> (Euro)	<i>SLOVAKIA</i> (Polish Zloty)	<i>POLAND</i> (Polish Zloty)
Gross salary	1,360	1,360 euro x 4.2520 = 5,782.72⁹	5,782.72
Pension insurance	1,360 x 14% = 190.40	5,782.72 x 14% = 809.58	5,782.72 x 9.76% = 564.39
Social security insurance/ invalidity pension	1,360 x 3% = 40.80	5,782.72 x 3% = 173.48	5,782.72 x 6.5% = 375.88
Sickness insurance	1,360 x 1.4% = 19.04	5,782.72 x 1.4% = 80.96	
Accident insurance	1,360 x 0.80% 10.88	5,782.72 x 0.80% = 46.26	5,782.72 x 0.93% = 53.78
Labour Fund			5,782.72 x 2.45% = 141.68

⁹ Salary in Euro was converted into Polish Zloty according to the exchange rate from Table 124/A/NBP/2019 of June 28th 2019.

Fund of Guaranteed Employee Benefits			$5,782.72 \times 0.10\%$ $= 5.78$
Unemployment insurance	$1,360 \times 1\% = 13.60$	$5,782.72 \times 1.0\% = 57.83$	
Health insurance	$1,360 \times 10\% = 136$	$5,782.72 \times 10\% = 578.27$	
Guarantee insurance	$1,360 \times 0.25\%$ 3.40	$5,782.72 \times 0.25\%$ 14.46	
Reserve Solidarity Fund	$1,360 \times 4.75\%$ 64.60	$5,782.72 \times 4.75\%$ 274.68	
<u>Total of employers' costs</u>	➤ <u>35.20%</u> ➤ <u>478.72</u> <u>Euro</u>	➤ <u>2.035,52</u> <u>Polish Zloty</u>	➤ <u>19.74%</u> ➤ <u>1,141.51</u> <u>Polish Zloty</u>

Source: own study

In Poland, calculations presented in table 3 and 4 form the basis for monthly reports by name and settlement declarations:

- ZUS RCA,
- ZUS RZA,
- ZUS RSA,
- ZUS DRA – settlement declaration.

The aforementioned documents are prepared by means of the Płatnik software. Contribution payers/employers send the settlement on the due date (given in legal provisions) and pay the calculated contributions by that date. In Poland, budgetary units and local government budgetary establishments transfer money for contributions on the 5th day of the month following the accounting month, whereas natural persons paying contributions only for themselves – on the 10th day of the following month. The deadline for all other payers falls on every 15th day of the month following the accounting month.

On the basis of the calculations presented in table 3 and 4, contribution payers/employers in Poland will transfer the following amounts of insurance contributions:

- Social insurance financed by the insured party/employee – 792.81 Polish Zloty
- Social insurance financed by the contribution payer/employer – 994.05 Polish Zloty
- Health insurance – 449.09 Polish Zloty
- Labour Fund, Fund of Guaranteed Employee Benefits – 147.46 Polish Zloty
- **TOTAL the insured party/employee – 1,241.90 Polish Zloty**
- **TOTAL contribution payer /employer – 1,141.51 Polish Zloty**
- **TOTAL contributions – 2,383.41 Polish Zloty**

In the Slovak Republic:

- Social insurance financed by the insured party/employee – 127.84 Euro/543.58 Polish Zloty
- Social insurance financed by the contribution payer/employer – 342.72 Euro/1,457.25 Polish Zloty
- Health insurance financed by the insured party/employee – 54.40 Euro/231.31 Polish Zloty
- Health insurance financed by the contribution payer/employer - 136 Euro/578.27 Polish Zloty
- **TOTAL the insured party/employee – 182.24 Euro/774.89 Polish Zloty**
- **TOTAL contribution payer /employer – 478.72 Euro/2,035.52 Polish Zloty**
- **TOTAL contributions – 660.96 euro/ 2,810.41 Polish Zloty.**

Since January 1st 2018, e-contribution project has been initiated in Poland, designed mainly for entrepreneurs. Its main assumption and aim is to allow paying all contributions by one transfer, instead of 3 or 4 transfers, as it used to be before. Therefore, a contribution payer/employer in Poland transfers 2,383.41 Polish Zloty by the 15th day of the month following the accounting month (e.g., a contribution for July 2019 must be transferred by August 15th 2019). The ZUS receives health insurance contributions for over 24 million people and transfers them to the National Health Fund [Lewandowska 2018, p. 96].

In the Slovak Republic, all contributions are paid to the Social Insurance Agency in Slovakia, except for the health insurance contributions. The deadline for contribution payment falls on the date employees are paid – if a business entity chooses the 11th day of each month, contributions are paid by the 11th day of the following month. Thus, after preparing and sending settlement documents, a contribution payer/employer will transfer 470.56 Euro/2,000.82 Polish Zloty to the Social Insurance Agency, and 190.40 Euro/809.58 Polish Zloty for health insurance.

4. Conclusion

The calculations presented above show that, provided gross salaries are the same, Slovak contribution payers/employers pay higher costs on social contributions. In Poland, employers' contribution burden for social insurance, health insurance, the Labour Fund, and the Fund of Guaranteed Employee Benefits are 56% lower. On the other hand, Polish employees pay over 60% more on contributions than their Slovak counterparts. In Poland, the whole amount paid on contributions is transferred to an individual account in ZUS, whereas in Slovakia contributions for health insurance are transferred to a separate account owned by the insurance company chosen by contribution payers¹⁰.

The main hypothesis of this article was only partially verified – the overall amount paid on social insurance and health contributions is higher in Slovakia, but it is in Poland where social insurance contribution burden for employees is higher.

HR and payroll office workers deal with many social insurance contribution-related obligations, including: applying for insurance, conducting records, settling and paying contributions. The task is even more difficult in academic entities, because their workers include academics who can work in several universities, run business, or be pensioners. The number of activities, dynamics of changes in legal provisions, and informatisation of public administration services create obligations that HR and payroll office workers fulfil on behalf of employees. The task is incredibly difficult, since incorrect calculations may mean financial losses for employers/contribution payers. Those who do not discharge the obligation to pay contributions on the due date or in proper amount, and who do not set settlement documents, commit a breach and will be punished by a fine [Muszalski 2010, p. 118].

The case study illustrates, among others, costs related to social insurance contributions paid by employers. Additionally, it is necessary for employers to bear the costs connected with staff development - trainings which provide workers with comprehensive knowledge to perform tasks in a way that does not put them and their employers at risk of financial and image losses [Skrzypek 2002, p. 304].

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¹⁰ Every employee decides for themselves which insurance company he wants to join. They are allowed to change the company till September 30th and the change will be in effect since January 1st of the next year.

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