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## POLAND

### 2. Act: Employment of Women and Young Persons

*Ustawa z dnia 2 lipca 1924 roku w przedmiocie pracy młodocianych i kobiet. (Dziennik Ustaw 1924, no. 65, poz. 636, str. 962.)*

**Act relating to the employment of women and young persons.  
Dated 2nd July, 1924.**

#### *Part I. General Regulations.*

1. The general provisions of the Act of 18th December, 1919, relating to hours of work in industry and commerce<sup>1</sup> (Dz. Ust. R. P. 1920 r., no. 2, poz. 7), as supplemented by the provisions of this Act, shall apply to the employment of women and young persons in industrial, mining and metallurgical undertakings, in commerce, in offices, in communication services and transport, and likewise in other undertakings carried on by way of trade even if not for a profit, irrespective of whether the said undertakings are owned by the State, a private person or a local authority.

2. Young persons for the purposes of this Act shall mean persons of both sexes who have attained the age of fifteen years but not that of eighteen years.

3. The provisions of this Act shall also apply to the employment of young persons who are apprentices in handicrafts or other trades and improvers.

4. Women and young persons shall not be employed under conditions rendering the employment particularly dangerous or unhealthy, or in work which is particularly heavy or imperils health, decency or morality; in particular, women shall not be employed about power transmission apparatus, in connection with chemical processes which have a harmful influence upon the bodily structure or in carrying heavy loads. The Minister of Labour and Social Welfare in agreement with the other Ministers concerned shall issue lists of such employments as required, after consultation with the trade associations of employers and employees.

#### *Part II. Regulations for the employment of young persons.*

5. Children under fifteen years of age shall not be employed for remuneration.

6. A young person may be employed, provided that he produces a certificate of his having attained the age of fifteen years, a permit from the person exercising the authority of a parent or guardian over him, a certificate of the completion of his compulsory school attendance, and a certificate from a medical practitioner designated by the labour inspectorate to the effect that the employment in question is not beyond the strength of the young person. The certificates shall be issued free of charge and shall be exempt from stamp duty.

<sup>1</sup> Legislative Series, 1920 (Pol. 1).

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7. The management of an undertaking shall be bound to arrange at the request of the labour inspector at any time for the gratuitous examination of a young person by the medical practitioner designated by the labour inspector, in order to ascertain that the work on which the young person is employed is not beyond his physical strength or injurious to his development.

The inspector may, on account of the medical practitioner's findings, prohibit the employment of the young person on the work in question, and also state the kind of work on which he may be employed.

8. The night's rest of young persons shall amount to not less than eleven consecutive hours, and shall comprise the period between 8 p.m. and 6 a.m. in undertakings working a single shift, and the period between 10 p.m. and 5 a.m. in undertakings on the two-shift system.

The prohibition of night work shall not apply to young male persons over sixteen years of age in the following cases:—

- (A) in cases of emergency which could not have been foreseen or prevented, which are not of a periodical character, and which interfere with the normal working of the undertaking;
- (B) in the following branches of industry in work which, by reason of the nature of the process, is required to be carried on continuously day and night:—
  - (a) manufacture of iron and steel: processes in which reverberatory or regenerative furnaces are used, and the galvanizing of sheet iron and iron wire, except the pickling process;
  - (b) glass works;
  - (c) manufacture of paper;
  - (d) manufacture of raw sugar;
- (C) in coal mines work may be carried on in the interval between 10 p.m. and 5 a.m. if an interval ordinarily of fifteen hours, and in no case of less than thirteen hours, separates two shift periods.

9. Young persons shall be bound to attend continuation classes or classes for illiterate persons.

Not more than six hours a week of the technical and continuation classes in schools for young persons who are apprentices to handicrafts or other trades, or improvers, shall be reckoned as compulsory hours of work. Regularity of attendance at these classes shall be established by means of a certificate from the competent educational institution.

10. Young persons shall not be employed overtime, except in the cases mentioned in section 6 (a) of the Act of 18th December, 1919, relating to hours of work in industry and commerce.

11. Every employer who employs young persons shall keep a register of the said young persons in accordance with a model prescribed by the Minister of Labour and Social Welfare.

The said register shall be submitted to the labour inspection officials on request. Further, in establishments where young persons are employed, a list of the said young persons shall be affixed in a conspicuous place, showing their hours of beginning and ending work, their breaks, and the nature of their employment.

*Part III. Regulations for the employment of women.*

12. Women shall not be employed on mining work underground.

13. The night's rest of women shall amount to not less than eleven consecutive hours, and shall comprise the period between 8 p.m. and 6 a.m. in undertakings working a single shift, and the period between 10 p.m. and 5 a.m. in undertakings on the two-shift system.

These provisions shall not apply to women over 18 years of age in the following cases:—

- (a) in the case mentioned in section 6 (a) of the Act of 18th December, 1919 (D. U. R. P. 1920 r. no. 2, poz. 7);
- (b) in the case mentioned in section 11 (a) of the Act of 18th December, 1919, except in establishments in industries where articles are manufactured or adapted;
- (c) in cases where the work has to do with raw materials or materials in course of treatment which are liable to rapid deterioration, when night work is necessary to preserve the said materials from certain loss.

A permit shall be procured in advance from the labour inspector for the locality in question for employment at night in the cases mentioned under (c) of this section.

14. In industries which are influenced by the seasons (seasonal industries) and also in cases where the proved needs of the undertaking demand it, the night's rest of women over eighteen years of age may be reduced to ten hours a day but not by more than sixty hours in a calendar year (może być odpoczynek nocny dla kobiet powyżej lat 18 zmniejszony do 10 godzin na dobę, lecz tylko 60 godzin w ciągu roku kalendarzowego), subject to the procuring of a permit in advance from the labour inspector for the locality in question.

15. An employer who employs more than five women shall provide for them special sanitary accommodation, cloakrooms and lavatories.

In undertakings where more than one hundred women are employed, the employer shall maintain a bathing establishment and a crèche for them.

Every nursing mother shall be entitled to claim two half-hour breaks a day during working hours, and these shall be reckoned as hours of work.

16. A pregnant woman shall have the right to leave her work if she produces a medical certificate stating that her confinement will probably take place within six weeks.

A pregnant woman shall be entitled to not more than six free days a month.

A woman shall not be employed during the six weeks following her confinement.

During the interruptions of work mentioned in this section, the employer shall neither terminate the employment nor give notice to terminate it.

*Part IV. Penal Provisions.*

17. The head of the undertaking shall be liable to detention for not more than sixty days, and a fine of not less than 50 nor more than 250

zloty, or to either of these penalties alone, for every contravention of the provisions of this Act.

More stringent provisions of the penal laws for the various divisions of the national territory shall remain in operation.

The district courts and the courts of justices of the peace shall be competent to deal with these cases.

*Part V. Transitional Provisions.*

18. The provisions of this Act relating to young persons shall apply to children under fifteen years of age who have entered employment as workers, apprentices in handicrafts and other trades, or improvers, before the promulgation of this Act.

19. The date on which section 6 of this Act, respecting the completion of compulsory school attendance, acquires binding force, shall be fixed for the various school districts by the Minister of Labour and Social Welfare in consultation with the Minister of Public Worship and Public Instruction.

20. The Minister of Labour and Social Welfare shall be responsible for the administration of this Act, and the Minister of Justice for the administration of section 17 thereof.

21. The provisions of this Act shall not operate in restriction of the powers of the Council of Ministers specified under (d) of section 6 of the Act relating to hours of work in industry and commerce.

22. The date for the coming into operation of this Act in the various fields of employment (section 1) shall be fixed by order of the Council of Ministers on the recommendation of the Minister of Labour and Social Welfare, provided that it shall not be more than one year after the promulgation of this Act.

The Minister of Labour and Social Welfare shall at the same time issue a list of the employments mentioned in section 4 of this Act.