Protest of employers’ organizations and trade unions regarding the attack on the independence of the Social Dialogue Council and the autonomy of social partner organizations

The Act amending the Act on special solutions related to the prevention, counteracting and combating COVID-19, other infectious diseases and crisis situations caused by them, as well as some other acts, adopted this morning by the Sejm of the Republic of Poland, contains a provision authorizing the Prime Minister to dismiss members of the Social Dialogue Council during the period of state of epidemiological emergency and epidemic, at the request of the organization or without its request.

Social Partners, representing the largest trade union centers and employers' organizations within the Social Dialogue Council, strongly protest against interference in the independence of this most important social dialogue institution in Poland. The Act, developed with such difficulty in 2015, gives all representative organizations that meet the conditions set out in the Act on the Council for Social Dialogue and other institutions of social dialogue, a guarantee of participation in the work of the Council for their representatives, indicated by the statutory bodies of these organizations and appointed by the President of the Republic of Poland. The independence and autonomy of trade union organizations as well as employers' organizations is the foundation of social dialogue, guaranteed not only in the Act but also in international documents, including the Constitution of the International Labor Organization and the Treaties of the European Union. Such authority granted to a governmental body - the Prime Minister, is an attack on the independence of trade union organizations and employers' organizations.

It is difficult to explain the reasons for adopting such a provision, and the moment it happens when social partners submit their comments to the project, taking part in accordance with statutory guarantees in the legislative process as well as representing the interests of millions of employees and thousands of companies, is a scandalous situation. We would like to remind that social dialogue is one of the foundations of Polish and European democracy, and the independence of trade unions and employers' organizations and their statutory bodies from government administration has never been challenged. That is why we expect the Prime Minister and representatives of the Sejm of the Republic of Poland to make a firm declaration of immediate withdrawal from this regulation.