

TYPES OF EMPLOYMENT CONTRACTS

According to the Labour Code, the types of employment contracts are as follows:

- employment contract for a specified period of time,
- employment contract for an indefinite period of time,
- employment contract for a specified task,
- employment contract for replacement.

Employment contract for a trial period - Each of the aforementioned contracts may be preceded by an employment contract for a trial period, which is concluded in order to make sure that the decision made thereunder is of benefit to both parties. For the employer, this form of employment is an opportunity for testing the employee's performance at a given position and also for verifying his or her skills and qualifications. For the employee, in turn, it is a chance to test the working environment, as well as the type of work, and also to verify whether the amount of remuneration agreed with the employer is appropriate and fair in relation to the obligations imposed.

There is no obligation to conclude an employment contract for a trial period with the employee. However, the employer is given such an option before committing itself under different employment contracts. Nevertheless, it should be pointed out that the term of a trial period cannot exceed 3 months.

Employment contract for a specified period of time - The employment contract for a specified period of time is an agreement under which the parties independently decide on the duration thereof and whose aim is to guarantee, both to the employee and the employer, that the employment relationship established thereunder will last during the period of time determined in the contract. This type of contract may be signed with a given employee at the most three times, but total period of employment can't be longer than 33 months. Exceeding this period has the same legal effect as the conclusion of the employment contract for an indefinite period of time. The termination notice applicable to the employment contract for a specified period of time depends on the period of employment at a given employer. In accordance with the provisions of the Labour Code:

- if the employee has been employed for less than 6 months, the termination notice is 2 weeks,
- if at least 6 months - 1 month,
- if the employee has been employed for more than 3 years, the notice period is 3 months

Employment contract for an indefinite period of time - The employment contract for an indefinite period of time is an agreement that binds the employer and employee on a more

permanent basis. Under this contract, the parties establish an employment relationship without specifying its final date. Such a contract is concluded, when both parties plan a long-term cooperation, and the employer is sure that a given job position is permanent in the organisation. The termination notice periods are the same as in employment contract for a specified period of time.

Employment contract for a specified task - Similarly to the contract for a specified period of time, this contract is a type of fixed-term employment contract concluded for the purpose of enabling the employee to perform work falling within a certain task, whose completion date is determined in advance. The contracts of this type differ from the contracts for a specified period of time in that they do not indicate, even indirectly, the termination date of employment and the contract is considered to be terminated at the completion by the employee of the agreed work that is defined therein. In most cases, the contracts for a specified task are concluded for casual and seasonal works that intensify in certain periods.

Employment contract for replacement - The employment contract for replacement is a specific fixed-term agreement concluded in the case of the employee's excused absence from work. The excused long or short-term absence from work includes maternity leave, parental leave, non-paid leave and also long-term sick leave. The employment contract for replacement expires on the date specified therein.

Source: Labour Code Act of 26 June 1974 (Journal of Laws of 2014, no 24, item 1502, as amended)

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