



**15** YEARS  
WITHOUT  
BORDERS  
FOR the **INSURED**

IN  
the **EU**



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**ZUS** | SOCIAL  
INSURANCE  
INSTITUTION

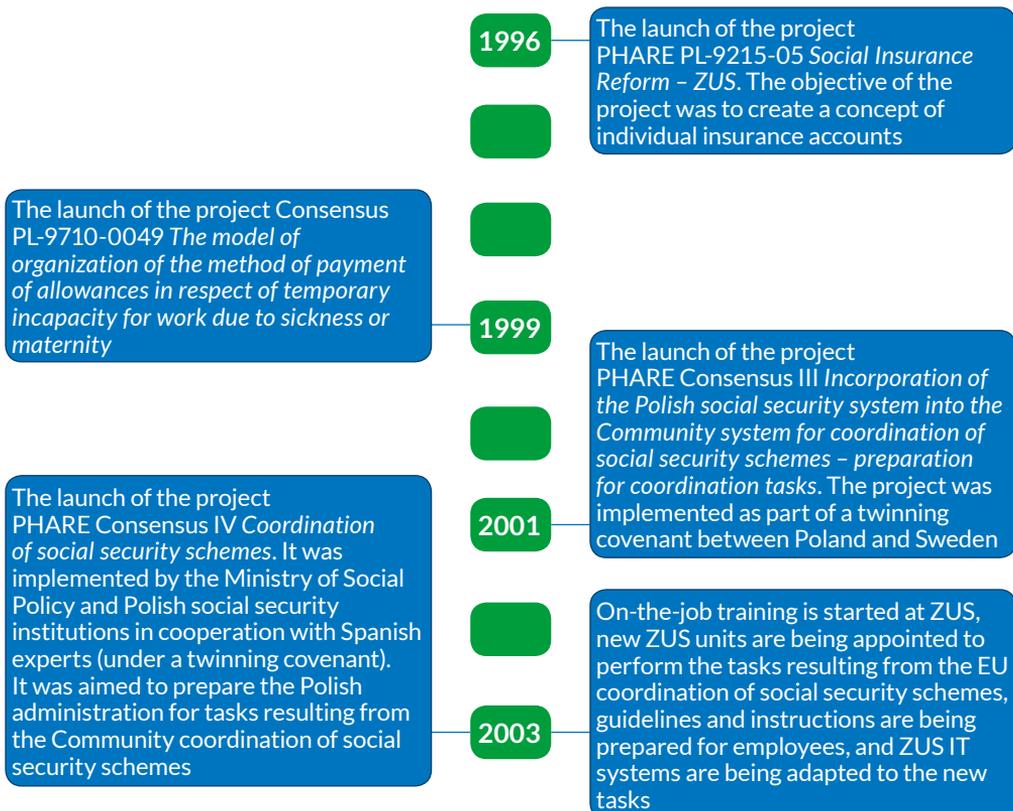
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# Table of Content

Key dates in ZUS preparations for and functioning in the legal framework of the European Union and the European Economic Area .....	3
Introduction .....	6
<b>What we gain thanks to the European Union .....</b>	<b>9</b>
What is EU coordination. Pension advantages for migrants resulting from Poland's membership in the European Union .....	10
What we gain thanks to the European Union .....	14
<b>Challenges for ZUS in the European Union .....</b>	<b>17</b>
We protect payers, we pursue debtors. Current challenges for ZUS in the area of social insurance and dues recovery .....	18
We must intensively develop for the advantage of pensioners. Current challenges for ZUS in the area of international benefits .....	25
<b>The road to the European Union .....</b>	<b>29</b>
Satisfaction and a large dose of adrenaline, or ZUS backstage preparations for accession .....	30
Straight from the heart. Memories from the Consensus IV programme .....	34
Deluge of Swedish applications. The anniversary of Poland's access to European Union .....	38
Following Swedish path to the EU. Memories from the Consensus III programme .....	42
Training recorded on VHS and Greek communists. How an international pensions unit in I ZUS Branch in Łódź established .....	44
A huge demand for knowledge. Memories of Consensus IV programme (PHARE) .....	48

# Key dates in ZUS preparations for and functioning in the legal framework of the European Union and the European Economic Area

## ZUS preparations for joining the EU



## 1 May 2004 – accession of the Republic of Poland to the European Union and the starting date of application by ZUS of EU law

ZUS and KRUS (the Agricultural Social Insurance Fund) conclude an agreement on cooperation in handling claims for pensions subject to coordination on the basis of EU law

2004

From 1 May 2004, ZUS has started applying EU Regulations on the coordination of the social security systems (Nos 1408/71 and 574/72) in the field of applicable legislation, short-term benefits and long-term pension benefits as well as medical certification

ZUS and the Pension Office of the Ministry of the Interior and Administration conclude an agreement on cooperation in handling claims for pensions established on the basis of Community Regulations

2005

2006

On 1 April 2006, EU Regulations on the coordination of the social security systems (Nos 1408/71 and 574/72) come into force in Polish-Swiss relations

On 1 January 2007, EU Regulations on the coordination of the social security systems (Nos 1408/71 and 574/72) come into force in relations with Bulgaria and Romania, in connection with their accession to the EU

2007

**Historical reform of the EU coordination system** – From 1 May 2010, ZUS has started applying the new EU Regulations on the coordination of social security systems (Nos 883/2004 and 987/2009), which reform and simplify the system (repealing Regulations Nos 1408/71 and 574/72). From 1 May 2010, ZUS has started to perform tasks related to cross-border recovery of debts

1 January 2011 is a date of entry into force of the Regulation (EC) No. 1231/2010 of the European Parliament and the Council of 24 November 2010 extending Regulation (EC) No. 883/2004 and Regulation (EC) No. 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality

2010

2011

1 April 2012 is a date of entry into force of the EU Regulations on the coordination of social security systems (Nos 883/2004 and 987/2009) in Polish-Swiss relations

2012

1 June 2012 is a date of entry into force of the EU Regulations on the coordination of social security systems (Nos 883/2004 and 987/2009) in between Poland and Norway, Iceland and Liechtenstein

2013

On 1 July 2013, in connection with the accession of Croatia to the EU, the EU Regulations on the coordination of social security systems (Nos 883/2004 and 987/2009) entered into force in relations between Poland and other EU Member States, and Croatia

A new agreement was signed between ZUS and KRUS on cooperation in handling claims for pensions subject to coordination under the international social security agreements

- The United Kingdom leaves the European Union
- July 2019 is the starting date for the implementation of the Electronic Exchange of Social Security information (EESSI) between the social security institutions of the EU/EEA Member States, including ZUS

2014

On 12 April 2014, the EU Regulations on the coordination of social security systems (Nos 883/2004 and 987/2009) entered into force in relations between Norway, Iceland, Liechtenstein and Croatia

2016

1 January 2017 is a date of entry into force of the EU Regulations on the coordination of social security systems (Nos 883/2004 and 987/2009) in relations between Switzerland and Croatia

2017

An amendment to Regulation No. 883/2004 is being prepared with the aim to regulate in a comprehensive manner the long-term care benefits

2019

## The following EU Regulations, as amended, currently form the foundations of the EU coordination of social security systems

- Regulation (EC) No. 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems
- Regulation (EC) No. 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No. 883/2004 on the coordination of social security systems

**Prof. Gertruda Uścińska, PhD**  
**President of the Social Insurance Institution (ZUS)**

## Introduction

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I am pleased to present you with a publication which has been developed to commemorate the 15th anniversary of Poland's functioning in the European Union structures, and 15 years of implementation by the Social Insurance Institution (ZUS) of tasks resulting from the EU coordination of social security systems, i.e. legal regulations providing social protection for migrants moving within the EU Member States, the European Economic Area and Switzerland.

The ending 15-year period is a good opportunity to explain the advantages for migrants resulting from the EU law system. It is also a good moment to sum up the road ZUS has travelled as an organization and to look forward to the challenges for the future.

This publication presents experiences of people who participated in ZUS preparation for the implementation of EU provisions on the coordination of social security systems. These are both experts involved in the implementation of pre-accession programmes, and ZUS employees being the beneficiaries of these programmes, who in 2004 directly implemented EU regulations in ZUS.

The publication also includes information on the practical benefits resulting from the European Union law for migrants and their families, as well as the presentation of current challenges facing ZUS in the international area.

It is worth trying to reflect on the anniversary celebrated this year. Personally, I have a dual reason for this: on the one hand as the current President of ZUS, on the other hand as an expert preparing the Polish administration to implement the EU regulations on the coordination of social security systems in the pre-accession period.

I wish to emphasise the very good results of implementation of the pre-accession programmes. Among the European and global social security institutions, ZUS is regarded as a reliable partner in the implementation of international insurance and benefits, as an organization with professional staff responsible for this area. This is largely due to several years of solid pre-accession preparations, dozens of meetings, workshops and seminars conducted under PHARE Consensus I, II, III, IV, thanks to which ZUS employees acquired knowledge and high competences to perform tasks in the EU legal system.

My personal reflections and memories from the period of preparation of the Polish administration for the implementation of the EU coordination regulations concern all those who have participated in the preparations. I highly value Polish and foreign experts who

have contributed to success. One should also appreciate ZUS employees who have fully engaged in these preparations. Friendships and acquaintances from this period continue to this day and result in good cooperation for the benefit of migrants.

The Social Insurance Institution operates dynamically on the international arena, cooperating in the implementation of tasks with many foreign and domestic institutions. It also tries to set directions for changes and participate in key changes in the legal system and technology of handling cases in Europe.

The growing scale of tasks is currently a big challenge both for ZUS and for the whole of Europe. This applies, on the one hand, to the area of applicable legislation, including the significant scale of posting Polish workers to temporary work in other EU Member States. On the other hand, there is a rapid increase in the number of pension claims submitted by persons who have completed periods of work and social insurance in several countries, and therefore are entitled to international benefits. Both of these phenomena require strengthening administrative capacities to carry out these tasks, digitalization of tasks thanks to the electronic exchange of data and information, as well as building and developing relations with foreign partners based on respect for mutual interests.

Changes taking place in ZUS and in the Polish social insurance system in recent years are characterised by high dynamics. We have introduced several key reformatory changes. The most important of them are:

- lowering the retirement age from 1 October 2017,
- e-contribution (*e-Składka*) project, organising the collection system from 1 January 2018,
- introduction of electronic handling of medical certificates from 1 December 2018 (*e-ZLA*),
- introduction of electronic handling of employee files from 1 January 2019 (shortening the period of keeping employee documentation from 50 to 10 years – *e-Akta*).

One of the key tasks for 2019 is to implement the EU system of electronic exchange of information based on EU Regulation No. 883/2004, i.e. the EESSI project. This system will allow to transfer the social security institutions to the digital era, at least in the area of international cooperation, and thus will accelerate the handling of cases, and will also tighten public finances of EU countries.

As ZUS president, I am proud of ZUS achievements in recent years. It is a pleasure, but the success has been achieved through hard work in the service of beneficiaries, payers, persons insured.

Fulfilling its statutory duties, ZUS takes care of Poles living abroad. We prepare information materials for them and we assist them in exercising their rights. This care is also reflected in the pension counselling days, organised by ZUS in cooperation with the consular and diplomatic administration of the Republic of Poland, during which ZUS employees meet face-to-face with clients residing abroad, providing them with direct support, advice and explaining legal provisions, which are quite complicated in this area.

Thinking about clients, we are also developing our organization from the inside. During the last 3 years, we have established 8 new divisions for implementation of international agreements. These units handle pension claims of persons who have worked in Poland and abroad. The need to establish such new units results from the already mentioned increase in the scale of migration of Poles in recent decades and, as a consequence, an increasing number of old-age and disability pension claims submitted to ZUS by migrants.

We are also improving our control mechanisms and try to simplify the life of our clients. Based on agreements with our counterparts from other EU countries, we are already checking the entitlements of one third of ZUS pensioners residing abroad, by electronically querying the liaison body in the country of residence of the beneficiary. This allows to significantly reduce the number of persons to whom we regularly send paper forms with a request to fill in to confirm the entitlement to benefits received. We also try to improve other procedures and cases through international arrangements.

Finally, I would like to congratulate all ZUS employees for their hitherto achievements in the service of persons insured in international dimension.

Let this publication remind us of the huge effort of ZUS employees and experts who have prepared the Polish social security administration for the implementation of EU regulations on the coordination of social security systems from 1 May 2004.



## **GERTRUDA UŚCIŃSKA**

President of the Polish Social Insurance Institution (ZUS), head of the Social Security Section in the Institute of Social Policy at the University of Warsaw, professor at the Labour Law and Social Protection Section in this Institute, member of the Committee on Labour and Social Policy of the Polish Academy of Sciences, expert in research programmes of universities and research institutes of European Union Member States (University of Antwerp, Ghent, Max Planck Institute and others)

in connection with the implementation of EU programmes (Consensus, Special, LAW, trESS, FreSsco, MoveS), manager and expert in the Polish and international projects, author of many publications in the field of social policy, social security, social insurance, European law.



# What we gain thanks to the European Union

Dr. Andrzej Szybkie  
Director of Foreign Pensions Department  
Headquarters of the Social Insurance Institution (ZUS)

## What is EU coordination

### Pension advantages for migrants resulting from Poland's membership in the European Union

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It is not possible to establish clearly how many people have so far benefited from the EU regulations on the coordination of social security systems. These are certainly millions of people who, to varying degrees, enjoy the benefits of Poland's EU membership in the social sphere.

When reviewing the benefits, one can indicate for example the right to the European Health Insurance Card, which is used by millions of Poles, both during business trips abroad to other EU/EFTA countries and as tourists going on vacation to these countries. Social protection provided by the EHIC includes the right of persons covered by health insurance in Poland to treatment abroad at the cost of the Polish National Health Fund. The benefits resulting from EU legislation also include a possibility of taking advantage of family allowances or unemployment benefits abroad. Finally, the benefits of EU legislation also apply to the pension area.

### Posting facilitates work abroad

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One should indicate first the provisions on determining the applicable legislation, which decide in which EU/EFTA country the contribution for the migrant worker and for the self-employed person should be paid. According to these provisions, such contributions should be paid only in one Member State. The basic principle is that of the legislation of the Member State of pursued activity (*lex loci laboris*), according to which contributions should be paid in the Member State where the work is performed, regardless of place of residence, citizenship, country of origin or place of the employer's registered office.

A person temporarily transferring her or his work to another EU/EFTA country may use the posting option, which means that for a period of up to 24 months contributions may be still paid for that person to the system of the state from which the person concerned is posted to work. Beneficiaries of these provisions include hundreds of thousands

of Polish employees posted to work abroad, inter alia in Germany, Belgium, France or the Netherlands, who pay social insurance contributions to the Polish Social Insurance Fund at that time.

This is a very important legal structure from the practical point of view, because it allows to continue insurance in the state where the person concerned is normally subject to social insurance. In this way, EU legislation prevents some of the cases in which a migrant for employment would move between the social insurance systems of the EU/EFTA Member States.

## European qualifying period for social insurance benefits

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In many cases, however, a migrant worker from one country who starts work in another is subject to social insurance in the state of work, according to the principle of *lex loci laboris*. In such cases, after some time, a person concerned will collect the qualifying period in two or more states. This means a future opportunity of claiming pension from each EU/EFTA country in which the person concerned has been covered by social insurance.

EU regulations facilitate the fulfilment of qualifying conditions for the acquisition of the right to the pension by persons who would not have acquired such right because of insufficient qualifying period. Regulation No. 883/2004 introduces mechanisms for aggregation of insurance, residence and employment periods across the EU for the purposes of opening up the right to benefits dependent on the qualifying period. It also introduces the principle of equal treatment of migrants and of equal treatment of episodes, circumstances, incomes and benefits, thanks to which a migrant from another country is treated in the same way as insured natives.

Thanks to these regulations, for example, a person who has completed a qualifying period in Poland, Germany and France may be awarded three old-age pensions, after meeting the conditions required in each of these states and reaching the retirement age applicable in a given state.

## A whole range of advantages

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EU legislation also lays down a principle of export of benefits, thanks to which the awarded pension may be paid to the beneficiary's bank account in the country of residence, even if the pension is paid by a foreign institution of an EU/EFTA state. This means that, for example, an Austrian pension may be paid to a Polish bank account of a person who resides in Poland.

Under the Polish law, some persons are subject to restrictions on the possibility of combining pension receipt with earnings. When they start working in other EU/EFTA states,

thanks to EU legislation, the national rules for reducing benefits from the Social Insurance Fund are relaxed. Rules of the so-called revenue suspensibility are modified for their benefit by Regulation No. 883/2004.

Persons who have worked and have been subject to social insurance in two or more countries do not have to apply for a pension separately in each of these countries. All formalities can be arranged in the country of residence, where the insurance institution will receive their pension claim, will complete it and transfer it to insurance institutions of all countries in which the person concerned was insured. This is a significant procedural simplification. In addition, on completion of the procedure, after each country has examined the pension rights, the institution of the state of residence provides the applicant with a summary note (P1 document), summarizing all decisions taken, using a model set out by EU regulations, in an EU official language in which the client requests such a note.

These are just a few examples of regulations that serve the protection of migrant workers in the pension area, already used by hundreds of thousands of people.

## What the data show

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EU regulations coordinating social security systems are used by an increasing number of Poles, both those who have gone abroad and those who, after working abroad, return to Poland. According to the data of the Central Statistical Office for 2017, there were already 2.5 million Poles on temporary emigration, including 2.2 million in Europe.

ZUS currently pays every month almost 200 thousand pensions granted with the application of EU regulations and international agreements on social security. Over 15 years of Poland's membership in the EU, ZUS has recorded an eight-fold increase in the number of pension applications submitted by people who had been working in Poland and abroad in EU/EFTA countries and in countries with which Poland had concluded social security agreements.

People who exercise their social rights under EU law are aware of the need to know in practice the resulting benefits. ZUS has prepared information, brochures and leaflets describing rights and obligations resulting from EU regulations and makes them available on its websites. We also propose direct contact with ZUS employees who will readily explain the rights pertaining to their clients. People living abroad can use Skype (zus\_centrum\_obsługi\_tel) or write an e-mail (cot@zus.pl).



## ANDRZEJ SZYBKIE

Doctor of law, specialises in the social security law. He has been working at the Social Insurance Institution (ZUS) for over 15 years. Currently he holds the position of the Director of the Foreign Pensions Department, is responsible for supervising the implementation of the EU Regulations on the coordination of social security systems in the field of pensions. He was a member of various expert groups established by the European Commission as well as a member of the Polish team negotiating international agreements on social security. He is currently involved in combating fraud and error as a member of the H5NCP Platform Steering Committee, working to implement the Decision No. H5 of the Administrative Commission for the Coordination of Social Security Systems. An author of numerous articles, book publications and expert opinions in the area of social security.

## What we gain thanks to the European Union

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I present below the basic social benefits of Poland's EU membership, which are perceived in practice by individual categories of people: persons insured, employers or beneficiaries. It's worth getting to know them.

Jerzy.  
An entrepreneur

Thanks to EU regulations, I may post my employees to work in Germany or the Netherlands, and I pay social insurance contributions exclusively to the Polish Social Insurance Fund. I do not have to pay any contributions to foreign insurance systems. This reduces the costs of my foreign contracts.

Andrzej.  
An employee

I am a Pole and I have started work in the Netherlands. Thanks to EU regulations, as a migrant worker, I am treated in the Netherlands in exactly the same way as Dutch nationals in matters of allowances or pensions. My employer pays social insurance contributions for me and I have full social protection.

Maria.  
A retired person

Thanks to EU regulations, I may receive an Austrian old-age pension to my bank account in Poland. I have been working for 18 years in Austria.

Roman.  
Disability pension recipient

I have been working in Poland and in Belgium. Now I am incapable of work. Thanks to EU regulations, I receive two disability pensions: one from the Polish ZUS and the other from the Belgian equivalent of ZUS. This is possible because my Polish and Belgian qualifying periods have been aggregated. If it were not for EU law, my periods of insurance in each of these countries would be too short to receive any pension from Poland or Belgium.

Irena.  
A daughter of a deceased pensioner

A funeral of my mother, who was a recipient of ZUS old-age pension, took place in France, where she had been living. On the basis of EU regulations, ZUS has paid a funeral grant to my Polish bank account for covering the expenses that I have incurred for my mother's funeral.

<p>Marlena. A sick employee</p>	<p>Thanks to EU regulations, I could get sickness allowance in Ireland right after I started working there. It was possible because the Irish equivalent of ZUS has taken into account the period of my previous uninterrupted insurance in Poland. A certificate confirming Polish insurance periods was sufficient for this purpose. Such certificates are issued by ZUS on the EU form E104.</p>
<p>Jadwiga. A retired person living with her family in Portugal</p>	<p>I live with my daughter, her husband and with my grandchildren in Portugal. Thanks to EU regulations, I am getting an old-age pension from ZUS into a bank account in a Portuguese bank and I can safely look after my grandchildren when my daughter goes to work.</p>
<p>Marian. Disability pension recipient</p>	<p>Thanks to EU regulations, I have been granted a disability pension from Spain for 3 years of work in this country, even though I had been recently insured in Poland for 4 years before I lost my health. ZUS has sent my application to Spain, confirmed my Polish qualifying period, which allowed the Spanish institution to grant me the right to a Spanish disability pension.</p>
<p>Stanisław. A sick employee</p>	<p>I have been working in France as a carpenter for 10 years now. During my stay with my family in Poland, I fell ill. Thanks to EU regulations, my French employer recognized a medical certificate, which has been issued by a Polish doctor, and paid me a sickness allowance. In addition, I did not have to translate this certificate into French.</p>
<p>Mariola. An employee receiving maternity allowance</p>	<p>I am employed in Poland. During my stay in Spain, I gave birth to my daughter. Thanks to EU regulations, ZUS recognized a child's birth certificate issued in Spain and pays my maternity allowance to my bank account in Poland.</p>
<p>Stefan. A retired person</p>	<p>I have worked hard all my life as a driver: in Poland, in the Czech Republic and in Germany. Thanks to EU regulations, I receive 3 old-age pensions to my Polish bank accounts: one earned in Germany, the other from Poland, and the third from the Czech Republic. I was able to settle all related matters on the spot in ZUS. I did not have sufficient qualifying period to be awarded pensions in the Czech Republic and in Germany, but ZUS has certified my Polish insurance period for the needs of foreign pension institutions. Thanks to that I may receive old-age pensions from 3 countries.</p>

Marek. An employee applying for an old-age pension

In addition to working in Poland, I was employed in Hungary, Slovenia and Latvia. Thanks to EU regulations, I did not have to submit several applications for my old-age pension. I have filed one claim with the nearest ZUS unit, although I had been working not only in Poland, but also abroad. On the basis of this claim, ZUS has carried out appropriate procedures with foreign institutions. ZUS employees took care of everything until I received pension decisions from institutions of states in which I had worked. At the end, ZUS has compiled all these decisions and described them for me on the EU P1 form.

Grzegorz. A retired person residing in Spain

An amount of my old-age pensions granted to me in Poland and Spain is lower than the minimum old-age pension in force in Spain, where is my permanent residence. Thanks to EU regulations, the Spanish equivalent of ZUS subsidises me with an amount that is missing up to the Spanish minimum pension. I will be receiving this subsidy throughout my entire residence in Spain.

Damian. A retired person taking advantage of medical treatment

Thanks to EU regulations, as ZUS pensioner residing in Austria, I may, at the expense of the Polish National Health Fund (NFZ), receive treatment at Austrian clinics, just like the insured Austrians. All this thanks to the S1 certificate issued by the NFZ on my request.



# Challenges for ZUS in the European Union

Paweł Jaroszek  
Member of ZUS Management Board supervising the Finance  
and Income Enforcement Division

## We protect payers, we pursue debtors

### Current challenges for ZUS in the area of social insurance and dues recovery

#### Increased workload related to the posting of workers and to work in several EU countries

ZUS issues the highest number of A1 certificates throughout the European Union. This document confirms that persons who work in a Member State are subject to the social security system of another Member State. In the period 2009–2018, the number of issued certificates increased almost threefold. The workload increased, because much more work is needed to handle such a large number of requests for certificates submitted to branches.

In 2004, ZUS issued **69,874** E 101 certificates (a document regarding the legislation applicable before the introduction of A1 certificate). This number has been gradually increasing from year to year. In 2018, we issued as many as **605,710** A1 certificates.

Documents issued for posted employees have a significant share in the total number of A1 documents: in 2017 – 217,154, and in 2018 – 220,906. Other A1 certificates mainly related to persons who have been working in several Member States.

Since Poland's accession to the EU, most of A1 certificates have been issued in connection with the posting to work in Germany. In 2017, 107,817 A1 certificates were issued to Germany, which constitutes as many as 49.58% of all certificates issued under this procedure.

In 2018, 113,252 A1 certificates were issued to Germany (51.27% of all certificates issued under this procedure).

Other countries, in order by the number of certificates issued for posted workers, are the following: France, Belgium, the Netherlands, Sweden. Less certificates have been issued to other countries.

## ZUS achievements in determining the applicable legislation

ZUS has created an IT tool for issuing and handling A1 certificates. Thanks to the central database, our branches have a preview of all A1 certificates issued (irrespective of the branch), which is only one element of the prevention of abuse. The application also allows to produce statistical reports on A1 certificates issued, in various variants (e.g. taking into account the citizenship, the unique number of persons who have received A1 certificate, Polish Classification of Activities [PKD] or the host country).

In addition, ZUS:

- is actively involved in EU preparatory work for the implementation of the EESSI system (System of Electronic Information Exchange on Social Security),
- carries out the large-scale cooperation with foreign institutions – we have concluded an agreement with the Netherlands (SVB institution) and France (CLEISS and ACOSS institutions) on cooperation in mutual electronic exchange of information on data from A1 certificates,
- dynamically cooperates with many countries in the implementation of EU regulations on the coordination of social security systems; this cooperation is aimed to optimise ZUS activities and to prevent the need to initiate a dialogue procedure (in a dispute between ZUS and an institution of another Member State concerning the determination of the applicable legislation).

## Imprecise EU regulations

Interpretation problems often arise in the context of determination of the applicable legislation. They result from imprecise wording of EU regulations.

The most important problems with interpretation concern:

- absence of definition of turnover – such definition does not also appear in Polish law as a universal definition, the case law is also not uniform in this respect,
- ambiguous regulation as to the number of employees who should remain in the country to consider that the posting company carries out the substantial part of its activity in the posting State,
- a prohibition of replacing posted workers – an employee posted abroad may not be “directly” replaced by another posted worker,
- assessment of when we are dealing with “marginal activities”.

The work on **amending the regulations on the coordination of social security systems** has been carried out for a long time on the EU forum. ZUS actively participates in the assessment of these amendments and submits its opinions and observations to the Ministry of Family, Labour and Social Policy. ZUS points out threats or indicates practical consequences of the implementation of regulations if they are adopted in the proposed wording.

Proposals for amendments to regulations can be summarised as follows (including in particular):

■ **posting of workers and "self-posting" of self-employed persons:**

- extending the prohibition of replacement of posted workers – it will not be possible to post a worker in order to replace another previously posted worker, as well as another previously posted self-employed person,
- covering the self-employed persons by the prohibition of replacement – a "self-posted" person may not replace another previously "self-posted" self-employed person or a previously posted worker,
- shortening the maximum posting/"self-posting" period to 18 months (from the current 24 months),
- no need to apply for A1 certificate, if the posting does not exceed 5 working days or applies to business trip,
- extending to 3 months (from current 1 month) the requirement to be subject to legislation of the Member State of employer's registered office before posting,
- introduction of a three-month break between successive periods of posting of the same person to the same Member State;

■ **occupational activity in several Member States**

- in the case of overlap between activity as an employed or self-employed person in one Member State and the receipt of unemployment benefits in another State, it is proposed to apply the legislation of the State which pays the benefit,
- extension of the definition of the term "registered office or place of business" and introduction of assessment criteria (turnover, working time, number of services rendered or income),
- determination of legislation in the State where the major part of the work is carried out,
- with regard to persons pursuing activity as an employed or self-employed person in 2 or more Member States who reside outside the territory of the EU, providing that – for the purposes of the provisions on coordination – the State of residence is the State of the major part of activity in terms of working time within the EU,
- the relevant legislation applies for a maximum period of 24 months,
- changing the rules for determining the legislation for employees – the legislation of the place of residence or the State where the major part of the work is performed (departure from an option of determining the legislation according to the State of the registered office),
- determination of the legislation of own State as applicable will no longer be temporary (it will be final immediately); when the legislation of another State is applicable, this determination will continue to be temporary – for 2 months after informing the institution of the other State.

## Current challenges for the ZUS in the area of social insurance and dues recovery

Right before the Polish accession to the European Union, the European Parliament and the Council have passed Regulation (EC) No. 883/2004 on the coordination of social security systems. Nevertheless the implementing regulation have been passed in 2010 and then Regulation No. 883/2004 in fact have superseded Regulation (EC) No. 1408/71 which was in force since 1970s.

### Debtors from the whole Europe

Pursuant to Art. 84 of Regulation (EC) No. 883/2004, Member States were given an opportunity to assist each other in recovering unpaid social insurance contributions and unduly collected benefits. However, due to the lack of implementing rules, exercise of this right by ZUS faced legal obstacles.

The situation changed only after entry into force on 1 May 2010 of Regulation (EC) No. 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No. 883/2004 on the coordination of social security systems. The mentioned regulation has created instruments enabling the exchange of data regarding the recovery of dues. In order to optimize the process of handling proceedings conducted in cooperation with institutions from other Member States, a decision was taken in ZUS to entrust tasks in the field of dues enforcement to 2 units:

1. Income Enforcement Department (liaison institution), which participates in the work on the implementation and proper functioning of the data exchange system, inter alia by making relevant comments, giving opinions on the proposals of the Administrative Commission and of the Member States. It ensures the correct handling of cases in the field of recovery of dues by a designated institution and local organizational units, and clarifies any doubts and disputes regarding the implementation of provisions on the coordination of social security systems in this area. The exclusive competence of the Department also includes cooperation with the competent authority (a separate unit of the Ministry of Family, Labour and Social Policy) and with liaison institutions of other Member States.
2. The Income Enforcement Division in ZUS Branch in Opole (a "designated institution"), which is responsible for the correct circulation of requests, information and financial resources between the relevant ZUS branches and the designated institutions of the Member States. As part of this competence, it checks, among others, whether the submitted requests meet formal requirements, calling the sender (ZUS Branch, Member State) to supplement them if any deficiencies are found, and after their positive verification, sends them to a relevant addressee. The Incomes Realization

Division in ZUS Branch in Opole performs actions requested by the Member States on its own or with the assistance of the Regional Organizational Units. Its tasks also include submitting to the Incomes Realization Department own comments and comments of Branches regarding problems related to the implementation of tasks in the area of recovering dues. In addition, the Director of ZUS Branch in Opole is the only enforcement body for dues claimed in favour of other Member States that fall within the social security sectors served by ZUS.

## **Operating foreign debts**

From the very beginning of the application of the new regulations, the Department has been using only SED forms of the "R" series that have been made available by the Administrative Commission for the Coordination of Social Security Systems. Employees were also provided with new functionalities in the ARS 2000 system to handle enforcement proceedings dedicated to foreign receivables and to record requests for assistance. Subsequently, in 2011, 2012, 2013 and 2017, comprehensive explanations, procedures and instructions were provided to the local organizational units. At the same time, in 2013 and 2015, training workshops were organized on practical aspects of application of the provisions on recovery.

## **Electronic Information Exchange on Social Security**

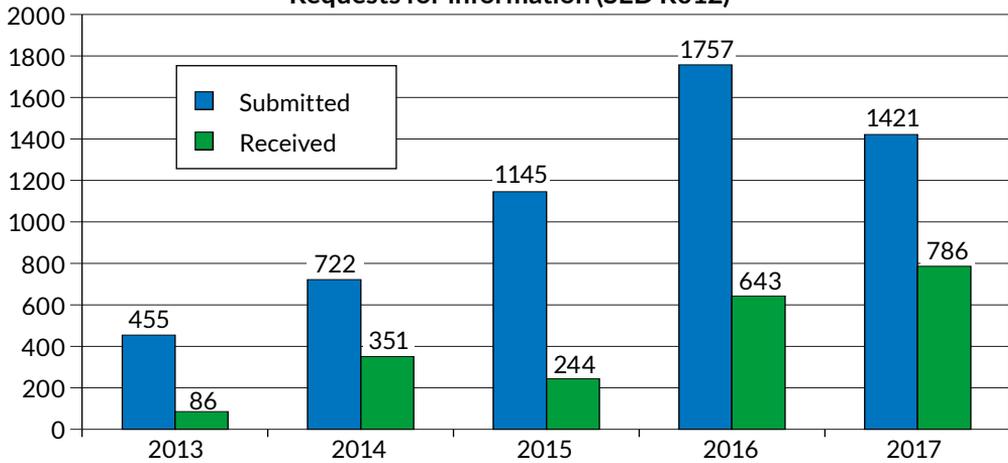
ZUS is actively involved in the work on the implementation of the Electronic Exchange of Social Security Information (EESSI). This takes place mainly through opinions on draft legal acts, notes and decisions prepared by the European Commission. In addition, ZUS has sent its representative to participate in the work of the Recovery ad hoc Group, which supports the European Commission with expert knowledge in the technical and legal area and prepares business documentation projects. It is also worth to mention that we participated in the work of the Polish presidency in 2013, whose priorities included clarification of practical problems when applying the provisions governing the recovery of debts. These efforts resulted in the participation in the working workshop concluded with a document explaining the issues that raised most of doubts.

## **Assistance in a recovery of debts**

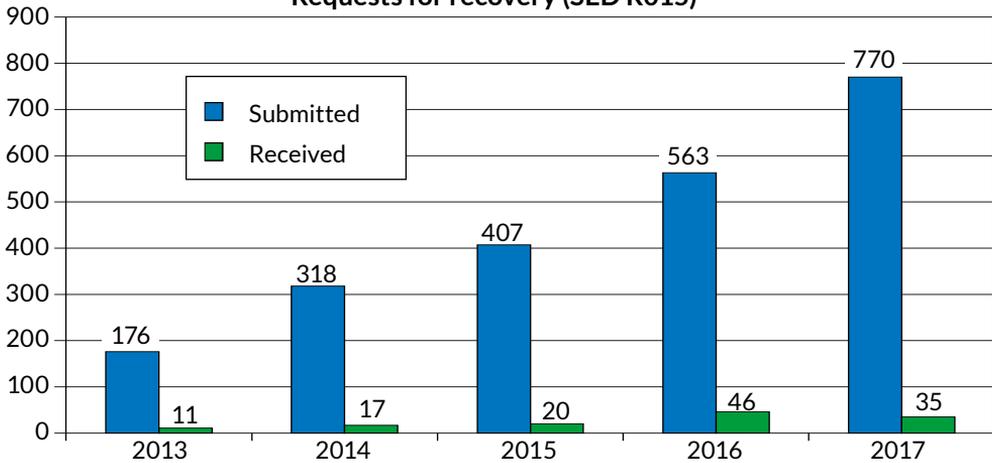
In 2010–2018, ZUS participated in a series of bilateral talks with institutions from other Member States in the area of dues recovery. These included German institutions (DRV Bund), Austrian institutions (SVGA), Czech institutions (CSSZ), Hungarian institutions (ONYF), Dutch institutions (BELASTINGDIENST, UWV), French institutions (CLEISS), Belgian institutions (NSSO), etc.

An analysis of statistical data shows that cooperation with the institutions of the Member States is developing dynamically, as evidenced by the significant increase in the number of requests both addressed to and received from other countries. Statistical data showing general trends in the years 2013–2017 (period reported to the Administrative Commission).

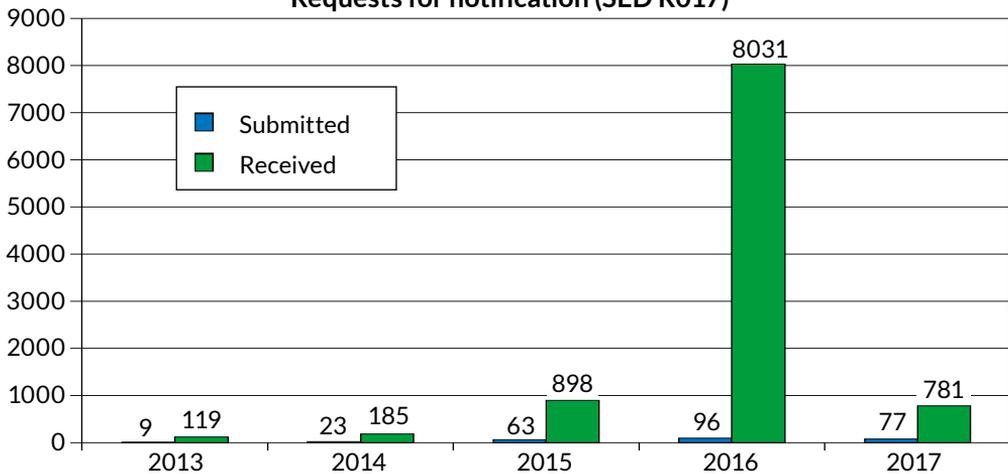
**Requests for information (SED R012)**



**Requests for recovery (SED R015)**



**Requests for notification (SED R017)**



Experience shows that most requests for assistance are sent to (in descending order): Germany, the United Kingdom, the Netherlands, Belgium, Austria, France, Ireland, Sweden, Bulgaria, Spain, Italy, Denmark. In turn, most requests are received from the institutions of the following countries (in descending order): the Netherlands, Germany, Austria, the Czech Republic, Slovakia, Belgium, the United Kingdom, the Netherlands, Lithuania, Switzerland, Iceland, Sweden and France.

In the near future, the biggest ZUS challenges in the area of dues recovery will include issues related to the finalization of the agreement on leaving the EU by the United Kingdom (or the conclusion of a bilateral agreement in the case of the so-called "hard" Brexit), launching the production version of the National EESSI Application and the implementation of the amended Regulation No. 987/2009.



## **PAWEŁ JAROSZEK**

From January 2014, a member of ZUS Management Board, supervising the Finance and Income Enforcement Division, *inter alia* responsible for ensuring the financial liquidity of the Social Insurance Fund and for management of the assets of the Demographic Reserve Fund. Responsible for the implementation of projects: "e-contribution" (e-Składka) and "Digitalization of employee files" (e-Akta). The titular auditor of the ISSA Control Commission and the Vice-Chairperson of the ISSA Technical

Commission on Contribution Collection and Compliance, as well as the Chairperson of the Steering Committee of the ISSA European Network (IEN). He started his professional career working at the Department of Money Economy of Bank Energetyki SA. He joined the Social Insurance Institution in 1999, initially as the head of the unit, then as the Deputy Director and the Director of the Department. In 2008–2010, Member of the Management Board of Krajowy Fundusz Kapitałowy SA. A specialist in finance. A graduate in economics and law, as well as postgraduate managerial and financial studies and postgraduate studies in financial and management accounting.

**Dorota Bieniasz**  
**Member of ZUS Management Board**  
**supervising the Benefit and Certification Division**

## **We must intensively develop for the advantage of pensioners**

### **Current challenges for ZUS in the area of international benefits**

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For 15 years, which have passed since the accession of the Republic of Poland to the European Union, the Social Insurance Institution, as an organization, has been subject to many changes both in the national and international dimension. These changes have been particularly dynamic over the past few years.

In the national dimension, they were connected with the introduction of old-age pensions from the reformed system in 2009, laws increasing the retirement age, and then the law reducing that age, reorganization of tasks of ZUS branches and headquarters, building the IT Sector. They were also connected with the changes in the management system involving the introduction and development of management, auditing, controlling and benchmarking mechanisms for the local units under the system of evaluation of performed tasks, as well as with the implementation of projects: e-contribution (*e-Składka*), e-ZLA, e-files (*e-Akta*) and parental supplementary benefit.

And in the international context, the changes were connected with the implementation of EU Regulations Nos 1408/71 and 574/72 on the coordination of social security systems since May 2004, with subsequent amendments to these regulations and extension of coordination to relations with EFTA states and Switzerland, accession of new states to the EU (Bulgaria, Romania, Croatia), as well as the implementation of further social security agreements with non-EU countries, such as the USA, Canada, Australia, South Korea, Ukraine, Moldova, and recently the Canadian Province of Quebec.

An important change was the entry into force in May 2010 of the new EU Regulation No. 883/2004, which – after almost 40 years – reformed in legal and organizational terms the coordination of social security systems in the European Union and simplified the rules of this coordination.

The Social Insurance Institution has perfectly implemented new regulations. ZUS staff should be assessed positively, in particular in view of the rulings of the EU Court of

Justice in court cases initiated on the basis of clients' appeal against the decisions of ZUS branches. Over the 15 years, only five CJEU rulings concerned ZUS. These were the judgements of: 22 May 2008 – Nerkowska (C-499/06), 3 March 2011 – Tomaszewska (C-440/09), 4 October 2012 – Format (C-115/11), 16 May 2013 – Wencel (C-589/10) and 30 May 2018 – Czerwiński (517/16). This is a record-breaking result among EU Member States. It proves that ZUS staff is very well prepared for the tasks resulting from EU regulations on the coordination of social security systems. It is also a positive effect of ZUS employees' participation in pre-accession programmes in 2001–2005, thanks to which they have acquired the knowledge and competences necessary to perform these tasks.

The vast majority of ZUS decisions based on the international law are not challenged by Polish courts. Over the last 15 years, the Polish judges had almost no objections to ZUS decisions, which would require application to the EU Court of Justice.

The substantive level of ZUS staff handling international cases should therefore be assessed very highly, starting with the staff of ZUS headquarters and ending with employees of branches who handle individual cases of ZUS clients. ZUS employees establish the right to old-age and disability pensions under applicable national and international regulations. They also support clients in obtaining foreign pension benefits for work abroad.

During the past 15 years of functioning in the European Union, we could observe the development of divisions for implementation of international agreements, intensified in 2017–2019. Initially, in 2004, six ZUS divisions were designated for the implementation of EU regulations. Currently, there are already sixteen of them. It results from the need to increase staff resources to handle pension claims of ZUS clients who have once worked abroad.

The need to take such actions is evidenced by statistical data. In 2004, the divisions for implementation of international agreements paid from the Social Insurance Fund international benefits based on international agreements to a monthly average number of 32 thousand pensioners, including transfer of payments of Polish pensions abroad to EU/EFTA countries to a monthly average number of 19 thousand people. And in 2018, these benefits were paid to a monthly average number of 180 thousand pensioners and the benefits were transferred abroad to a monthly average number of 42 thousand people. This means an approximately 5-fold increase in international benefits paid and an approximately 2-fold increase in the number of benefits transferred.

An increase was also observed in expenses from the Social Insurance Fund in respect of pensions for people who had been working in Poland and abroad. In 2004, total payments of international benefits amounted to about PLN 296 million, while in 2017 – already to PLN 2.6 billion (a 9-fold increase).

ZUS divisions for implementation of international agreements handle pension claims filed by persons who have been working in Poland and abroad. The number of such claims has been rising: from 19 thousand in 2004 to as many as 154 thousand in 2018. This means an 8-fold increase in the number of pension claims over 15 years. It results mainly from the increase in labour migration of Poles abroad in recent years, especially after Poland's

accession to the EU. According to the data of the Polish Central Statistical Office, in 2004, about one million Poles were staying temporarily abroad, including 770 thousand in Europe, and in 2017, respectively, 2.5 million and 2.2 million (2.5-fold increase). These persons acquire pension rights in respect of work in Poland and abroad. They are covered by international legislation in the area of coordination of social security systems, first of all the European Union regulations. It means that participation in the EU system brings many advantages in the area of social benefits for migrants, including pensions.

Given the challenges faced by the Social Insurance Institution in the international benefits area, ZUS managerial staff undertakes activities related to the development of the international benefits sector. The key challenges in this area currently include:

- 1) implementation of EESSI, that is the EU system of electronic exchange of information between social security institutions throughout the European Union, i.e. between ZUS counterparts from all over Europe; the conceptual and IT work on this complex project has been going on for years, and the EESSI project is called in the EU the "small Schengen";
- 2) high dynamics of growth in the number of pension claims submitted to ZUS by clients who have completed the qualifying period in Poland and abroad in the EU/EFTA countries; this increase implies the constant development of ZUS staff handling such claims;
- 3) ensuring effective cooperation of the Social Insurance Institution with foreign partners in handling pension claims and the allowance cases; this cooperation requires permanent international contacts and arrangements aimed at improving cross-border cooperation between institutions for the benefit of migrants;
- 4) the problem of cross-border overpayment of benefits after the death of pensioners residing abroad; to reduce this problem, ZUS concludes appropriate agreements on the electronic exchange of data with foreign institutions; their purpose is to find out whether a ZUS beneficiary is alive; this is a good solution for the Social Insurance Fund, because it leads to economic savings for this fund;
- 5) Brexit and leaving by the United Kingdom of the EU coordination of social security systems; the rules regarding the Brexit will affect the social security situation of Poles living in the UK;
- 6) maintaining high qualifications and interpretation uniformity among employees responsible for handling pension claims, which means continuous building and developing the staff training system and systematic development of training services by ZUS headquarters.

The area of international benefits lies within the competence of departments of the Benefits and Certification Division of ZUS headquarters, including in particular the Foreign Pensions Department, the Allowances Department and the Medical Certification Department. These departments have to cope with the mentioned challenges.

In the area of international benefits, cross-border cases and the implementation of new social security agreements, the Social Insurance Institution is a leading institution in the country, cooperating with the Ministry of Family, Labour and Social Policy, Agri-

cultural Social Insurance Fund (KRUS), National Health Fund (NFZ) and the Pension Institution of the Ministry of the Interior and Administration.

Out of concern for the highest quality of tasks performed for clients who have been and are migrating for employment within the European Union, the Social Insurance Institution undertakes multidirectional activities – inter alia concerning staff training, communication with individual and institutional clients, with administration offices dealing with social security matters in the EU Member States, with European institutions and organizations – involving the improvement of the operation of the system and strengthening social protection and public finances.



## **DOROTA BIENIASZ**

Member of ZUS Management Board supervising the benefits issues. From the beginning of her professional career associated with the social security issues. She is a lawyer, a graduate of the Law and Administration Faculty of the University of Warsaw. She has also completed postgraduate studies in European law conducted by the Office of the Committee for European Integration together with the French National School of Public Administration. She has been working successively at the Institute of Labour and Social Studies, the Ministry of Labour and Social Policy and the Office of the Commissioner for Human Rights. In recent years, she was a member of the Committee of Experts for the Elderly attached to the Commissioner for Human Rights, as well as the deputy director of the labour law and social security team in the Commissioner's Office. While working at the Social Insurance Department of the Ministry of Labour and Social Policy, she participated in the preparations for the introduction of the social security coordination system in connection with Poland's accession to the European Union. She has also participated in the development and negotiation of a number of international agreements in the field of social security.



# The road to the European Union

Interview with Ewa Borowczyk,  
former director of ZUS International Cooperation Department

## Satisfaction and a large dose of adrenaline, or ZUS backstage preparations for accession

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It is 15 years since the accession of Poland to the EU. You have been working at ZUS for 43 years, including 9 years in the Permanent Representation of the Republic of Poland to the European Union. It was precisely the time of our most intensive preparations for EU accession and our first steps in the Union. 15 years have passed since our accession. You have personally participated in the preparatory pre-accession works. What was the groundwork for Poland's EU accession from the perspective of the International Cooperation Department which you then headed?

This is a very close anniversary for me, a great personal and professional satisfaction. My adventure with the European Union started much earlier – at the stage of preparing our membership and of my cooperation, as a ZUS employee, with the ministries involved in the implementation of the Community regulations on the coordination of social security systems.

**Preparation for EU membership took place in stages. Which of them were the most important in your opinion?**

The preparations were triggered by signing, on 16 December 1991, the Association Agreement between the Republic of Poland and the European Union and its Member States. It came into force on 1 February 1994. On 21 November 1994, the Prime Minister recommended the ministers and heads of central offices create or strengthen existing units for European integration. The task of these units was to collect and transmit information and acquaint the staff with the European Union issues. At that time, the European Integration Bureau was created at ZUS. I managed its works operation.

**What was the next stage?**

Of course, analytical and preparatory work was carried out all the time, however, September 1995 was quite an important moment. At that time, the first training was organized, conducted by an expert of the European Commission in the field of coordination of social security systems, i.e. the famous Regulations Nos 1408/71 and 574/72, which

were later changed into Regulations Nos 883/04 and 987/09. The training was attended by senior officials from the Ministry of Labour and Social Policy, the Ministry of Health and ZUS employees. The training was held at the headquarters of the Ministry of Labour and Social Policy, and on this occasion ZUS published, within an extremely short time, texts of both regulations in translation into Polish, with a commentary by Prof. Teresa Bińczycka-Majewska.

The next stage included seminars, which were organized by the European Integration Bureau of ZUS for 3 years, starting from 1998, in our training centre in Osuchów. They were attended by directors of ZUS headquarters departments and directors of ZUS branches as well as representatives of ministries and institutions participating in the process of coordination of the social security systems. Seminars were held twice a year – in summer and winter sessions. The lecturers were Polish university experts, among others current ZUS President, and in those days a researcher at the University of Warsaw, Dr. Gertruda Uścińska, experts of the European Commission and of insurance institutions from the so-called old EU countries. They shared with us their experiences on how to implement and apply EU regulations. In Osuchów we hosted experts from France, Spain, Germany, Sweden, Italy and the United Kingdom. There are anecdotes connected with the arrival of some of them.

#### **Please, tell a few ...**

Two experts from France were to attend one of the seminars. We were waiting for them at the Warsaw airport. However, only one came. Fortunately, he had the text of the lecture and presentations of his colleague. It turned out that the second expert stayed at the airport in Paris, because he travelled to Poland only with an identity card, without a passport. Since in the EU countries only an identity card was needed, he decided that he could also enter Poland on the basis of his identity card. The officers at the Paris airport have enlightened him but showed no understanding...

Experts from Spain have once visited Osuchów during the cold winter. For the first time in their lives they saw icicles hanging from the roofs. They were fascinated by this view.

We also had an expert from Germany. He came to Osuchów in the summer and got up early in the morning to enjoy the unpolluted nature. He was most delighted with stork nest.

#### **In subsequent years, ZUS participated in PHARE pre-accession assistance programmes – Consensus I, II, III and IV. What advantages have we gained from them?**

Our permanent gain from participation in these programmes was a series of publications: legal expertise, the European Court of Justice reports, guides for the insured, practical guides on administrative procedures, guides on the use of type “E” forms in contacts between social security institutions of the EU countries. This legal and informational output was used during numerous trainings for the staff of ZUS headquarters and branches, coordinated by the Foreign Pensions Department.

### **What, in your opinion, was the biggest challenge during preparations for the EU membership?**

In 2001, we were to submit to the European Commission proposals of Polish annexes to Regulations Nos 1408/71 and 574/72 in a very short time – 3 months. The date of 1 May 2004, as the moment of Poland's accession to the Union, depended on the successful and timely performance of this task. Submission of annexes was the last link necessary to close the negotiation area "free movement of people".

I was recommended to coordinate this work. It required cooperation with experts from the Ministry of Labour and Social Policy and the Ministry of Health. The then head of the Office of the Committee for European Integration, Jan Kułakowski, delegated his personal assistant to closely monitor the progress of the work. We invited him to all regular meetings, held once a week, during which we discussed the progress of the work and planned further tasks. Experts, indicated by names, were responsible for everything. The work was done on time and accepted by the European Commission in Brussels, and the dose of adrenaline that we had applied to ourselves stayed with us for a long time.

### **In September 2003, i.e. when we were closing the work connected with accession, you were posted to Brussels. What were Poland's preparations for accession in the area of social security from this perspective?**

My task in Brussels – as a representative of the then Ministry of Economy, Labour and Social Policy – was to create in the Permanent Representation a Division for Social Policy, Employment and Equal Opportunities and to coordinate its work. At that time, Poland had the status of so-called active observer. This meant that we participated in all meetings.

From the moment of accession, my role was to ensure presentation of Poland's position and to negotiate it within the EU Council Working Group on Social Issues. This group included representatives of all Member States.

The long-term task was also to prepare us for the presidency of the European Union Council in the second half of 2011. At that time, many conferences of ministers and experts in the field of labour, social affairs and equal treatment were held in Poland – in Sopot, Warsaw, Wrocław and Kraków. All my colleagues from Brussels – attachés for social affairs from 27 countries – were on this occasion for the first time in Poland. And they were impressed by the very good organization and very good substantive level of these meetings. Poland was highly appreciated as a reliable partner. The period of our presidency was a great promotion of the country. All this meant that work in Brussels was an honour for me, but at the same time a source of challenging professional and personal satisfaction.

### **What else did you do while working in Brussels?**

I dealt with broadly understood social policy, including the coordination of social security systems, pension systems, equal treatment and non-discrimination, recognition of

professional qualifications as an element of freedom of movement of persons, including mainly professional qualifications of Polish nurses and midwives. I have been dealing with this last issue for 9 years, but this is a completely different story.

**Thank you very much for the interview.**

Interviewed by  
Magdalena Lewandowska



## **EWA BOROWCZYK**

Associated with the Social Insurance Institution throughout her whole professional career, starting from the position of counsellor. From 1982 – deputy director of ZUS President’s Office supervising the publishing sector and ZUS international contacts. In 1996–2003 she was the director of the European Integration Bureau. In 1995–1997 – the plenipotentiary of ZUS President and the Polish leader-coordinator of the PHARE project “Social insurance reform – a concept of introduction of individual accounts of persons insured”. In 2001, she was a coordinator, on behalf of the Ministry of Labour and Social Policy, of an inter-ministerial group for the preparation of Polish annexes to Regulation (EC) No. 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, and to the implementing Regulation (EC) No. 574/72. In 2003–2012 she was the minister-counsellor in the Permanent Representation of the Republic of Poland to the European Union in Brussels, as the coordinator of the Division for Social Policy, Employment and Equal Opportunities. In December 2012, she came back to ZUS, acting as the President’s counsellor and then as the director of the International Cooperation Department. In years 1986–2003 she was a chairperson of the Warsaw-Łódź branch of the Polish Social Insurance Association, and in 1998–2003 – also a deputy chairperson of the Main Board of this Association. An author of many studies on the social security system in Poland and in other countries, which were published in specialist national and foreign magazines.

Jesús María Fernández de Puelles Martínez  
Labour and social insurance inspector in Santander  
Pre-accession advisor and resident advisor  
in the twinning covenant between Spain and Poland

## Straight from the heart

### Memories from the Consensus IV programme

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The Twinning Project Phare Consensus IV, in which I worked side by side with the officials from ZUS and the Polish Ministry of Labour, let me learn about life in Poland, with its history, culture, geography, and daily activities; in short, with people – and discover the true identity of a new member of the European Union.

### Nation united in grief an honour

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The strong and sharp howling of the siren, unmistakable, which I had heard earlier only in the movies, interrupted the calmness of small restaurant at Królewska Street, where we ate supper. It was the first Saturday of April, late spring in Warsaw. I was celebrating with Spanish officials the end of an intense week of work, after a subsequent seminar organized as part of a twinning project between Poland and Spain, funded by the European Commission.

Everyone in the room fell silent, few guests and waiters. We did not look at each other, with an expression of surprise and questions on our faces. We went out into the street that night, without the cold of the winter. There were no people, no traffic, and even time seemed to have stopped in a supernatural silence, in which only the sirens announced a horrible event. Inside, in a low and respectful voice, someone said what the radio was announcing. The Polish Pope has just died. It was around 10 p.m. on Saturday, 2 April 2005.

A year passed since the start of the Social Insurance Systems Coordinating Project Consensus IV, which brought me to Poland as a “Pre-Accession Advisor” and then a “Resident Advisor”, and I was there in Warsaw, on unforgettable 2 April 2005. I saw the sadness, love and deep respect of the citizens for Pope John Paul II. Later in the Warsaw garden – *Ogród Saski* – I witnessed and participated in the largest march of silence of the nation united in grief and honour for the Holy Father.

## Mediterranean and Scandinavian applications

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The Consensus IV project was the last project implemented by ZUS as part of the Social Insurance System Coordination, also due to the delay in its launch, as it was planned for 2002; it was launched shortly before 1 May 2004, the date of entry into the EU, so that the technical implementation of the programme took place among the Member States of the European Union with full rights.

I had an opportunity to see with my own eyes the persevering efforts, skills and willingness of a country striving for European integration, dedicated to Consensus IV in the managing institutions and organizations involved in the social insurance system.

Women and men, officials of the social insurance administration, authorities and the general public, united by a hope for the accession to the European Union, for participation in the basic values of European culture, which Poland professed without losing its uniqueness, as any other Member State. It became clear to me that the project "Coordination of Social Insurance Systems" meant a positive contribution of a new EU Member State, and ZUS was similar to a twin Spanish institution that coordinated social insurance systems within a territorial Community framework.

In less than 18 months of the project implementation, one by one, all objectives set for the project were fulfilled, with the level of efficiency and professionalism, which I did not foresee before it was launched: many problems were solved regarding the largest new partner from among the "Eastern" countries, as well as – why not say it? – problems related to the not-so-good habits of the southern partner to which I belonged, and it was obvious that ZUS could appreciate the differences between so-called Mediterranean applications and Scandinavian applications of Consensus III, which enriched the knowledge of the host country.

There were organised:

- 40 seminars on coordination of social insurance systems with Polish and Spanish lecturers belonging to twin institutions; many work sessions took place on specific topics and 3 general conferences were held;
- 4 study visits were carried out in Spain;
- research and analysis have been carried out regarding the Community legal standards and comments on the decisions of the Court of Justice of the European Union, applicable rules and administrative procedures for each provision on the coordination of systems, contained in Regulations Nos 1408/71 and 574/72, procedures of the Court of Justice; all of them have been duly translated and published.

On 15 September 2005, the Final Conference was held in Warsaw, presenting the timely implementation of the assumed goals.

## Slavic punctuality

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I do not want to stop over the unnecessary summary of the results that appear in the Consensus IV files. I only want to share some reflections on the qualities that I had an opportunity to see, being a privileged chronicler for these several months of work, when I experienced many impressions during events that do not appear in the documents on ZUS and on the staff of this institution.

One of the reflections is connected with an analysis and development of a project implemented in the form of court workshops, led by Dr. Gertuda Uścińska and judge Rafael López Parada. Among other things, it was about applying the pillar of free movement of people in the European Union and non-discrimination of employees on the grounds of nationality when accessing the labour market and performing the gainful work, in connection with the temporary moratorium for Polish citizens in Spain. It should be remembered that the same model was used in that “enlargement” process as in the case of accession of Spain and Portugal to EU in 1985. Working teams, led by two experts, dealt with the interpretation of the Treaty (Art. 39-3 and 42 of the EC Treaty) and the Regulations on co-ordination of social security systems, as well as presented the recent case-law of the Court of Justice of the EEC (inter alia judgments of 27 September 2001, the case of Gloszczuk and of 29 January 2002, the case of Beata Pokrzeptuwich-Mayer). The conclusions were drawn from the research and a well-founded proposal was presented to the national authorities, in particular of Spain, not to prolong the moratorium for Polish employees in Spain. I use this example to show the excellence and independence of the task, in the case of full validity of the research and conclusions of the court seminar.

Another valuable reflection that I would like to emphasize is something that I observed during the working days at the Dialogue Centre situated at the remote Limanowskiego street. I would like to point out that both during the long Polish winter and the short spring, a part of summer and golden autumn – the planned conferences have never been cancelled or suspended. ZUS officials have always seemed ready, respecting the punctuality which in Spain would be called “German”, and which I, from that time on, call the “Slavic” punctuality.

Dozens of ZUS officials, not only from Warsaw, took part in seminars and programme sessions, additionally difficult because of the need to interpret them into both languages, also on the Spanish side. Although a few lecturers failed, their situation was different. I wish to emphasize ZUS efforts in the Consensus IV programme, involving so many people in managerial positions and their subordinates who had to combine trips to Limanowskiego street with their normal tasks in their offices: the organization, professionalism and personal contribution of ZUS employees became evident; and now, after 15 years, I will take this opportunity to clearly emphasize this quality and to congratulate ZUS and its employees on the occasion of this anniversary, then and now.

## Social security system is a common good

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Finally, I would like to briefly mention something that is, naturally, sometimes forgotten over the years and the passing of generations, in Spain and perhaps also in Poland. I wish to refer to the importance of knowledge about the role of social insurance as a system providing emergency protection by means of public, mandatory, minimal and universal benefits, which for years have been a Community *acquis* of each Member State. Only thanks to the joint effort of the society (not only the government or the leaders), it is possible to recognize that the system does not arise spontaneously, but after a long, costly and difficult process. The system, even with high economic costs, is profitable as a means of social justice, redistribution of income, which strives for intergenerational cohesion, but is normal when needs, demands, tensions, new situations, interests etc. arise, is a common good, on which no one loses.

One of the current threats is that the new generations consider the social insurance system to be a building that has always existed and could be used for free (like the Vistula or Pyrenees), without considering, appreciating and maintaining it as a common home from which one can fully benefit, but also without a sense of commitment to maintain and respect it.

Finally, with full awareness that in ZUS, as in all institutions, there are managers and employees, I renew my congratulations on the many years of ZUS activity and encourage everyone to persevere in a joint effort to maintain and care for growth, with best wishes and liking, especially for those whom I remember from the Consensus IV programme.



### JESÚS MARÍA FERNÁNDEZ DE PUELLES MARTÍNEZ

Master of Law at the Complutense University in Madrid (diploma in 1973), labour and social security inspector for the “opposition” in 1975, professor of labour and social insurance law at the University of Cantabria, a senior technician of work security and health care.

Currently a labour inspector and social security officer in Santander. He was the head of labour inspection at Santander and Castilla La Mancha and as a representative of Spain, he participated in international cooperation with México, Venezuela and Uruguay as well as several programmes in the European countries (Luxembourg, Great Britain, Ireland, Portugal, Sweden, the Netherlands, Belgium, Denmark, France and the Czech Republic). Pre-accession advisor and resident advisor in the twinning covenant between Spain and Poland.

**Jolanta Krasoń**

**Head of Division for Implementation of International Agreements  
in Szczecin**

## **Deluge of Swedish applications**

### **The anniversary of Poland's access to European Union**

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Each anniversary is an extraordinary holiday and an event during which the achievements are assessed and new goals and tasks are set. The anniversary also encourages reflection, memories and thoughts...

The year 2019 marks 15 years since a group of enthusiasts started, under my leadership, to perform the tasks related to handling pension claims subject to EU coordination.

### **The origins of the Szczecin Division for Implementation of International Agreements**

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I remember this very well: when taking over the leadership of the newly established organizational unit, I was aware that success could be achieved with a group of collaborators open to new challenges. It soon turned out that only the hard work of the whole team and its determination would allow to overcome obstacles and achieve satisfaction.

In order to ensure the correct performance of tasks, I initiated a number of organizational actions. The most important task was to build a strong team of employees with broad competences.

Due to our division's need to cooperate with 8 EU/EEA countries, whose national languages were not too popular and common, my priority was to recruit people with knowledge of a specific group of foreign languages. As a result, I have employed two people with knowledge of Swedish and one person with knowledge of Lithuanian. In the situation of a large inflow of applications from Sweden, I decided that Swedish would become a routine language in the current work of the division, which has indeed been confirmed over the next years.

## Challenges: training system and bank contract

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The main purpose of our activity was to grant the right to pension benefits, which required our employees to have excellent knowledge of both Polish pension legislation and the provisions of EU regulations. For these reasons, I have introduced, together with Joanna Krajewska, being a substantive leader of our unit, a comprehensive training system for people recruited for work. Regardless of the ongoing training process, we had to carry out the current tasks. Out of concern for the quality of handled cases, each decision made during a period of two years was subject to super-approval by Ms. Krajewska.

It was also important to select a bank that would meet certain requirements related to foreign transfers and to sign an individual contract with that bank. Signing a contract with the bank did not entail the necessity to maintain the procedure and rules of awarding public contracts, because the expected amount of transactions, i.e. transfers of benefits by the end of 2004, did not exceed EUR 6,000.

In my inquiries addressed to commercial banks, I expected that the best offer would mainly include:

- a possibility of transfers in PLN,
- selection of the best banks-correspondents, guaranteeing the speed of banking operations,
- the optimal level of bank fees and commissions.

Examination of the received proposals had shown that Citibank Handlowy offered the best service conditions, and it became a partner of our institution for the next few years. Ms. Mariola Puchała, an employee of our division from the very beginning of its establishment, supervised the payment process in excellent manner.

## Deluge of Swedish applications and a customer-friendly attitude

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Already in the second half of 2004, we were subject to the “Swedish deluge”. Swedish institutions responsible for granting disability pensions started to send numerous application forms, indicating the date of submitting the application remote from the date of Poland’s accession to the EU. For obvious reasons, these applications could not be handled by us and were subject to the prolonged explanatory proceedings with foreign institutions. A solution was found only after the intervention of the Foreign Pensions Office Director at the level of liaison institutions, and we were able to process these applications.

An employee of our division, posted to work in the Medical Certification Division, helped in translation into Polish of medical documents attached to applications, and after the arduous investigation process *in absentia*, cases were referred to us to issue a deci-

sion. Needless to say, that the number of applications waiting for final settlement had accumulated and we had to work overtime.

One of the important elements of our work was, and still is, customer service, bearing in mind that the customer usually expects good quality and timeliness of cases handled by the division. In the quest for higher level of customer service, we have prepared a guide titled *Vademecum of a Professionalist in customer service*, which systematized and standardized staff behaviour in the field of customer service culture.

Only after taking over the customer service by callcentre (Centrum Obsługi Telefonicznej), the employees of our unit were relieved from this challenging and responsible task. The current form of contact with the customer via callcentre meets both our expectations and expectations of our customers.

## Assistance for the Polish community abroad

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International cooperation is one of the key directions of development of our division. For almost 10 years, we have been actively participating in meetings with Polonia as part of the counselling days. Initially, on the initiative of the General Consul of the Republic of Poland in Stockholm, the representatives of our division visited Polish communities in Malmö and Stockholm already in 2008.

Subsequent visits to Sweden and other Scandinavian countries were the result of a declaration of cooperation signed between the Social Insurance Institution and the Ministry of Foreign Affairs. The employees of our division participate each year in the counselling days to help compatriots in their efforts to obtain Polish pension benefits subject to EU coordination, and to inform about applicable national and international law. These actions translate into the results of our work, because they often shorten the time of handling applications and build a very good relationship with our customers.

## Challenges for the coming years

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Fifteen years is not only a beautiful anniversary, but also a time for serious conclusions – the time to assess the effects of own work, but also the time to set new paths.

Being a kind of a showcase of our institution, we must continue to work on maintaining a specific organizational culture that will consolidate the system of binding rules, group solidarity and commitment of all members of the team. It is a very complicated and difficult process, but effects of our efforts will be invaluable in the future. It is true to say that people are the key to success.

I am convinced that, as before, we will have heads full of fantastic ideas aimed at improving the conditions for the functioning of our unit.

I would also like to emphasize that this anniversary means first of all 15 years of hard work, thousands of hours spent on files and regulations, but also millions of happy moments during joint meetings and trainings organized by our Department. On behalf of myself and my colleagues, I would like to thank for help and support.



## JOLANTA KRASON

Economist. A graduate of the Faculty of Engineering and Economics at the Szczecin University of Technology.

After graduating, she gained her first professional experience in the organization department of the Port of Szczecin-Świnoujście. Over the next few years, she held managerial positions at the Szczecin Branch of Bank Handlowy w Warszawie SA. She has extensive professional experience in handling foreign trade transactions and in customer service standards.

Specialist in the field of foreign transfers. She used her knowledge and experience at the newly emerged unit for Implementation of International Agreements in ZUS, to implement, in cooperation with the bank, payment of pension benefits abroad. For 15 years till the present she has been the head of the unit for Implementation of International Agreements in Szczecin. She supervises the proper functioning of the division based on the applicable regulations and procedures. She ensures that all members of the team adhere to ethical rules. She attaches great importance to maintaining proper interpersonal relationships in the team managed by her and to the quality of customer service. She actively participates in the counselling days organized annually. Her motto is: "By falling down you can go very far – but you cannot fall down and don't get up." – Goethe.

**Gunnel Vilén**

Swedish law expert in Consensus III programme

## **Following Swedish path to the EU**

### **Memories from the Consensus III programme**

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It was a real challenge for me to enter this project and I enjoyed very much our discussions at our meetings and the great interest showed to our efforts and I have understood that the cooperation between our two countries work out smoothly.

### **Swedish path to the European Union**

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I had become an expert in the field of social security in Europe before Sweden accession to the European Union. In the beginning of 1992 I was given the responsibility for the education of the staff at the social insurance offices in Sweden both at local and regional level. The reason for this education was to teach the staff the EEC regulations when the EEA Agreement was supposed to enter in force 1 January 1994.

The EEA Agreement concerning Austria, Finland, Iceland, Liechtenstein, Norway and Sweden entered into force as supposed 1 January 1994. Only a year after, Austria, Finland and Sweden became full Members of the Union.

Sweden, Finland and Austria had been covered by the EEC Regulation No. 1408/71 and its administrative regulation No. 574/72 since 1 January 1994 but had had no rights to impact on the legislation. As full Members from 1 January 1995 they could now enjoy the benefit to have impact on the legislation and not only be forced to apply its provisions in different areas.

As future Member State Sweden got no help from EU but had to educate the staff itself by writing guidelines for example.

### **Another EU expansion – easier start into the coordination**

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During the years to come 10 other European countries applied for membership and now it was possible to apply to the Commission for both judicial and other kind of support.

Sweden among other Member States gave proposals to the European Commission on how to help Poland and Slovenia to implement the Regulation No. 1408/71. When it was clear that the Swedish proposal had been accepted Sweden started the preparations together with our Polish colleagues deciding on times and places for meetings to come.

I as a legal expert had to study the Polish legislation on pensions in order to find out which provisions in the regulation were applicable (mandatory).

What was most important was to get the clerks to understand and apply the main principles in the Regulation such as:

- equality of treatment,
- one applicable legislation at the time,
- take into consideration periods earned in other Member States when necessary for the right to a benefit,
- exportability of benefits and for pensions,
- the pro rata calculation method.

Principles that at that time many Member States found it difficult to apply.

As I had worked with interpreting the legislation in Sweden's bilateral conventions on social security for many years I had no greater difficulties to understand the principles in the Regulation.

Since 1 December 2012 I no longer work.

My last task at the Pension Authority was as expert to the social ministry when the ministry negotiated with South Korea in Seoul. I have enjoyed my work tremendously and especially the work with Poland and the other Member States. Good luck!



## **GUNNEL VILÉN**

Was born in Stockholm 4 November 1945. She studied law at the University of Lund and started to work at the National Social Insurance Board of Sweden in June 1971 as an ordinary clerk. In September 1973 she began to work as legal advisor at the same authority (judge in the first court). Later on she has worked at the Swedish Pensions authority. During the same time she has also worked as an expert to the Swedish Social Ministry.

**Danuta Maria Kubiak**

**Deputy Director for Benefits at the First ZUS Branch in Łódź**

## **Training recorded on VHS and Greek communists**

### **How an international pensions unit in I ZUS Branch in Łódź established**

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I have been dealing with international benefits for over 15 years. From the very beginning, I was responsible for creation of an international benefits division in I ZUS Branch in Łódź and I support and supervise this division to this day.

Before Poland's accession to the European Union, we had been implementing in Łódź, from 1 October 2003, a bilateral social security convention with the Kingdom of Spain. As a result, we had very short, but very valuable experience in practical application of international law in the field of social security. This was due to the fact that the Polish-Spanish Convention on Social Security was based on very modern coordination standards, similar to those governed by EU Regulations Nos 1408/71 and 574/72.

From May 2004, my division was transformed into the Division for Implementation of International Agreements. Our scope of activities has been also extended to other countries, in addition to Spain, i.e. Greece, Cyprus, Malta, Portugal and Italy.

### **Step by step towards knowledge**

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We had assumed that we would perform these tasks in a team composed of 15 people, but it was quickly apparent that our team had to be strengthened. We recruited not only specialists from other ZUS units involved in benefits award and in changing their amount, and those dealing with initial capital, records and payments, but also people from outside, mainly those who had language skills.

We started the process of building team's competence in the branch with the training, that I conducted personally, on the rules for awarding and changing the amount of pension benefits, the rules for calculating the initial capital resulting from the Polish legislation.

In March 2004, the entire team of the Division for Implementation of International Agreements, together with representatives of the Legal Service Division and the Medical Certification Division of our branch participated in the training in the Regional Training

Centre in Szczecin. The staff of the Division for Implementation of International Agreements from Szczecin also attended the training. The managerial staff of the Foreign Pensions Department trained us for a week on the coordination rules resulting from EU Regulation No. 1408/71 and also on the procedures and liaison forms set out in the EU Implementing Regulation No. 574/72.

The entire training was recorded by ZUS employees in Szczecin and made available to us on four VHS cassettes. It was very useful material: we played the cassettes in Łódź for many months, in every free moment, to consolidate our knowledge. We have also used them to train new employees. For this purpose, the division has been equipped with a TV set and a video recorder. Some employees even took home the cassettes to polish their substantive skills.

We looked for different sources of information on the social security systems in other countries, in particular the countries with which we had to cooperate. The training and information materials that were the result of the Consensus programmes, funded under the EU's PHARE programme, proved invaluable.

We also participated in workshops organized as part of the Consensus IV programme, conducted by Spanish experts. Discussions during these meetings showed us that different countries interpret and sometimes even apply international agreements in a different way and that other countries have legal regulations that we have not known earlier.

Common problems, cooperation with many countries with different rules for establishing the right to pensions and determining the amount of benefits – it was the time to learn the practical application of highly complex provisions of EU regulations and to exchange experiences.

## Practical exam

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We are learning all the time how to understand our partners from foreign institutions. This is due to the fact that both our national social security system and the legislation of other countries is changing. We also learn modern history from our clients. Based on their biographies, which they are eager to describe, we learn about events from the history of post-war Europe.

The first application forms, that came to our division after May 2004, related to Greek citizens who requested a resumption of payment of old-age pensions, disability pensions and even pensions of war invalids, suspended in the 1980s due to leaving the country.

We wondered how they have come to Poland, how long they have been staying in our country, why their dates of birth on employment documents in Poland differ from those provided to us by the Greek institution? It turned out that these people were Greek communists – political refugees after the civil war in Greece. They had been resettled to Poland and other countries of the socialist bloc with their families, being vulnerable to acts of persecution in Greece.

About 14 thousand emigrants, including 3,100 young children, came to Poland. The children were sent to special homes. They were not able to determine their date of birth and sometimes even their name. They were registered without documents: sometimes a child's height, the moment when he or she came to Poland determined the date of birth in Polish official registers. It has caused many problems, in particular, with determining whether the application forms sent by the Greek institution really concerned people who have been working in Poland.

Another challenge was connected with the indexation and grossing-up of benefits that were suspended in the 1980s due to going abroad. After joining the EU, many Greek citizens applied for the resumption of payment of earlier suspended benefits. We had to recall the rules of pensions indexation applicable from 1 November 1993 and the rules of grossing-up the benefits applicable from 1 January 1992 (with or without a veteran supplement). We had to teach new employees everything from scratch. IT systems were not adapted to such cases. So we had to make calculations by hand and enter ready-made indicators into SI Rentier. We have been looking for old guidelines on benefits indexation and grossing-up in ZUS archives. We had to learn the rules that have long since been forgotten by the benefits division.

## 15 years full of challenges

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I have fond memories of this time, all those passionate challenges related to establishing contacts with foreign institutions, creating a division and building a team, which was responsible for comprehensive international services: from the receipt of an application to the payment of benefits. It was a time of learning but also the time of integration and establishing friendly contacts that have survived to this day.



### DANUTA MARIA KUBIAK

From the beginning of her professional career, she has been associated with the benefits division of the I ZUS Branch in Łódź. She started work on 9 November 1981 as a senior clerk in the Pensions Awarding Division. For many years, she has managed pension units, which have comprehensively implemented tasks in the field of long-term benefits. She also organized the Initial Capital Division, being its head until 4 September 2003. From 5 September 2003 she was the head of the Division

for the Implementation of the Polish-Spanish Convention, and then – from 1 May 2004 – the head of the Division for Implementation of International Agreements. On 1 January 2010 she was appointed a Deputy Branch Director for the Benefits. A co-author of the guide *Employee income components to be included in the basis for the assessment*

*of pension benefits and the initial capital*, well known to employees and employers. An initiator of changes, actively implementing innovations, contributing to the perception of ZUS as an institution open to clients. During her professional career she has managed many projects, which to this day constitute an operating model for others, such as the cooperation with the media during the introduction of the initial capital and creation of an international benefits division in the Branch. Since 2011, she has repeatedly participated – using her competences and providing reliable advice – in the counselling days in the field of social insurance for Poles working or living in such countries as: Italy, Greece, Canada and the United States.

In her life, she is guided by the motto of Theodore Roosevelt: “Where men are gathered together in great masses it inevitably results that they must work far more largely through combinations than where they live scattered and remote from one another...”

**Maria Teresa López González**

**A short-time expert in the twinning covenant between Spain and Poland**

## **A huge demand for knowledge**

### **Memories of Consensus IV programme (PHARE)**

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The PHARE Programme was the main instrument through which European Union assistance was channelled to the Central and Eastern European Countries (CEECs), candidates for full membership of the Union. Training activity aimed at improving the professional aptitudes of the human resources that would apply the coordination rules, of Poland institutions in the coordination of social security schemes.

Taking into account the heterogeneity of the groups to which the training activities were aimed at, such activities were designed and programmed according to the precise needs of each one of these groups.

### **Sound preparations**

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During Consensus IV programme were organised high-level seminars – both in the candidate country and in Spain – imparted by experts in the mechanism of co-ordination of social security in the European Union. During these seminars, the theoretical questions raised by the mechanism of coordination of social security were highlighted, as well as the basically practical ones. This way, it were possible to analyse all the questions set out by the sphere (personnel, material, territorial and temporal) of application of community Regulations, as the general principles that rule the regulation of the social security of migrant workers at intra-community level. With this purpose, special emphasis was put at preparing civil servants who already had specific qualifications in the application of coordination rules regarding social security.

Such courses were imparted basically by Spanish officials with a practical depth knowledge of the application of the Regulations Nos 1408/71 and 574/72. This way, special attention was paid to the difficulties that the application of the rules of coordination entailed, as well as to the mechanisms employed to overcome those difficulties. Therefore, the objective sought by these courses and workshops is to achieve the familiarization of the Poland's officials with the procedures and mechanisms of practical application of the principle of coordination in the field of social security. For all this, the community forms were used, among other, as work tools.

One of the conditions for facilitating their integration was that the candidate countries should be able to adopt the *acquis communautaire*, i.e. the set of rules and provisions adopted at Community level, with the necessary institutional structure to implement and comply with it. This institutional reinforcement was realised by sending experts from the Member States to the Poland public administrations and I was one of the experts sent by Spain to participate for a few months in a twinning project.

## From Spain to Poland

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My participation in the twinning project was possible because the subject matter to be transmitted was adapted to my professional experience at the Social Security National Institute (INSS) in Spain: international pension management, which was the profile required at the time by ZUS.

In addition, a few years earlier, I had actively participated with ZUS colleagues in the implementation of the bilateral agreement between Spain and Poland that came into force on 1 October 2003. Precisely, because of the preparation of the bilateral agreement, I travelled to Warsaw for the first time in September 2003, where I had the opportunity to meet, among others, Marta Godloza, with whom I would later coincide in the twinning and of whom I have a fond memory.

The collaboration on pensions initiated between Spain and Poland as a result of the negotiation and implementation of the bilateral agreement was the seed that would lead to subsequent twinning project.

My work was called “Short-Term Expert” and I was in charge of imparting seminars on the application of the Community regulations in the pensions branch.

The experience was an important professional attraction for me, I was advised that the programme would only be successful if the participants in the project, in this case ZUS staff, was fully determined to carry out reforms that would transform or strengthen the procedures of the candidate countries and even create them. For this it was necessary that I was able to collaborate actively transmitting my knowledge on the subject and involving in the project the participants in the seminars that were given on Community Regulations Nos 1408/71 and 574/72.

## To absorb knowledge like a sponge

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We were required to prepare the texts to be delivered to the participants in the seminars in time for them to be translated, edited and published in Polish. We used didactic support material: transparencies, graphics, etc. These materials were also translated, to guarantee a greater diffusion and efficiency of the programmed seminars. The teaching activities were provided in Spanish, with translation (simultaneous or consecutive).

The most challenging part of the project, for me, was to prepare the knowledge that I had to share with my ZUS colleagues. After that experience, I have participated in other similar international projects, so I can say without fear of being mistaken that my most difficult experience was with ZUS in Warsaw.

The main difficulty was in the audience's demand, our Polish colleagues were like a sponge, they absorbed all the knowledge that we were able to transmit to them and time and again they raised issues that we, experts, considered complex and even they noticed some "gaps" that the regulations had not managed to regulate. We were lucky to have some magnificent translators who ended up knowing perfectly the social security vocabulary that we technicians usually use as: "pro rata temporis", or "anti-cumulo rules"...

Before each Warsaw trip we prepared our tasks to develop the committed programme and asked our ZUS colleagues to submit their doubts and practical cases to be solved together in order to implement all the subjects that were part of the twinning project. We have drawn several conclusions and experiences from those case studies:

- Our Polish colleagues were excellent professionals, which meant that we sometimes had to investigate in order to give a suitable response on the application of the Regulations, which was also useful for us to improve and progress in our knowledge.
- Their questions and the cases they asked answered perfectly to the practical situation they had to face.
- Their evolution in knowledge of Community Regulations was impressive.
- We learnt from them Polish legislation and they raised their doubts which often corresponded to gaps in the law which they taught us to discover.
- We admired the enthusiasm they had for the challenge they were facing.

In our seminars, we explained the existence of a computer program, developed by INSS, for the processing of pension dossiers under the Regulations. Within the project and at the request of our colleagues from ZUS, INSS experts were invited to Warsaw to explain in detail the operation of the program.

## Professional brotherhood

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Fifteen years later, our colleagues from ZUS are great experts in the application of Community regulations, with whom we share worries and sometimes together we raise doubts in the Commission. In many cases we have a very similar point of view on the problems we identify.

We are really like brothers, professionally speaking, and it is really easy for us to communicate, in fact, we have met on numerous occasions and we have a regular epistolary relationship, through which we share doubts and solutions.

But, not everything was work, there was also a leisure part, I had the opportunity to visit Warsaw and its environs, I loved the city and in fact returned on some other occasion

to remember “old times”. My ZUS colleagues showed me great restaurants that I have advised my friends when they visit Warsaw, and they have always congratulated me on the recommendation.

In addition, in Warsaw, my love for opera was born, I had the opportunity to attend several performances and there I discovered the beauty of “bel canto”.

I am grateful for the possibility of sharing with you my reflections and my memories of a stage that, professionally and personally, contributed a very enriching experience.

I am very happy to continue to participate with my Polish colleagues, together we can still continue to advance in our knowledge and improve our procedures, so that when our workers reach the end of their working lives, we will be able to solve their pension in an easy way, without borders getting in the way.



## **MARIA TERESA LÓPEZ GONZÁLEZ**

She is an alumna of Complutense University in Madrid. She studied political science and journalism. Since 1997 she works as a civil servant in Spain’s Social Security National Institute (Instituto Nacional de la Seguridad Social, INSS). She is responsible for the international management and procedures of pensions and health care under international provisions. She was selected for the Consensus IV programme, developed to strengthen institutional and administrative

capacity of Polish and Slovakian component institutions in order to apply EU acquis in the field of the coordination of social security. She also participated in SOCIEUX Action 2014 programme in Chile and CARSAT programme in France.



**Andrzej Szybkie, director of ZUS's Foreign Pensions Department, and Christoph Schnell, International Law Division of Deutsche Rentenversicherung Bund; the signing of protocol of the arrangements between liaison bodies; Warsaw, 20 October 2017.**

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FOR the **INSURED**

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