



Newsletter HR

June 2022 | www.skslegal.pl

New draft law on implementing the 'work-life balance' directives

On 6 June 2022, a new draft law aimed at implementing two directives related to work-life balance was published on the website of the Government Legislation Centre. EU member states have until 2 August 2022 to implement the directives.

Work-life balance solutions for employees who are parents:

- 1. Parental leave** will be extended to:
 - **41 weeks** - in cases of giving birth to one child; or
 - **43 weeks** - in the case of multiple births.
- 2. Care leave of 5 days per calendar year** to provide personal care or support to a family member or a person living in the same household who requires support for medical reasons. The employee's request will have to be made at least 1 day before the leave is taken.
- 3. Force majeure leave** of 2 days or 16 hours per calendar year. During this leave, the employee is to retain the right to half pay.
- 4. Reduction of the period for taking paternity leave** from 24 months to 12 months counted from the date a child is born.

- 1. Flexible work organisation** at the request of an employee taking care of a child up to 8 years of age.

Other proposed changes:

- 1.** An additional 15-minute break for employees working more than 9 hours, and another 15 min for those working more than 16 hours.
- 2.** An employee employed with a given employer for at least 6 months will be able to apply for a change in the form of employment to one with more predictable or safer working conditions. This will not apply to an employee employed under a probationary contract. In the case of refusal, the employer will have to indicate the reason for not granting the request.
- 3.** Training of employees (when the employer is obliged to conduct such training) which is necessary to perform a specific type of work will take place at the employer's expense and, if possible, during the employee's working hours. The time of training taken after the employee's working hours will count as working time.
- 4.** An employer will not be able to prohibit an employee from simultaneously remaining in an employment relationship with another employer or from simultaneously remaining in a legal relationship which is the basis for the provision of work other than an employment relationship. An exception to this rule will be the conclusion of a non-competition agreement.

Amendment to the Act on Employee Capital Plans

The amendment to the PPK Act was promulgated on 20 May 2022 and most of the new provisions came into force on 4 June 2022. The amendments aim to simplify the operation of PPKs.

The most important changes are:

1. It will be possible to conclude a PPK agreement for a new employee after 14 days of employment, but no later than on the 10th day of the month following the month in which the 3-month employment period expired.
2. Employers who are contributors without an "identification number" NIP or REGON will be given the status of an employing entity.
3. The conclusion of a PPK agreement for an employee between the ages of 55 and 70 is to be preceded each time by an application from the employee.
4. The declaration of an additional payment to the PPK will be effective from the month following the month in which it is submitted.

Double the increase in the minimum wage in 2023

The government has passed a bill to double the increase in the minimum wage next year. Such an increase is undoubtedly due to record inflation and, according to statutory guarantees, if inflation exceeds 5%, the minimum wage should be indexed twice.

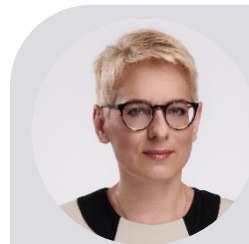
As announced, next year's valorisation will take place in two stages. From 1 January 2023, the minimum wage will amount to PLN 3383 gross, and from 1 July 2023, it will increase to PLN 3450 gross.

Another amendment to the Act on assistance to citizens of Ukraine

Employers entrusting work to Ukrainian citizens under Article 22.1 of the Act on assistance to Ukrainian citizens in connection with the armed conflict in the territory of that country and certain other acts, will be required to provide in the notification to the district employment office:

- a monthly or hourly remuneration,
- the number of hours of work entrusted to foreigners.

The purpose of the amendment is to guarantee foreigners work under conditions not worse than those indicated in the notification.



Contact us

Agnieszka Fedor

Partner, attorney-at-law

☎ +48 505 782 677

✉ agnieszka.fedor@skslegal.pl



Maja Górawska

Junior Associate

☎ +48 881 023 585

✉ maja.gorawska@skslegal.pl

