

Newsletter HR

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Extension of Remote Work Period

The amended Act on the posting of employees to provide services enables employers to extend the period of remote work. Pursuant to the new wording of the regulations, an employer may choose to recommend remote work during a state of epidemic or epidemic emergency, as well as for 3 months from the day of announcing its cancellation. It means that the remote work is becoming a permanent part of the employment relationships, and the Labor Code should regulate its prevalence in detail.

The other rules for working from home remain unchanged. Pursuant to the regulations introduced by the Anti-Crisis Shield, the employer's recommendation to perform remote work requires neither the employee's consent nor consultation with trade unions. The recommendation may be withdrawn at any time. Remote work may be recommended provided that the employees have appropriate technical means and premises enabling them to perform remote work and the work may be performed remotely. According to the provisions of law, the employer is responsible for providing the necessary tools needed to perform the work. However, the legislator envisages the possibility of remote work with the use of the employee's equipment, if it guarantees security of the processed information.

Minimum Wage Increase in 2021

According to the government's announcements, in 2021 the minimum wage shall be increased to PLN 2,800 monthly, with the minimum hourly rate of PLN 18.30. The planned increase in the minimum wage affects other components of the remuneration calculated on its basis, i.e. the remuneration for ordinary work stoppage or a bonus for night work. It will be followed by other increases of the amount of severance pay in the event of group redundancies (currently limited by the Anti-Crisis Shield), the amount exempt from deductions and the minimum amount of compensation claimed by an employee mobbed at the workplace or whose right of equal treatment was violated. The relevant departments are currently working on the bill.

Whistleblowers under Protection

The government has resumed works on the bill on the liability of collective bodies. As announced, the new regulations are to expand the grounds for entrepreneurs' liability for prohibited acts, as well as to introduce mechanisms protecting whistleblowers, i.e. persons revealing irregularities in the operations of a given entity. The announced amendments will introduce additional protection for persons reporting irregularities in a company. How exactly will the whistleblowers' employment be protected? We do not know it yet because the bill has not been published. The previous bill provided for the protection of whistleblowers against repressive actions, discrimination and unfair treatment, and in particular it authorized labor courts to award compensation for the entire period of unemployment if the employment relationship was terminated due to revealed abuses.

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