



# HR Alert

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## Remote work – a new bill proposes new solutions

Works on the amendments to the Labor Code in the scope of regulating remote work have been contributing to considerable controversies for several months now. After publication of the first bill, both employers and trade union representatives reported a number of comments and objections. At the end of July, another bill amending the act - the Labor Code and some other acts was published. The main assumptions of the amendment remained unchanged, however the new version of the bill makes previous proposals more precise.

### Below we summarize the latest version of the bill

- The working time of occasional remote work has been extended. According to the new version of the bill, an employee will be able to work remotely for 24 days in a calendar year (the original version of the bill provided only for 12 days a year). Occasional remote work will be possible at the employee's request, approved by the employer.
- The bill stipulates that the employer will be obliged to approve the application for remote work in the case of employees raising under 4-year old children. The new version of the bill also expands this group by adding employees caring for another member of their immediate family or another person remaining in the same household, with a disability certificate or a certificate of moderate or severe disability. The employer will be able to withhold its consent only if, due to its organization or type, it is impossible to provide remote work.
- The employer will have to ensure the necessary technical equipment to the employee to perform remote work.
- Remote work may be performed at the employer's request, during the period of the state of emergency, epidemic threat, epidemic, and also when it is not possible to ensure safe and healthy conditions at work due to force majeure. The request to perform remote work will not require the employee's consent, however, the new version of the bill assumes that the employee will have to make a declaration on having appropriate premises and technical conditions to perform remote work.
- The employer will be obliged to revoke the remote work request if premises and technical conditions affecting the possibility of performing remote work change. The employee will have the obligation to immediately notify the employer of any change in these conditions.
- Both the employer and the employee have been granted the right to apply for cessation of remote work. The application may be submitted at any time, and not within 3 months from the date of commencement of remote work, as previously assumed.
- The bill also clarifies the issues related to occupational health and safety and accidents at work. In the event of health and safety breaches, the employer may request the employee to remove them within the set deadline or revoke the consent for remote work. The regulation, according to which reporting of an accident at remote work to an employer meant the employee's consent to the inspection of the accident site, has been deleted from the new bill. The new bill stipulates that the accident site may be inspected after the accident at remote work has been reported within the deadline agreed by the members of the accident investigation team and the employee or his/her household member, if the employee is unable to agree on the deadline due to his/her health condition.
- Following the trade unions' demands, the new bill specifies in more detail the regulations on settlement of remote work costs. According to the proposed amendments, employee performing remote work will be entitled to a cash equivalent in the amount agreed with the employer.



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