



30
YEARS



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Newsletter HR

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Lifting of some COVID restrictions

After more than two years of the pandemic, a Council of Ministers' regulation lifting COVID restrictions came into force on 28 March 2022. Under the new regulations, there is no longer an obligation to cover the mouth and nose in enclosed spaces, including workplaces. The obligation to wear masks has been retained only in medical entities and pharmacies.

In addition, the isolation of people suffering from COVID-19 has been terminated. Such individuals will receive sick leave on a regular basis and will not be subject to compulsory isolation during the illness. Quarantine after arrival from abroad has also been lifted.



Law on assistance to Ukrainian citizens

As a result of the war which has been raging on Ukrainian territory for over a month and the huge migration of Ukrainian citizens fleeing to Poland, the Law on assistance to Ukrainian citizens came into force in March. It grants Ukrainian citizens and their spouses automatic protection in Poland by legalising their stay for a period of 18 months and also enables them to work under even simpler rules.

The law provides protection to all Ukrainian citizens and their spouses who entered Poland on or after 24 February 2022, regardless of the border they crossed when entering.

If a Ukrainian citizen does not have a stamp on their passport confirming that they entered Poland during the war, they have 60 days to register their stay by applying for a PESEL number in any municipality.

All Ukrainian citizens who entered Poland during the war can apply for a special PESEL number.

In addition, citizens of Ukraine who stay in Poland legally under the special law's provisions or previous legal regulations have the right to work based on the employer submitting a notification to the district labour office on the entrustment of work to a foreigner submitted, within 14 days from the start of employment.

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The Law on the Defence of the Homeland – new obligations for employers and employees

The Law on the Defence of the Homeland regulates, i.a. widely understood issues related to defence and military service, but also imposes new obligations on the parties to an employment relationship. The law was announced in the Journal of Laws of the Republic of Poland on 23 March 2022 and is expected to enter into force 30 days after its announcement.

What should employers pay attention to?

1. An employee called up for compulsory military service or territorial military service cannot have their employment contract terminated without his/her consent. Exceptions are:
 - employment contracts concluded for a probationary period or a fixed term of up to 12 months,
 - termination due to the employee's fault, bankruptcy, or liquidation of an enterprise, and
 - collective redundancies.

2. An employee undergoing basic or specialist training while performing voluntary military service is entitled to unpaid leave.
3. The right to terminate the employment relationship of the spouse of a soldier who is performing compulsory basic military service has been restricted. Such an employment relationship may only be terminated due to:

- the fault of the employee, or
- the employer's bankruptcy or liquidation.

Employees and persons employed under civil law contracts who have been summoned to appear in person before a competent authority in matters of compulsory military service are entitled, at their request, to receive compensation for lost earnings if they have not received remuneration for that time.

Government draft law on some contracts concluded electronically

The draft law provides for the launch of a tele-information system enabling the drawing up of employment contracts and their conclusion and registration with the Social Insurance Institution. The draft is at the consultation stage which means that it may still be subject to change. We present the main assumptions of the draft below.

In the tele-information system, it will be possible to prepare:

- employment agreements for a probationary period, for an undefined period, and for a fixed period,
- mandate agreements,
- contracts for the provision of services,
- contracts with a nanny concluded based on the Act on the care of children under 3 years, and
- harvest assistance contracts with farmers.

The system is to enable the conclusion, amendment, and termination of contracts on the indicated templates. In addition, it is to allow the calculation of the amount of leave to which the employee is entitled, and perform other activities under the contract. These will include, i.a. keeping and storing documentation related to the employment relationship and personal files, as well as issuing certificates of employment.

To conclude a contract, the parties will have to provide a qualified electronic signature, a personal signature, or a trusted signature. A personal signature or a trusted signature will be equivalent to a handwritten signature.

After the conclusion of an agreement via the system, declarations of intent, requests, and documents relating to the employer or principal will obligatorily be submitted via the system. The parties will receive an SMS notification to a designated telephone number and a message to an e-mail address about the changes in the system. All declarations of intent, request, and documents are deemed delivered when they are read in the system or, if not read, within 14 days the notification being sent.



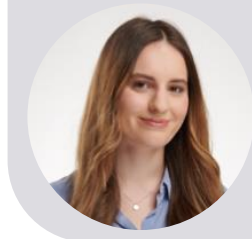
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