

Newsletter HR

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New draft law on collective disputes

A draft law on collective disputes has been published on the website of the Government Legislation Centre. The draft law is intended to be a complex regulation that will replace the current law on the resolution of collective disputes.

The main features of the draft are as follows:

1. Extending the definition of the subject matter of a collective dispute to all collective matters in which trade unions represent persons in remunerated employment.
2. Extending the possibility to participate in a collective dispute and strike to include all persons in remunerated employment with the employer. The existing legislation only refers to employees.
3. The introduction of judicial review of the legality of a strike referendum.
4. The collective dispute will be allowed to last for a maximum of 9 months with the possibility of an additional 3 months. Until now, there is no time limit.
5. The introduction of so-called "preventive mediation" during bargaining to prevent conflict escalation at this stage.
6. The trade union organisation will be able to make requests by email or in documentary form.
7. The strike may not begin earlier than 21 days after the requests are made.
8. The announcement of the strike should be made at least 7 days in advance.
9. Information on the beginning of the collective dispute will be given to the Minister of Labour. Until now, information was directed to the district labour inspector.

Increase in the amounts of allowances for business trips

On 28 July 2022, a regulation increasing the amount of per diems for business trips came into force. As a consequence, the lump sums for public transport travel expenses and for accommodation have also changed. After the changes, the amounts are as follows:

- a daily allowance for a business trip - PLN 38
- lump sum to cover the costs of public transport travel - PLN 7.60
- lump sum for accommodation - PLN 57

According to the Labour Code, the amount of business trip allowance set by the employer cannot be lower than that specified in the regulation. We recommend reviewing the internal regulations and amending them, if necessary, so that they are in line with the applicable regulations.

Electronic residence permit on the territory of the European Union for Ukrainian citizens

Diia.pl is an electronic document issued to Ukrainian citizens who crossed the Polish-Ukrainian border after 24 February this year was added to the catalogue of residence permits. It is the first fully digital residence permit in the European Union. The document has been added to the catalogue of residence permits, which means that, together with a valid travel document, it allows both residence on the territory of the Republic of Poland and residence on the territory of other Schengen countries for up to 90 days in the last 180 days.

Ukrainian citizens can use the Diia.pl document in the "mObywatel" application after obtaining the UKR PESEL number and activating the trusted profile. The trusted profile can be accessed at the office when applying for a UKR PESEL number or at a later date by submitting an application at any municipal office.

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