

# Newsletter HR

October 2022 | [www.skslegal.pl](http://www.skslegal.pl)

## Extension of the state of epidemic risk

In accordance with the regulation issued on 29 September 2022, the state of epidemic risk has been extended until 31 October 2022. Once again, we are highlighting to employers the consequences of lifting the epidemic risk which we detailed in our September newsletter: [LINK](#).

## Double increase of minimum wages in 2023

As of **1 January 2023**, the minimum remuneration will increase to **PLN 3,490** (currently, PLN 3,010) and the minimum hourly rate to **PLN 22.80** (currently, PLN 19.70).

The next increase will take place on **1 July 2023** and the amount of the minimum wage will increase to **PLN 3,600** and the hourly rate to **PLN 23.50**.

We should remember that along with the increase in the minimum wage there will be an increase in other benefits calculated thereon. This applies, among others, to

- **remuneration for work stoppage**, not be lower than the minimum wage;
- **remuneration for the month, when the employee does not perform work due to the schedule of working time in the assumed settlement period** (also this amount may not be lower than the minimum wage);
- **a bonus for night work**, amounting to 20% of the hourly rate resulting from the minimum wage;

- **severance allowance** under the Act on special rules for termination of employment relationships for reasons not attributable to employees;
- **the minimum amount of compensation to which an employee is eligible when the principle of equal treatment in employment was violated** (Article 18(3d) of the Labor Code).

## Visa restrictions and limitation of labour market access for Russian citizens

In mid-September, the EU suspended the applicability of the visa facilitation agreement with Russia which was established in 2007. This means that the price of a Schengen visa for Russian citizens has increased from €35 to €80. In addition, the deadline for processing visa applications has lengthened. Applications are strictly checked; this involves the need to present more documents to justify entry into Poland. From 26 September 2022, the entry to Poland of Russian citizens for economic, sporting, tourist, or cultural purposes is banned.

Following the above restrictions, on the Government Legislation Centre website, a draft regulation was published that abolished labour market access facilitation for Russian citizens. The restriction is to consist of removing the Russian Federation from the list of countries whose citizens can:

- apply for seasonal work permits on a privileged basis, and
- benefit from a simplified procedure for the legalisation of work (i.e. declarations on entrusting work to a foreigner).

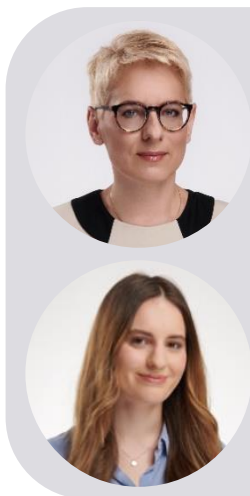
This is a significant change that will restrict the access of Russian citizens to the Polish labour market. Based on already entered declarations, Russian citizens will be able to perform work until the validity of their work permits expire. The current provisions will apply to proceedings initiated before the date of entry into force of the Regulation.

### **Trade union organisations will be able to request information about algorithms and artificial intelligence systems from the employer**

In mid-September, Parliament received a committee draft bill on amending the Trade Union Act. According to the draft, the employer will be obliged to provide, at the request of the company trade union organisation, information on the parameters, rules, and instructions on which algorithms or artificial intelligence systems are based which influence decision making and may affect:

- working conditions and remuneration, and
- access to employment and its retention.

The draft regulation: (a) allows trade union organisations the opportunity to find out what standards apply in the workplace, and (b) aims to adapt the Trade Union Act to the new technological realities. The legislator explains that the lack of access to the above-mentioned information may have an impact on the employees' lack of knowledge of the labour standards that apply to them or the rules according to which they are judged.



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