

# Newsletter HR

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## Obligation for every social security contribution payer to have a PUE ZUS profile

As of 1 January 2023, everyone who pays ZUS contributions must have a profile on the PUE ZUS platform. This obligation applies both to payers paying contributions exclusively for themselves and for other insured persons.

From 1 January 2023, correspondence and settlement documents from ZUS will be sent via the PUE ZUS profile. For payers who will not have created a profile on the platform by the end of this year, ZUS will generate a profile itself.

## Temporary residence permits for Ukrainian citizens

Under the applicable Special Law, Ukrainian citizens who entered Poland after 24 February 2022 and who enjoy protection may apply for a temporary residence permit once 9 months from their date of entry to Poland has passed. This means that, at the end of November, Ukrainian citizens who entered at the beginning of the war will be able to submit an application.

It should be remembered that the procedure to obtain a temporary residence permit is quite lengthy and may take several months. High levels of interest on the part of Ukrainian citizens may also prolong this procedure.

## Extension of the state of epidemic risk until the end of the year

Under the regulation issued on 28 October 2022, the state of epidemic risk has been extended until 31 December 2022. Once again, we highlight to employers the consequences of the risk of epidemic being lifted:

- Employers may instruct employees to carry out remote work under Article 3 section 1 of the Covid law of 2 March 2020 during the state of epidemic risk and for 3 months after it is lifted;
- The validity of all preventive medical examinations of an employee that expired after 7 March 2020 continue to be subject to extension for a period of up to 180 days from the date the state of epidemic risk ends;
- Employers may grant up to 30 days of annual leave not used in previous years to an employee on the date the employer designates and without regard to the plan for leave only during the state of epidemic risk;
- Foreigners residing in Poland whose temporary residence permits, national visas, or short-term residence titles expired during the pandemic still have their legal residence extended up to 30 days after the state of epidemic risk is lifted;
- The validity period of foreigners' work permits whose residence permits expired during the pandemic is still extended to 30 days after the end of the state of epidemic risk.

## Prohibition of wearing religious symbols in the workplace

In October, the Court of Justice of the European Union issued a judgment in case C-344/20, in which it ruled that employers' internal regulations prohibiting the expression of religious beliefs through clothing did not constitute discrimination.

In this case candidate refused to remove her Islamic headscarf during the interview. Wearing any head covering, including the headscarf, was a breach of the applicable neutrality policy at the employer. The candidate considered that the prohibition was a manifestation of discrimination.

The CJEU held that an employer's internal policy, according to which the wearing of visible religious, spiritual or philosophical symbols is prohibited, does not constitute a manifestation of direct discrimination. However, the employer may not differentiate between employees, which means that the prohibition must be general and must apply to all employees without exception.



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