

HRadar | Newsletter

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Changes to the kilometre allowance

On 17 January 2023, the rate of the maximum amount for an employee's use of a vehicle for business purposes was increased, i.e. the "kilometre allowance".

Under the new regulations, the rate per kilometre cannot be higher than:

- **PLN 0.89** - for a passenger car with an engine capacity of up to 900 cc,
- **PLN 1.15** - for a passenger car with an engine capacity of over 900 cc,
- **PLN 0.69** - for a motorbike, and
- **PLN 0.42** - for a moped.

We would like to remind you that the regulation defines the maximum rate of the allowance. If they wish, employers can pay a lower amount per 1 km of vehicle kilometre allowance.

Draft amendment to the regulation of the Minister of Family and Social Policy on employee documentation

Due to the amendment of the Labour Code regarding sobriety checks, new obligations will fall on employers regarding the proper recording of employee sobriety. The draft regulation provides for the following changes:

1. The addition of a new part of the employee's personal file - "E" - concerning data on employee sobriety checks.
2. The documentation to be kept is to include information on:
 - the date and exact time of the test, and
 - the results of the test indicating an alcoholic or intoxicated state or the presence of a drug having a similar effect to alcohol.
3. The data in this part of the file are to be retained for a period not exceeding one year from the date of collection, and where a warning, reprimand, or monetary penalty has been applied, until such penalty is declared null and void.
4. The data retention period may be extended until the final conclusion of proceedings when the information constitutes evidence in proceedings to which the employer is a party.

Another amendment to the Special Law on assistance to Ukrainian citizens

At the end of January, a new amendment to the Special Law on Assistance to Ukrainian Citizens came into force. Please find below a summary of the most important changes:

1. A Ukrainian citizen who enters Poland now has **30 days** to register (obtain a PESEL UKR number). Previously, there was a 90-day limit.
2. All Ukrainian citizens (those who entered before and after 24 February 2022) have an extended stay **until 24 August 2023** under the Special Law.
3. Ukrainian citizens who entered Poland on or after 24 February 2022 have the possibility to apply for a temporary residence permit **from 1 April 2023**. The previous regulations provided for this possibility after 9 months of stay - applications submitted based on previous regulations remain unprocessed. This means that foreigners who have submitted applications for temporary residence permits under the previous regulations will need to submit them once again.
4. **IMPORTANT!** An employer whose employee started employment and has been granted a **temporary residence permit** is obliged to re-register such employment in the Labour Office within 14 days (counted from the delivery of the temporary residence permit).
5. The Special Law confirms that it **is not possible** to enjoy temporary protection simultaneously in two EU Member States.



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