

HRadar | Newsletter

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Work-life Balance Regulations Have Come Into Force

As of 26 April 2023, regulations amending the Labour Code in relation to the implementation of the Work-Life Balance Directive and the Transparent and Predictable Working Conditions Directive Conditions are in force. We encourage you to review the latest amendments, which we wrote about in our last newsletter: [LINK](#).

As a result of the introduction of transitional provisions, an employee who applied for parental leave before the amendment came into force, but did not start it, may take the leave under the new rules. However, a condition for this is that the application for leave must be submitted to the employer again. If the employee does not re-submit such an application within seven days, they will take their leave under the old rules. This means that the employer is obliged to return the old application to the employee.

As explained by the Ministry of Family and Social Policy, failure to return the application to the employee may result in a fine of between PLN 1,000 and PLN 30,000 for violation of the provisions on employees' rights related to parenthood.

A Reminder of the Upcoming Changes in the Certificate of Employment

According to the draft regulation on the certificate of employment, employers will have to include new information in the certificate of employment related to the implementation of the Work-Life Balance Directive and the Transparent and Predictable Working Conditions Directive.

Employers will be required to include information of:

- force majeure leave days used in a calendar year: the employee shall have a maximum of 2 days or 16 hours of such leave in the calendar year, and
- care leave days used in a given calendar year: the employee shall have a maximum of 5 days of such leave in the calendar year.

EU directive on pay transparency

At the end of March 2023, the European Parliament passed a new directive on remuneration transparency. Before publication in the EU Official Journal, the directive must be voted on by the European Council. EU Member States will then have three years to implement the legislation.

We would like to remind you of the main provisions of the directive:

- employers will be obliged to include a salary range or minimum proposed salary for a position at the stage of the publication of a job offer,
- the salary information will have to be given to the candidate before the first interview for employment,
- an employer with at least 100 employees will be required to report the gender pay gap,
- employees who have suffered gender discrimination will be able to claim compensation, and
- violations of equal pay principles by employers will result in fines.



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