

# HRadar | Newsletter

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## Liquidation of telework

We would like to remind you that according to the amendments to the Labor Code, the conditions set forth in the agreement or regulations can only be applied **until 7 October 2023** and employers should repeal telework regulations by this date. After that date, telework will not be possible, and employees and employers will be bound by the regulations on remote work, respectively.

## Court fees in labor cases under new rules

According to an amendment to the Law on Court Fees, as of 28 September 2023, employees are exempted from any court fees in the first instance. Previously, employees were exempt from fees only if the value of the claim did not exceed PLN 50,000.

Under the new regulations, employees are only required to pay an appeal fee of 5% calculated on the value of the claim over the amount of PLN 50,000, but not more than PLN 200,000.

Despite the fee exemption, both employees and employers are required to reimburse their opponents for the adjudicated costs of the lawsuit if they lose.

## Increasing employment guarantees for specially protected employees

We would like to remind you that on 22 September 2023, came into force the amendment to the Law on bridging pensions and certain other laws, under which protected employees gained an increased employment guarantee.

In the case of proceedings for declaring the termination of an employment contract as ineffective or for an award of reinstatement of an employee, the court will grant security by imposing an obligation on the employer to continue to employ a protected employee until the proceedings have become final.

## New rules concerning employee participation in a company resulting from a cross-border transformation, merger or division of companies

As of 15 September 2023, there are new rules for employee participation in companies formed as a result of a cross-border transformation, merger or division. According to the amendment, the following have been specified as forms of participation:

- the right to appoint or elect a certain number of members to the supervisory board or the board of directors;
- The right to recommend members of the supervisory board or the board of directors;
- the right to oppose the appointment of some or all of the members of supervisory board or board of directors.

In addition, the law provides for two models of employee participation:

- in the framework of negotiations with a negotiating team representing the employees;
- as part of the support of the representative team (after the relevant resolution of the competent bodies of the company being transformed, the merging companies or the company being divided).



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