

HRadar | Newsletter

November 2023 | www.skslegal.pl

New requirements for a workstation where an employee uses a laptop

On 2 November 2023, a regulation of the Ministry of Labor and Social Policy on occupational safety and health at workplaces equipped with screen monitors was published in the Official Gazette. According to the regulation, employees using laptops for at least half of their daily working hours should have their workstation supplemented with:

1. a desktop monitor or stand ensuring that the screen is positioned so that its top edge is at eye level, and
2. an additional keyboard and mouse.

Employers now have six months to adapt workstations to the new requirements.

New CJEU ruling on bonuses for part-time employees

In October, the Court of Justice of the European Union handed down a ruling in the case of German Pilot v. Lufthansa CityLine GmbH, numbered C-660/20. In the case in question, a pilot was entitled to additional pay after performing a certain number of hours of flight activities during the month and exceeding the threshold for entitlement to the bonus. However, the threshold for entitlement to the supplement was the same for full-time and part-time pilots.

The Court ruled that the practice of paying overtime allowances to employees on part-time contracts is discriminatory if it requires them to work the same number of hours as full-time employees. In the Court's opinion, part-time pilots are less likely to meet the conditions for the right to additional pay than their full-time colleagues, which leads to unfavorable treatment. Such a practice, according to EU law, is allowed only in objectively justified cases.

Additional day off in return for 11 November 2023

We would like to remind you to set a day off in return for the holiday falling on 11 November 2023. According to the Labor Code, if the holiday falls on a Saturday, the employee is entitled to an additional day off within the adopted pay period. In the case of a top-down designation of a day off by the employer, the employee is not entitled to choose another day off for a holiday falling on a Saturday.

EU directive on corporate sustainability due diligence

The European Union is already finalizing the Corporate Sustainability Due Diligence Directive, which will require businesses to perform corporate sustainability due diligence. The directive's provisions will apply to EU and non-EU businesses that meet the relevant criteria.

The directive aims to:

- promote sustainable and responsible corporate behavior,
- enforcing the protection of human rights in companies,
- support the so-called European Green Deal,
- improve access to legal remedies for those affected by unfavorable corporate management practices that affect human rights and environmental protection.

When companies identify negative activities in the above areas, they will be obligated to prevent or mitigate their effects.



Contact us:

Agnieszka Fedor

Partner, attorney-at-law

☎ +48 505 782 677

✉ agnieszka.fedor@skslegal.pl



Maja Górawska

Junior Associate

☎ +48 881 023 585

✉ maja.gorawska@skslegal.pl