

## Outstanding Medical Examinations and Health and Safety Training

We would like to remind you that on **28 December 2023**, the 180-day deadline for outstanding medical examinations and health and safety training will pass.

Due to the introduction of firstly an epidemic risk state and then an actual epidemic state, the obligation to conduct examinations and training was suspended for the duration of these states. Then, after they were lifted, employers received up to 180 days in which to conduct outstanding training and refer employees for medical examinations. Employers who have not yet fulfilled these obligations should take immediate steps to do so.

We would also like to remind you that with the lifting of the state of epidemic risk, the possibility of conducting initial health and safety training remotely was removed.

## An employer may not share employee health information with its business partners

On 25 November 2023, the President of the Office for Personal Data Protection issued Decision DS.523.2704.2022, stating that the employer's sharing of information on the health of employees does not fit into any of the prerequisites for legalizing the processing of special category data under Article 9(2) of the GDPR.

In this case, the employer provided its business partners with information about the employee's being on sick leave and the reasons for this situation. The employer justified its action by the need to explain to its partners the reasons for the difficulty of communication with the company and the reorganization of the duties of the remaining employees. In the opinion of the Office of Data Protection, maintaining good relations with business partners does not under any circumstances justify processing and sharing data on the employee's medical condition with third parties, and issued a warning to the company with regard to the identified violation of Article 6(1) of the GDPR and Article 9(1) of the GDPR.

## Draft law on seniority pensions

At the end of November, a draft law from citizens amending the Law on Pensions from the Social Insurance Fund and Amendments to Certain Laws, according to which so-called "seniority pensions" are to be introduced, was referred to the Sejm for first reading. According to the project's assumptions, such a pension is to be granted regardless of age to those with a contribution period of at least 38 years for women and 43 years for men. The pension will be eligible if its amount is not less than the amount of the lowest pension benefit. The decision to take a seniority pension will be entirely up to the person concerned.



Contact us:

**Agnieszka Fedor**  
Partner, attorney-at-law  
☎ +48 505 782 677  
✉ [agnieszka.fedor@skslegal.pl](mailto:agnieszka.fedor@skslegal.pl)



**Maja Górawska**  
Junior Associate  
☎ +48 881 023 585  
✉ [maja.gorawska@skslegal.pl](mailto:maja.gorawska@skslegal.pl)