

Extension of Legal Stay of Ukrainian Citizens

In February, another amendment to the Law of 12 March 2022 on Assistance to Citizens of Ukraine in Connection with the Armed Conflict on the Territory of Ukraine entered into force. According to the amendment, **the legal stay of Ukrainian citizens in Poland has been extended until 30 June 2024.**

We would like to remind you that the extension of legal stay applies to Ukrainian citizens and spouses of Ukrainian citizens without Ukrainian citizenship who arrived in Poland as of 24 February 2022, as well as those whose stay in Poland was legal before that date on the basis of visa-free movement, national visas, Schengen visas, and temporary residence permits.

As announced, another amendment extending the stay of Ukrainian citizens until 4 March 2025 is already planned.

Maximum amount of basic allowance for the Social Benefit Fund and vacation allowance

At the end of February, the announcement of the President of the Central Statistical Office on the average salary in 2023 and the second half of 2023 was published. This means that we already know the amount of the basic allowance for the Social Benefit Fund and vacation allowance in 2024, which is a maximum of 37.5% of the average monthly salary in the national economy in the previous year or in the second half of the previous year, if the average salary of that period was a higher amount.

In 2024, the basic allowance and vacation allowance will be **PLN 2417.14** (i.e. 37.5% calculated on the amount of PLN 6445.71).

CJEU ruling on the indication of the reason for termination of fixed-term contracts

The District Court for Krakow - Nowa Huta in Krakow asked a preliminary question in a case concerning the award of compensation to an employee who was employed by a company under a fixed-term contract. The employer terminated the fixed-term contract with one month's notice. In accordance with the regulations in effect at the time, the employer did not indicate the reason for the termination. According to the employee, the employer violated EU regulations on non-discrimination based on the type of employment contract by such action.

On 20 February 2024, the CJEU issued a judgment in response to the questions raised (ref. C 715/20), according to which the failure to provide a reason limits the employee's right to a court, as the employee cannot assess whether it is worthwhile to bring a claim against the employer. According to the CJEU, the temporary nature of the work does not justify less favorable treatment of temporary employees.

The ruling has become outdated due to the 2023 amendment to the Labor Code, which provides for the obligation to justify termination notices for fixed-term contracts as well. We would also like to remind you that the Labor Code currently includes an obligation to justify the termination of contracts concluded for a probationary period, although only in specific cases.

Contact us!



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