

HRadar | Newsletter

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Works on draft law on protection of whistleblowers

Work on implementing the directive on the protection of whistleblowers into the Polish legal order is in full swing. The draft law has been submitted to the Sejm and has been referred for the first reading in committees. A reminder of the main assumptions of the draft law:

1. Entities for which at least 50 people perform or provide work will be required to implement internal notification procedures. For other entities, the establishment of internal notification channels will be optional.
2. The establishment of the procedure is to be preceded by consultations with the company's trade union organization (or representatives of those providing work).
3. The internal notification procedure will come into effect 7 days after it is announced in the manner adopted by the employer.
4. The regulations will prohibit unfavorable treatment in employment of the notifier, the person helping to make the notification, and the person related to the notifier.
5. The regulations are to take effect 3 months after the date of promulgation.

On 25 April 2024, the CJEU issued a judgment in Case Number C-147/23, pursuant to which Poland is ordered to pay penalties in the amount of (i) EUR 7,000,000 for failure to implement the regulations on whistleblowers within the required deadline, and (ii) EUR 40,000 in daily fines calculated from the date of announcement of the judgment to the implementation of the relevant regulations.

In the near future, we will provide guidelines for proper implementation of these regulations. Stay tuned!

Obligation to adapt workstations to new health and safety requirements

We would like to remind you that in accordance with the November amendment to the Ordinance on occupational health and safety at workplaces equipped with screen

monitors, employers have until **17 May 2024** to adapt workstations to the new requirements.

Workstations of employees using laptops for at least half of the daily working hours must be supplemented with:

- a desktop monitor or stand that allows the screen to be positioned so that its top edge is at eye level, and
- an additional keyboard and mouse.

In addition, at the employee's request, workstations can be equipped with a footrest. Please also note that the previous obligation to reimburse employees for corrective glasses has been expanded to include reimbursement for contact lenses.

Draft law on extending maternity leave

In mid-April, the Sejm received a bill to amend the Labor Code and certain other laws, according to which it is planned to extend maternity leave by the total duration of the child's hospitalization after leaving the hospital or other treatment facility by mother, up to a maximum of 24 weeks. The draft stipulates that the right to extend maternity leave will also be transferable to the child's father.

The amendment is intended to allow parents of premature babies an adequate period of care for a child who is hospitalized for the first weeks of life. Currently, the draft is at the consultation stage in the Sejm.

Works on law implementing EU directive on adequate minimum wages

According to press reports, the Ministry of Family, Labor and Social Policy is working on a law implementing the directive on adequate minimum wages. The directive indicates that a minimum wage is considered adequate if it is fair in relation to the distribution of wages in a member state and ensures a decent standard of living for full-time employees. The directive was adopted in 2022, and member states have until 15 November 2024 to implement it.

As announced by the Ministry of Labor and Social Policy, there are plans to change the concept of minimum wage so that it applies only to the basic wage, i.e. salary without bonuses and allowances. Employers must be prepared for many changes in this regard. We are left waiting for the publication of the draft law.

Contact us!



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