

HRadar Newsletter

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New Definition of Mobbing

A draft amendment to the Labor Code containing a new definition of mobbing has appeared on the Government's RCL website. The proposed changes are intended to organize and redefine forms of violence in the workplace to accurately assess in the future whether an employee's behavior is acceptable. The main points of the draft are:

- 1. Simplification of the definition of mobbing** - the basic feature of mobbing is to be persistent harassment of an employee, with persistence consisting of the harassment being repetitive, recurrent or permanent.
- 2. Introduction of an open catalogue of manifestations of mobbing** - manifestations of mobbing are to include humiliation and intimidation in both verbal or non-verbal forms.
- 3. Obligation of the employer to actively and constantly counteract mobbing** - the legislator is to clarify what actions should be taken by the employer.
- 4. Introduction of a minimum amount of compensation** - the minimum amount of compensation for the use of mobbing, will not be lower than the employee's salary for a period of 6 months.

According to the draft, the amendment should come into force 21 days after its promulgation. The employer will then have three months in which to adjust internal regulations.

State Labor Inspectorate inspection plan

The State Labor Inspectorate has published the assumptions of its new program for 2025-2027 actions. In 2025, the State Labor Inspectorate intends to carry out up to 55,000 inspections, which will focus on verification of employment on the basis of civil law contracts, compliance with regulations on working time or legality of employment of foreigners. In addition, the State Labor Inspectorate is to control whether employers have properly introduced and comply with regulations on:

- **new parental rights** - among other things, protection of the employment relationship of employees taking parental leave, the right to flexible work arrangements for parents;
- **remote work** - among other things, adaptation of intra-company regulations for remote work regulations;
- **protection of whistleblowers** - with regard to the proper implementation of the internal reporting procedure;
- **Employee Capital Plans** - with regard to the proper conclusion of agreements on the operation of PPK and agreements on the management of PPK, and the failure to make payments to PPK.

Christmas Eve is officially a public holiday

From the beginning of February came into force an amendment, according to which 24 December is another public holiday. The amendment also makes changes to trading Sundays. Starting in 2025, trade will be allowed on three consecutive Sundays before Christmas Eve.

New rights for parents of premature babies

We would like to remind you that on 19 March 2025, new regulations on supplementary maternity leave for parents of children born prematurely will come into force. Employers will be obliged to grant supplementary leave of up to 8 or 15 weeks, upon receipt of an appropriate application with attachments. The parent must attach to the application a certificate issued by the hospital, including information on:

- the duration of the child's stay in the hospital,
- the week of pregnancy in which the child was born,
- the child's birth weight.

Parents will be entitled to use supplementary maternity leave **immediately after the maternity leave is taken**. If the employee does not use the supplementary leave during this period, it will be forfeited. The amount of leave will depend on the week of pregnancy in which the child was born, the child's birth weight and the length of the hospital stay.

Contact us!



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