

Poland

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Can the employer be forced to allow remote work?	The employer cannot be forced to introduce remote working. According to Polish legislation, during the period of epidemic risk declared due to COVID-19 and for 3 months after its cancellation, in order to prevent COVID-19, the employer may order the employee to perform remote work if the employee has the skills as well as technical and practical means to carry out such work and also the nature of the work makes this possible. The employer may at any time withdraw the order to perform remote work.
Which formalities have to be complied with to implement remote work?	There are no formalities for introducing remote working, therefore it can be implemented either by agreement or by instruction from the employer or a person acting on behalf of the employer. Employer can regulate the principles of remote working during the pandemic by introducing internal regulations. The regulations cover, for example, the form of issuing orders for remote work, payment of an allowance for the use of private tools, and occupational health and safety rules.
Are there any financial obligations for the employer following the remote work? E.g. is the employer obliged to reimburse certain costs (utility, home office, ...)?	The legislation does not impose a financial obligation on the employer who order the employee to perform remote work. The legal provisions allow an employee to use their own tools or materials (although the rule is that the employer should provide them), but do not require the employer to pay the employee an allowance for this. However, if an employee uses tools or materials not provided by the employer, they must protect confidential information and other legally protected secrets, including business or personal data, as well as information the disclosure of which could expose the employer to harm.
Are there any other obligations for employers implementing remote work?	In this case, the general provisions on the employer's obligations from the Labour Code apply, including familiarizing the employee with the way the work is performed. This means that when issuing an order to work remotely, the employer should inform the employee about the rules of performing the work (e.g. how to complete tasks, reporting the start and end of work, informing about difficulties, incidents, etc.). The employer may also order the employee working remotely to keep a record of the work performed, including in particular a description of the work, as well as the date and time of its performance. The employee prepares a record of performed activities in the form and with the frequency specified in the employer's order.