



**Dear Readers,**

as usual, we come to you with a selection of the most interesting HR news and topical issues of the past week.

**REMOTE WORK LAWS PROBABLY EFFECTIVE IN MARCH**

The Sejm has rejected the Senate's amendments to the Remote Working Act, so the following conditions remain: 24 days of occasional remote work instead of 30, two months of vacatio legis instead of three, and the obligation to grant a remote working request submitted by a parent of a child under four years old instead of eight. The legislation will come into force around mid-March 2023. New rules for drug and alcohol testing will become effective in January/February 2023 (2-week vacatio legis).

**WORK-LIFE BALANCE AND EMPLOYMENT CONDITIONS AMENDMENTS IN APRIL**

On 10th January the government enacted a bill amending the Labour Code to transpose two EU directives: on work-life balance and on transparent and predictable working conditions. The first reading of the bill by the Sejm is planned on 25th-26th January. The proposed amendments are expected to become effective in April 2023.

**PRIVATE SITUATION MAY IMPACT DISMISSAL**

The Supreme Court has stated that when selecting employees for dismissal an employer must not only be guided by objective criteria but must also take into account their personal situation. Terminating an employee whose personal situation is significantly worse compared to other employees considered for redundancy may be seen as contrary to the principles of social justice. Judgment of the Supreme Court of 11 October 2022, case ref. no. I PSKP 77/21

**FOREIGNERS DOCUMENTATION CALLS FOR CHANGE**

The government had planned to introduce necessary amendments to the Act to extend the validity of many documents of Ukrainians, which remained valid until 31 December 2022, by the end of last year. Unfortunately, the plan fell through and the amendment is now being worked on by the Senate. This situation may bring negative consequences for employers in terms of the illegal employment of Ukrainian citizens.

**ILLEGAL IMMIGRANTS ARE IN FOR HARSHER LAWS**

On 10th January 2023, the first reading of the bill amending the Act on non-nationals was held. The regulations are intended, among other things, to streamline the process of returning illegally staying third-country nationals to their countries of origin.

Please do not hesitate to contact us:

**Karolina Kanclerz**, attorney-at-law, partner, **Sławomir Paruch**, attorney-at-law, partner and **Oskar Kwiatkowski**, trainee attorney-at-law, associate.

---

**UPCOMING EVENTS**

- **Webinar: Labour Code 2023** - 18 January 2023, 10:00-11:00, online. More: [here](#).
- **The “No, because of RODO!” series: Data and information protection as the weak link of remote working – but is it?** - 19 January 2023, 11:00-11:45, online. More: [here](#).