

# PCS | Littler

## GOOD MORNING HR | 14/24

#### **Dear Readers**,

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

#### **CLOCKS SPRING FORWARD, PAYCHECKS STAY THE SAME**

With the switch from winter to summer time on 31st March, employees might work an hour less according to their schedules. Employers cannot shift the cost of the "lost" hour to employees and cannot dock their pay. However, any night shift allowances should be calculated based on the actual hours worked.

### MINIMUM WAGE CHANGES ON THE HORIZON

The Ministry of Family, Labour and Social Policy (MRPiP) is finalizing a plan to implement the EU directive on minimum wages. This new directive sets criteria for determining minimum wage levels, including inflation, purchasing power of minimum wage, cost of living, general wage levels and their distribution, the rate of wage growth and the long-term national productivity level. The ministry also proposes that the minimum wage should only include the base salary, with bonuses and other supplements remaining on top. The deadline for implementing this directive is 15th November 2024.

#### CIVIL LAW CONTRACTS MIGHT BECOME MANDATORY FOR SOCIAL INSURANCE

The MRPiP is also working on a draft law that would require social insurance coverage for all civil law contracts. In practice, this means every contract would trigger the need to pay social insurance contributions, which would essentially eliminate the current system of different social insurance titles. The draft is still in the early stages of development, with potential implementation in the first quarter of 2025.

#### JOB DESCRIPTION DOES NOT HAVE TO BE SIGNED IN INK

An employee recently challenged their dismissal, claiming they were never informed of their job description and that the document was not placed in their personnel file. However, the Supreme Court ruled in favour of the employer. The court found that the employer showed due diligence by making the job description available on the company intranet and by providing clear instructions through other means. The Supreme Court clarified that familiarising employees with their duties can be done verbally, and the lack of a signed document in the employee's file is not a dealbreaker. (Supreme Court ruling dated 17.01.2024, no. III PSK 26/23).

Please do not hesitate to contact us: Karolina Kanclerz, attorney-at-law, partner, Sławomir Paruch, attorney-at-law, partner, and Kamil Nazimek, trainee attorney-at-law, lawyer.

#### **UPCOMING EVENTS**

- Let's talk about money: Preparing for pay transparency ensuring success and addressing challenges 4 April 2024, 11:00-11:45, online. More: *here*.
- Webinar: Remote work one year on expectations vs reality 8 April 2024, 11:00-12:00, online. More: here.