



Dear Readers,

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

EMPLOYMENT GUARANTEE FOR PROTECTED WORKERS DURING LITIGATION

At the last session of the Sejm, MPs voted in favour of the changes to the Code of Civil Procedure. The amendments would enable the court to request that an employer continues to employ a dismissed employee who belongs to a protected group of employees (e.g. a specially protected trade unionist, employees' workplace inspector, employee council member, or a pregnant woman) until the conclusion of the case. The court will only be able to waive this protective measure if the dismissed employee's claim is manifestly unfounded. However, there have been voices of concern over the constitutionality of this measure. The bill has been referred to the Senate. Link to follow the legislative process: [here](#).

IT'S OFFICIAL: DEFINITIVE END OF COVID-19 PANDEMIC

A regulation that brings an end to the state of epidemic emergency was issued on Friday evening. All COVID-19 deadline extensions will end on 1st July. Link to the regulation: [here](#).

CJEU: NON-PAYMENT OF UNUSED LEAVE COMPENSATION POSSIBLE

The CJEU advocate general pointed out that non-payment of the compensation is possible if certain conditions are met. Firstly, it cannot concern the unused leave for the year when the employment relationship is terminated. Secondly, the employee must be given a genuine opportunity to take leave in previous years. Thirdly, the employer must encourage the employee to take the leave. And, finally, the employer must make it clear to employees that unused leave cannot be accumulated with the intention to take payment in lieu. According to the CJEU, the burden of proof to show that these conditions were met lies with the employer. CJEU Advocate General's opinion of 8th June 2023, case no. C-218/22.

MINIMUM SALARY AGAIN TO BE RAISED TWICE IN 2024

According to the latest governmental proposals, the minimum monthly salary is to be PLN 4242 gross as of 1st January 2024, and as much as PLN 4 300 from 1st July 2024. The hourly wage, in turn, will rise to PLN 27.70 from 1 January and PLN 28.10 from 1 July. Nearly 63 per cent of Polish workers are already expecting a pay rise.

TRADE UNIONS WANT SIESTA AND WORKPLACE TEMPERATURE LIMITS

Given that there are no statutory regulations for the maximum temperature at the workplace and the climate is gradually getting warmer, the All-Poland Alliance of Trade Unions (Polish: OPZZ) proposed to set out the maximum temperature limit at 30 degrees. This is expected to bring more rights to workers and duties to employers. Similar initiatives are also being considered at the European level.

BRIDGING PENSIONS AMENDMENT BILL ADVANCES

After the second reading of the bill amending the law on bridging pensions and certain other laws, it was referred to the Senior Policy Committee and the Social Policy and Family Committee. The controversial bill is the result of an agreement between the Solidarity trade union and the government.

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, lawyer.

UPCOMING EVENTS

- **Webinar: HR Employee Day – time for work-life balance and well-being for HR** - 20th June, 11:00 – 11:45 a.m. online. More: [here](#).
- **PCS MeetUp: (Very) remote work – should remote work from abroad be allowed?** - 21st June, 11:00 – 11:45 a.m. online. More: [here](#).
- **No, because of RODO!: Non-standard ways of delivering a termination letter vs employee data protection** - 22nd June, 11:00 - 11:45 a.m., online. More: [here](#).
- **Employer and Employee in Court: Protected employees now even more protected what changes under new laws?** - 26th June, 11.00-11.45 a.m., online. More: [here](#).
- **On-site conference: In times of change, the employee is more important than ever** - 28th June, 9:30 a.m. - 1:30 p.m., Wrocław. More: [here](#).
- **Webinar: Gender diversity in the workplace** - 28th June, 11:00 -11:30 a.m., online. More: [here](#)