



**Dear Readers,**

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

### **LABOUR INSPECTORS TAKE LENIENT APPROACH TO NEW PROBATIONARY CONTRACTS**

The National Labour Inspectorate has confirmed the liberal interpretation of the legislation, according to which during the employee's trial period an employer can change their mind about the planned length of that employee's future employment. Therefore, a three-month probationary period does not necessarily mean that one-year employment will follow. However, the Inspectorate emphasized that the original intention to continue employment after the probationary period must be written in the contract.

Chief Labour Inspectorate's opinion of 20 and 21 June 2023 on entering into probationary contracts, issued for Dziennik Gazeta Prawna.

### **BREAKS FOR MOTHERS TAKING LEGAL PROFESSIONAL EXAMS**

Until now, nursing mothers taking the legal profession exam were entitled to a break if they provided a medical certificate confirming they are nursing a child. The Ministry of Justice has drafted regulations to ensure a woman's declaration on breastfeeding is enough.

Links to the regulations:

- <https://legislacja.rcl.gov.pl/projekt/12373900>
- <https://legislacja.rcl.gov.pl/projekt/12373901>
- <https://legislacja.rcl.gov.pl/projekt/12373903>

### **CIVIL PROCEDURE FOR ENTREPRENEURS ENTERED IN CEIDG CHANGED ON 1 JULY**

The amendment set out a new requirement for entrepreneurs entered in the Central Register and Information on Economic Activity (pl. CEIDG). The change concerns the service of court papers. From now on, entrepreneurs will have to inform the court about every change of address entered in CEIDG, which was not necessary before. Other substantial amendments to the procedure include a change in the wording of a statement on sending a letter to the other party, the possibility of sending a court paper through any operator providing universal postal services in Poland and an increase of claim value qualifying the case for regional courts to PLN 100,000.

### **NON-COMPLIANT TRADE UNIONIST DISMISSAL NOT ALWAYS FINED**

The final judgement by Regional Court in Siedlce acquitted an employer who terminated the employment contract with an employee under special union protection without the required trade union consent. The court held that it cannot be automatically assumed that the termination is a gross violation of the law which would justify imposing a fine on the employer unless the employer's decision to terminate the employment contract was entirely unjustified, subjective, malicious, taken regardless of work performance and completely unacceptable to an objective, outside observer.

Judgment of the Regional Court in Siedlce dated 5.05.2023, ref. no. II Ka 200/23.

### **MINIMUM MONTHLY SALARY AND SICK PAY INCREASE**

On 1st July, the minimum monthly salary was raised to PLN 3,600 gross, which, in turn, increased the minimum sick pay assessment basis to PLN 3,106.44. The basis cannot be lower than the amount of the statutory minimum monthly salary reduced by 13.71 per cent. Therefore, minimum salary earners and people receiving sick pay can expect to get more.

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### **UPCOMING EVENTS**

- **Webinar: HR: how to successfully manage workation?** – 5 July 2023, 11:00 – 11:30, online. More: [here](#).
- **Let's talk about money: Oops, leaked payroll. What to do?** - 6 July 2023, 11:00 – 11:45, online. More: [here](#).
- **On unions with unions: Verification of trade union members number – obligation from a compliance perspective** - 11 July 2023, 11:00 – 11:45, online. More: [here](#).
- **Webinar: End of epidemic emergency state – consequences for non-national employment** - 12 July 2023, 11:00 – 11:45, online. More: [here](#).
- **No, because of RODO!: New technologies in employment - biometrics, profiling and other tech innovations** - 13 July 2023, 11:00 – 11:45, online. More: [here](#).