



Dear Readers,

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

UNEXPECTED INCREASE IN THE MINIMUM WAGE

The Council of Ministers has presented a new version of the minimum wage regulation. According to the draft, the Government unexpectedly increased the minimum wage, which from January 2025 will be PLN 4666, and the minimum hourly rate will increase to PLN 30.50. The new draft regulation caused surprise among entrepreneurs, who were convinced, that the minimum wage, according to the draft law from August, would freeze the minimum wage at PLN 4300. Representatives of entrepreneurs fear that this increase will negatively affect the competitiveness of the economy and cause inflationary pressure. On the other hand, trade union activists emphasise that a higher minimum wage will mitigate the effects of price increases on employees. The draft regulation has been sent to the Prime Minister for signature. Link to the bill: [here](#).

POSSIBLE MANDATORY REPLY TO A JOB CANDIDATE'S APPLICATION

The Ministry of Family, Labour and Social Policy has received a petition proposing an innovative change. It would be a revolution for any employee recruitment system. It introduces an obligation of the employer to respond to a submitted application within a predetermined deadline. For public institutions and large enterprises, this would be a maximum of 7 days, while for small and medium-sized enterprises it would be 14 days. The Ministry will consider the petition by 16 October the latest.

THE SAME RULES FOR DETERMINING JOB SENIORITY FOR EMPLOYEES AND ENTREPRENEURS

The Ministry of Family, Labour and Social Policy has presented an amendment to the Labour Code, according to which the period of suspension of economic activity because of childcare purposes will be included in the job seniority, if pension and disability pension contributions have been paid for this period. Job seniority is also to include the time during which the entrepreneur benefited from the "Ulga na start" benefit. The amendment is aimed at unifying the rules for the inclusion of job seniority for employees and self-employed. The new rules are supposed to come into force on 1 January 2026. Link to the bill after public consultation: [here](#).

EMPLOYER IS OBLIGED TO DELETE EMPLOYEE'S EMAIL WITH NAME AND SURNAME

A former employee filed a complaint to the President of the Data Protection Authority against the employer based on processing his data in the form of the first letter of his first name and surname in the e-mail address. The President of the DPA ordered the deletion of the employee's personal data because he believed that personal data was not necessary for the employer to ensure contact with clients and customers. The employer appealed against this decision. The Provincial Administrative Court in Warsaw, while recognizing the appeal, found that the personal data in the form of a personal mailbox is subject to the provisions of the GDPR. Upon termination of the employment relationship, the employer is obliged to delete such an address. (Judgment of the Provincial Administrative Court, 21st February 2024, case file II SA/Wa 1007/23).

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: Unmask the Haters: Combating Online Hate Speech** - 17 September 2024, 11:00 - 11:45, online. More: [here](#).
- **On Unions With Unions: Dozens of employee workplace inspectors – fair or foul play?** - 18 September 2024, 11:00-11:45, online. More: [here](#).
- **HR MeetUp Wrocław: Whistleblower protection – key information on the eve of entering into force** - 18 September 2024, 18:00, Wrocław. More: [here](#).
- **EBF Warszawa Procurement Festival: Whistleblowers' role in maintain transparency of the public sector** - 18-20 September 2024, Warsaw. More: [here](#).
- **PCS MeetUp: Employees with strong beliefs - where is the line and what to do when it is crossed** - 19 September 2024, 11:00-11:30, online. More: [here](#).
- **Working Time Conference 2024** - 25 September 2024, online. More: [here](#).