



Dear Readers,

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

PROTECTION OF UNION MEMBERSHIP CONTINUITY ACCORDING TO THE CHIEF LABOUR INSPECTORATE

The Chief Labour Inspectorate has acknowledged that the legislation seems to allow for limiting the rights of trade union members in the period between the termination of their employment relationship and the moment they become officially unemployed in terms of employment regulations. However, it cannot be ruled out that, if this became a matter of dispute, the adjudicating court would take the purposive approach.

SUNDAY CANNOT START ON SATURDAY

The legislation allows the internal work regulations to set out the timeframe for a working Sunday other than from 6 a.m. to 6 a.m. the next day. However, according to the Ministry of Family and Social Policy, the employer cannot decide that a Sunday shift would start on a different day, for example, at 11 p.m. on Saturday and will end at 11 p.m. on Sunday. This view is shared by the Chief Labour Inspectorate. Employers disagree.

RULES FOR EMPLOYING UKRAINIANS CHANGED AGAIN TO THEIR DISADVANTAGE

The government plans to make it compulsory for Ukrainian citizens to obtain a PESEL number and to do away with the simplified procedure for issuing temporary residence permits for them. The bill is already on the legislative work agenda and is expected to be enacted in the last quarter of the year.

DIGITALISATION OF PROCESSES IN SOCIAL INSURANCE INSTITUTION AFTER LAW CHANGES

The Council of Ministers has enacted a bill amending the Social Insurance System Act. The changes will focus on the digitalisation of processes and will include, for example, electronic delivery. The employee's handwritten signature will be replaced by an imprint of the employee's name, surname and job position, which will speed up the process of issuing decisions.

EMPLOYERS CAN SUBSIDISE COAL FOR EMPLOYEES

Many employees are affected by surging coal prices. Faced with potential further increases and galloping inflation, employees are turning to their employers for help. Employers can subsidize the purchase of coal for their employees. The best way to do this is in the form of an allowance from the Company Social Fund. Such allowance will be exempt from income tax up to PLN 1,000 and fully exempt from social security contributions.

SIGNIFICANT INCREASE IN PAY AND EMPLOYMENT RATES

The average monthly salary in the private sector (for businesses with at least nine employees) in September 2022 increased by almost 15 per cent year-over-year, while the employment rate in this sector increased by 2.3 per cent year-over-year. Employees are demanding increases due to inflation, among other factors.

Please do not hesitate to contact us:

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UPCOMING EVENTS

- **Webinar: Remote working – new rules under the new regulations** - 25 October 2022, 10:00-11:30, online. More: [here](#).
- **PCS MeetUp: Summary of employment law changes in autumn/winter 2022/2023** - 25 October 2022, 11:00-11:30, online. More: [here](#).
- **Webinar: Neurodiversity in the workplace - legal and employment aspects** - 25 October 2022, 12:00-13:30, online. More: [here](#).
- **HR Compliance Summit 2022 conference** - 26 October 2022, 9:00-15:00, online. More: [here](#).
- **Employer and Employee in Court: Disputes with senior management - what to look out for?** - 27 October 2022, 11:00-11:45, online. More: [here](#).