

**Dear Readers,**

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

DAY OFF FOR 11 NOVEMBER WITHIN SETTLEMENT PERIOD

Poland's Independence Day fell on a Saturday this year, so employees are entitled to a day off in lieu until the end of the settlement period. Although the decision about the date of the additional day off belongs to the employer, they may allow employees to choose a date within the settlement period.

THE EMPLOYER WILL PAY FOR CONTACT LENSES

A new regulation on occupational health and safety concerning work with computer screens comes into force on 17th November 2023. According to new legislation, employers will not only be required to provide additional equipment for employees who use mobile systems for at least half of their daily working time but also to reimburse employees for contact lenses. Previously, employers were only required to reimburse employees for prescription glasses. Under the new regulation, employees can choose between glasses and lenses.

NO NEED TO INCLUDE SPECIAL EMPLOYMENT PERIODS IN EMPLOYMENT CERTIFICATE

In a recent ruling, the Polish Supreme Court stated that employment certificates do not need to include special periods of employment that occurred after 2008. The length of these periods is important for people who want to receive a bridging pension. The existing secondary legislation is not clear on this. (Supreme Court Resolution of 12 October 2023, ref. no. III PZP 5/22).

EU MINIMUM WAGE DIRECTIVE CHALLENGED BEFORE THE CJEU

Denmark has asked the CJEU to annul the EU Adequate Minimum Wages Directive, which is scheduled to come into force in November 2024. In addition to minimum wages, the directive also addresses the issue of increasing the number of workers covered by collective agreements, which is extremely low in Poland compared to other EU countries. Denmark argues that the EU's interference with collective agreements and wage levels is excessive. The CJEU has not yet examined the complaint (Case no. C-19/23).

DEMAND FOR MORE SCRUTINY AROUND TRANSITION FROM EMPLOYMENT CONTRACT TO SELF-EMPLOYMENT

Left-wing politicians are calling for the introduction of an "entrepreneur test" to make it easier to verify whether someone switching from employment to self-employment actually intends to be self-employed. The test would be based on certain criteria for running one's own business. Opponents of the test argue that it would unnecessarily complicate the tax system. This issue will likely be on the table during the next term of the Sejm.

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

- **PCS MeetUp: Pay transparency - duties under the Directive** - 11 November 2023, 11:00 - 11:30, online. More: [here](#).
- **Conference: Trade unions in organizations - best practices and common employer mistakes** - 17 November 2023, 9:00-14:00, online. More: [here](#).
- **Springboard to ESG | Practical aspects of reporting standards (ESRS): Equal opportunities, remuneration rules, social dialogue & preventing unwanted conduct (S1)** - 20 November 2023, 11:00 - 11:45, online. More: [here](#).
- **Webinar: Pay gap and the pitfalls of pay transparency** - 21 November 2023, 10:00 - 11:00, online. More: [here](#).
- **Working Time Conference 2023** - 22 November 2023, 10:00 - 14:00, online. More: [here](#).
- **Employee and employer in court: AI in labour court** - 23 November 2023, 11:00 - 11:45, online. More: [here](#).