

**Dear Readers,**

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

**NEW RULES FOR MOBILE WORKSTATION EQUIPMENT**

As of Friday, 17th November 2023, new regulations regarding the health and safety of workers who use display screen equipment (DSE) daily became effective. The most significant changes include:

- Mandatory provision of a laptop with an additional monitor or a stand ensuring proper monitor positioning (the top of the monitor at an employee's eye level);
- Provision of additional keyboard and mouse for workstations.
- Clarified guidelines for providing employees with vision-correcting contact lenses or prescription glasses.

Employers have a six-month grace period to adapt existing workstations to comply with the new regulations. Link to the amending regulation [here](#).

**SUPREME COURT RULING ON EMPLOYEE PERFORMANCE EVALUATION: DILIGENCE OVER RESULTS**

The Supreme Court recently examined whether an employee's periodic performance appraisal should focus solely on their diligence or should also consider the outcomes of their work. The case concerned a full-time employee whose task completion statistics fell short of those of employees working under different working time arrangements.

The court ultimately ruled that an employee's periodic appraisal should not be based solely on selected features (outcomes) but should encompass the entirety of their work, including their diligence and efforts.

**NEW GOVERNMENT PLANS TO MODIFY SICK LEAVE REGULATIONS. ZUS TO TAKE ON PAYMENTS**

Given the recently announced coalition agreement, changes to the employee sick pay are likely imminent. The coalitionists propose a system where the Social Insurance Institution (ZUS) would cover an employee's sick pay from day one.

**CJEU: CONSULTATION NOT REQUIRED FOR ZUS WITHDRAWAL OF A1 CERTIFICATE**

A ZUS branch issued an A1 certificate to an entrepreneur operating in France. Upon further review, ZUS concluded that the entrepreneur provided services exclusively in France and, therefore, was not subject to Polish law. ZUS subsequently withdrew the A1 certificate without consulting its French counterpart. The Supreme Court referred the case to the CJEU, which ruled that ZUS could withdraw the A1 certificate without prior consultation. CJEU judgment of 16.11.2023, ref. no. C-422/22.

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**UPCOMING EVENTS**

- **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](#).