



Dear Readers,

As usual, we come to you with a selection of the most interesting HR news and topical issues of the past week. This time with a little surprise.

REMOTE WORKING AND SOBRIETY TESTING ON THE WAY TO PARLIAMENT

On 24 May, the government adopted a draft amendment to the Labour Code. According to the planned amendment, remote working is to become a permanent fixture in place of the unpopular telework. Employees will gain the right to a flat-rate cost reimbursement for working from home and employers will be allowed to carry out sobriety checks (for alcohol and drugs) whenever necessary to protect the life and health of employees, other people or property. The matter will be referred to Sejm to go through the legislative process.

POSTING NOT FOR UKRAINIANS

Even though the Act on support for Ukrainian citizens has been already amended, some problems have not been fixed since March. One of them is that Ukrainians cannot work in another EU country for a longer period. Polish employers who employ Ukrainians cannot post them for more than a month because after that period a Ukrainian citizen would irretrievably lose their right to legally reside in Poland. To further complicate matters, it is not possible to obtain A1 certificates for them.

CHANGES IN THE EMPLOYEE SAVINGS PLANS ACT

The amendment has been signed by the President and is awaiting publication in the Journal of Laws. The most significant change is the shortening of the employment period after which it will be possible to conclude an employee savings plan agreement on behalf of the employed person. Up to now, such an agreement could be concluded after 90 days of employment. When the changes come into force it will be possible after 14 days of employment but no later than by the 10th day of the month following the month in which 3 months of employment have passed.

CIVIL LAW CONTRACTS SUBJECT TO FULL SOCIAL CONTRIBUTIONS

As it turned out last week, one of the commitments under the National Reconstruction Plan, on which EU funding depends, is that contracts of mandate will be subject to full social security contributions. Poland has committed to introducing it by the beginning of next year but wants to negotiate that it will be postponed by a year and contracts for a specific work will be exempted from contributions.

MOONLIGHTING IS NOT ALWAYS A REASON FOR SUMMARY DISMISSAL

Working on a freelance basis for a competing company may not be a sufficient reason for the summary dismissal of an employee. The Supreme Court found no serious breach of employee duties in a case involving a journalist whose interview was published by a competitor. The court considered the drive to earn extra money in a competing company as reckless, negligent and disloyal but not enough to justify the disciplinary measures.

Please do not hesitate to contact us:

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UPCOMING EVENTS

- Webinar: **Holiday perks - how employers can use the company social fund?** - 2 June, 11:00-11:45, online. Registration: [here](#).
- Webinar: **Notification under the emergency Ukraine legislation vs. statement on entrusting work to a non-national** - 6 June, 14:00-15:00, online. More: [here](#).
- **Healthy Workplace: The most common employer mistakes in post-accident proceedings leading to increased employer liability for the accident** - 9 June, 11:00-11:45, online. Registration: [here](#).