



Dear Readers,

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

MANAGEMENT BOARD MEMBERS' LIABILITY REDEFINED

On 13 October, a revolutionary amendment to the Code of Commercial Companies came into force. It brought many changes, including corporate group law regulating the rules of group companies' operations. The rules of board members' liability for business decisions have also been changed. In principle, board members will not be liable for damage caused by following the instructions from the head office, provided that the holding is disclosed in the National Court Register (KRS). Furthermore, according to the business judgement rule, managerial decisions should be assessed at the time they were taken. Members of the management bodies will also avoid liability for their actions which may damage the company, if they act within the boundaries of reasonable business risk and make sure that all the decisions they take are informed by the current state of knowledge, including relevant information, analyses and opinions.

AN OVERALL PROHIBITION OF RELIGIOUS SYMBOLS AT WORK IS ALLOWED

The Court of Justice of the European Union (CJEU) has ruled that a ban within a company on wearing certain religious, spiritual or philosophical symbols is not direct discrimination if it is applied generally and without singling out any group of employees. Thus, if wearing a hijab is prohibited at work, other religious symbols such as a kippah or a cross should also be banned. Case ref. C-344/20.

UP TO 7,000 EUR SUBSIDY FOR REMOTE WORK

The Ministry of Labour and Social Policy offers companies a PLN 7,000 subsidy for each remote job they created in areas at risk of marginalisation. There would also be about PLN 900 of salary supplement. The government wants to make remote working more popular in smaller towns and villages, to counter the depopulation of such areas and to improve their overall situation. The controversial part of the offer is that it is planned to be available only to employees who are married or have a child.

INCREASE IN MILEAGE RATE

According to the draft legislation amendment, the rate per 1 km will increase from: PLN 0.5214 to PLN 0.89 for passenger cars with engine capacity up to 900 cc; PLN 0.8358 to PLN 1.038 for passenger cars with engine capacity above 900 cc; PLN 0.2302 to PLN 0.69 for motorbikes; PLN 0.1382 to PLN 0.42 for mopeds. The current rates have remained unchanged for 15 years. With the rising prices of fuel and car maintenance, the rates have been out of step with reality for quite a while.

MORE AND MORE NON-NATIONALS IS WORKING LEGALLY IN POLAND

The number of non-nationals insured in Social Insurance Institution at the end of September was over one million. Compared to January, this is an increase of more than 170,000 people.

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, associate.



SURVEY: HR COMPLIANCE IN POLISH COMPANIES

COMPLETE A SURVEY

We invite you to complete a short, anonymous survey: HR Compliance in Polish companies.

The survey, which should **only take 7 minutes to complete**, can be accessed: [here](#).