

**Dear Readers,**

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

COURT CAN ORDER REINSTATEMENT OF EMPLOYEE DURING THE PROCEEDINGS

On 22 September, amendments to the Code of Civil Procedure concerning new rights for dismissed employees became effective. A dismissed employee covered by special employment protection may apply to the court to secure their claim by ordering the employer to reinstate them until the end of the trial. The court will refuse the request only if the claim is manifestly unfounded. Although the legislation may seem tough, we have identified several defensive measures against reinstatement. More about this [here](#).

NO COURT FEES FOR EMPLOYEES FROM THURSDAY ON

Another significant amendment will become effective this week. Since 28 September, an employee will be exempt from court fees for an employment lawsuit, regardless of the claim value. An employee will only have to pay an appeal fee in cases where the claim value exceeds PLN 50,000. More about this [here](#).

LAST WEEK TO GRANT OUTSTANDING LEAVE

This year, employers should grant outstanding leave by Friday, 29 September at the latest. It is because the statutory deadline expires on Saturday. It is sufficient for the employee to start the outstanding leave on Friday. From next week, the employee's consent to the leave date will not be needed and the employee will be bound by their employer's decision in this regard. The National Labour Inspectorate can penalise the manager who failed to grant the leave.

SUBSIDIES TO PRIVATE SANATORIUM FOR EMPLOYEES ARE SUBJECT TO SOCIAL SECURITY CONTRIBUTIONS

If an employee pays for a stay in a private sanatorium and their employer reimburses the stay under internal company regulations, such reimbursement is considered to be the employee's income subject to social security contributions which do not qualify for exemption. ZUS decision no. DI/100000/43/645/2023.

SUPREME COURT: MORE FAVOURABLE CONDITIONS OF EMPLOYMENT TERMINATION CAN BE AGREED

The Supreme Court has once again ruled that more favourable terms of parting with an employee can be agreed upon by introducing relevant provisions in an employment contract or collective agreement. It may include, for example, a longer notice period, limited reasons for employment termination, and higher compensation. However, if the parties agreed on extending the notice period but have not provided for higher compensation corresponding to the extended period, the employee may only claim compensation in the maximum statutory amount of three monthly salaries. Supreme Court ruling of 2 August 2023, no. III PSK 10/23.

HYBRID TRAINING FOR FUTURE ENTREPRENEURS

The Regional Labour Office in Rzeszów has come up with an innovative initiative to provide hybrid training for people considering setting up their own business in the future. Participants will have a chance to gain business experience from a project manager's perspective. The training course will use Revas Business Simulation Games, which enable participants to set up virtual companies and make realistic business decisions about creating jobs, hiring employees, setting salaries and running marketing campaigns.

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, lawyer.

UPCOMING EVENTS

- **Conference: Regulations in the workplace** - 26 September 2023, 9:00-14:30, online. More: [here](#).
- **Conference: Diversity is our strength!** - 27 September 2023, 9:30-16:15. More: [here](#).
- **PCS MeetUp: Holidays and days off after recent Labour Code changes.** - 28 September 2023, 11:00-11:30, online. More: [here](#). PCS | MeetUp event only for PCS Paruch Chrusciel Schiffter Stepień Kanclerz | Littler's clients.