



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 BILL ON PROTECTION OF WHISTLEBLOWERS

On Wednesday a new bill on the protection of whistleblowers was released, introducing several significant changes. The new law will enable whistleblowers to report violations including labour law (such as bullying, harassment, discrimination etc.) and corruption issues. This means that a revision of the current internal regulations and their coordination within the company is necessary. The law is expected to come into effect within three months after its publication. The bill will be processed on an expedited basis, so we can expect rapid progress during the parliamentary stage. Link to the bill: [here](#).

EMPLOYEE CAN MAKE UP FOR PERSONAL LEAVE IN ADVANCE

According to the opinion of the Chief Labour Inspectorate (GIP) an employee can make up for a leave to attend personal matters in advance. However, the inspectorate points out, that if there are any unused excess hours the employer may have to pay for overtime (GIP's opinion of 22 February 2024, GIP-24-48686).

PRESIDENT REFERS THE AMENDMENT TO THE LAW ON AID TO UKRAINIAN CITIZENS TO THE CONSTITUTIONAL TRIBUNAL

Polish President, Andrzej Duda, has referred to the Constitutional Tribunal, in the form of a subsequent control, a request to examine the compliance of the act of 9 February 2024, amending the act on aid to Ukrainian Citizens in connection with the armed conflict in Ukraine. This law extends the rights for Ukrainian citizens to 30 June 2024, provided for in the special act, which was in force until March 4. The President has deemed that the manner in which the law was passed by the Sejm may have been inconsistent with the Constitution. Currently, there is no information on when the Constitutional Tribunal plans to address the President's request.

SUPREME COURT: DISBURSEMENT OF BENEFITS FROM FGŚP DEPENDENT ON EMPLOYER'S INSOLVENCY

According to the Supreme Court ruling, the disbursement of benefits from the Guaranteed Employee Benefits Fund (FGŚP) can only occur after the employer's insolvency has been established. The first-instance court ruled in favour of the plaintiff, stating that the regulations regarding the disbursement of funds from FGŚP are too stringent. However, the Supreme Court did not agree with this argumentation, stating that the regulations are in line with EU laws. Supreme Court ruling of 6 March 2024, case ref. no. I PKSP (22/23).

PLANS TO INTRODUCE DEBT COLLECTION FROM MINIMUM WAGE

Both the National Council of Bailiffs and local governments advocate for a change in the law. Local authorities propose enabling judicial and administrative enforcement of obligations other than alimony from the minimum wage on similar terms to those applicable to pension benefits, i.e., at 25% of the minimum wage. The Ministry of Justice also recognizes the issue and indicates that the proposal of local authorities is worth considering.

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

- **Modern Employer: Matrix employment structures – flexible or risky?** - 12 March 2024, 11:00-11:45, online. More: [here](#).
- **No, because of GDPR: Data compliance in contract termination: dos, don'ts, and best practices** - 13 March 2024, 11:00-11:45, online. More: [here](#).
- **PCS MeetUp: On-call or not on-call – practical aspects of staying in touch with the employer after working hours** - 14 March 2024, 11:00-11:30, online. More: [here](#).
- **Online meeting: The new whistleblower law - challenges and opportunities for employers** - 14 March 2024, 11:00-12:00, online. More: [here](#).
- **Legal Market Day 2024. Managers edition** - 14 March 2024, 9:00-17:30, on-site, Poznań. More: [here](#).
- **Workshop: Managing relations with trade unions. How to effectively communicate with trade unions?** - 15 March 2024, 11:00-11:45, online. More: [here](#).