



Dear Readers,

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

WHISTLEBLOWERS WITHOUT THE 12-MONTH RETALIATION COMPENSATION

The Ministry of Family, Labor, and Social Policy announces a reduction in compensation for retaliatory actions, as well as narrowing the catalogue of cases that whistleblowers can report upon the request of the Ministry of Justice. While the change in compensation should be positively evaluated, the justification from the Ministry is misguided.

SUPREME COURT: TRADE UNION CAN APPEAL TO COURT REGARDING ANTI-MOBING POLICY

A trade union can challenge company rules for dealing with workplace violence before a court, as stated by the Supreme Court. However, this does not automatically mean that the claim made by the union is justified and has a legal basis. This will have to be decided by the court on a case-by-case basis. Anti-mobbing policies are a must-have for internal procedures. Decision of the Supreme Court dated 19 March 2024, case ref. no. III PSKP 8/23.

THE GOVERNMENT OPPOSED TO RETURNING TO THE PREVIOUS HEALTH CONTRIBUTION REGULATIONS

Minister of Health Izabela Leszczyna announced on 18 March 2024, that in the near future, together with the Minister of Finance, she will present proposals for changes in health insurance contributions for entrepreneurs. The Minister of Health assured that entrepreneurs will not be obligated to pay the contribution currently levied on the sale of fixed assets, and that appropriate changes will be introduced for those entrepreneurs whose incomes are not sufficient to comfortably pay all taxes and contributions while simultaneously operating and developing smoothly. The Ministry of Health has calculated that reverting to the rules prior to the "Polish Deal" regarding health insurance contributions would create a gap in the NFZ budget in 2025 amounting to 10 billion PLN, hence at this moment, it can be said that there is a "lack of permission" to reintroduce the old rules.

CJEU: CORRECT NOTIFICATION OF COLLECTIVE REDUNDANCIES ONLY BEFORE THEIR COMMENCEMENT

The Court of Justice of the EU has held that consultations and sending notifications of planned redundancies should take place as early as possible. According to the Court, the best time is at the moment when a decision is made that compels the employer to consider or plan collective redundancies. It is necessary to consider whether factors essential for conducting consultations are already known and specific. If they are only unlikely scenarios, then there is no obligation to initiate the collective redundancy procedure at all. An example of the moment when the obligation to initiate the procedure arises could be the initiation of discussions that will ultimately require the preparation of a plan for such redundancies. Judgment of the CJEU of 22 February 2024 (Case C-589/22).

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UPCOMING EVENTS

- **Webinar: "Just in case" – What employers need to remember in case of accident at work** - 26 March 2024, 11:00-11:45, online. More: [here](#).
- **Discussion Panel: HR & Talent Trends 2024** - 27 March 2024, 9:30-13:45, Warsaw. More: [here](#).
- **Let's talk about money: Preparing for pay transparency - ensuring success and addressing challenges** - 4 April 2024, 11:00-11:45, online. More: [here](#).