



**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 REGULATIONS MAY OBLIGATE EMPLOYERS TO NEGOTIATE COLLECTIVE LABOUR AGREEMENTS**

The Ministry of Family, Labour and Social Policy proposed amendments to the collective labour law, which include specified duration for collective labour agreements and simplification of their registration procedure – by entering them into the National Register of Collective Labour Agreements electronically. Employers with more than 50 employees may also face new obligations. The amendment introduces a requirement to re-negotiate the agreements every two years to conclude a company-level collective agreement. Failure to initiate negotiations may result in fines or imprisonment. The proposed amendments are [here](#).

**WORKS ON EU MINIMUM WAGE REFORM IS UNDERWAY**

On 26 August 2024, the government started working on implementing the EU directive on minimum wages. The draft law proposes introducing the minimum wage as a base salary, meaning that other components such as bonuses will not be included. In addition to annual raises, the project proposes conducting a general wage update at least every four years, considering factors such as purchasing power and the overall salary levels. Although work on the law has just begun, the plan is to complete the legislative process by November. Link: [here](#).

**HIGHER PENALTIES FOR LABOUR LAW VIOLATIONS**

The draft law on minimum wages which implements the EU directive, also introduces significant changes to the Labour Code. In addition to sanctions in Labour and Criminal codes, the draft introduces a new type of misdemeanour related to violating employees' right to remuneration. Failing to pay wages for a period of up to three months will be punishable by a fine or imprisonment for up to two years. Penalties for labour law violations are to become more severe – for instance, paying salary that is lower than the minimum wage could result in a fine of up to 45 000 PLN. Link: [here](#).

**CJEU: PART-TIME WORKERS ARE ENTITLED TO OVERTIME PAY FOR HOURS WORKED AFTER THE CONTRACTED TIME**

In July 2024, CJEU issued another ruling on overtime for part-time workers. Employees working part-time should have equal right to receive additional pay for hours worked above those specified in their contracts. The Court based this conclusion on the case of two medical staff members employed part-time, who demanded overtime pay from their employer after they exceeded the hours stipulated in their contracts. The CJEU ruled in their favour. CJEU ruling of 29 July 2024 (case no. C-184/22 and C-185/22).

**ACCIDENT REPORTS – ID NUMBERS REQUIRED ONLY WHEN THERE IS NO PESEL**

According to the National Labour Inspectorate's position, employers are not allowed to collect the series and number of an employee's ID card. When preparing an accident report, those responsible for health and safety issues are authorised to collect this data, since the ID number is a required element of the report. However, according to the Ministry of Family, Labour and Social Policy's opinion, the ID card or another identity document number should be indicated only if the employee does not have an assigned PESEL number. Opinion of the National Labour Inspectorate of 12 April 2024, ref. no. GIP-BI.0701.47.2024.4.

**CIVIL LAW AND B2B CONTRACTS WILL BE INCLUDED IN EMPLOYMENT HISTORY – PROPOSED AMENDMENT**

The Ministry of Family, Labour, and Social Policy is working on amendment to the Labour Code that will change the rules for calculating the length of employment. New regulations will include periods of working under civil law, service provision, and agency contracts, as well as non-agricultural business activities. For employers this might mean additional costs, as including these periods may entitle employees to additional financial benefits. The law is expected to come into force on 1 January 2026. The amendment can be found [here](#).

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**UPCOMING EVENTS**

- **HR Lab Gdańsk: Employer today and tomorrow: Whistleblowers and the conflict of company and employee values** - 10 September 2024, 11:00-14:00, Gdańsk. More: [here](#).
- **Trust but check: Social dialogue based on trust - how to shape relations with trade unions and works councils** - 11 September 2024, 11:00-11:45, online. More: [here](#).
- **No, because of GDPR!: Leaked payroll – what's next? Dealing with incidents** - 12 September 2024, 11:00-11:45, online. More: [here](#).
- **Webinar: Upcoming changes to regulations on employing foreigners – what to prepare for before the end of 2024?** - 13 September 2024, 11:00-11:45, online. More: [here](#).
- **Working Time Conference 2024** - 25 September 2024, online. Register: [here](#).