

# HR LAW BRIEF: CEE

21/2024



**Dear Readers,**

We are back with another edition of our HR Law Brief: CEE. Again, it's a 3-minutes read to bring you up to speed with the latest news from Central-Eastern Europe.

If you need any support in the CEE region, let us know.



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**UKRAINE: IMPROVED MENTAL HEALTH SUPPORT IN THE WORKPLACE**

On 21st November 2024, Ukraine has passed an amendment to the Labour Code to bolster mental health support in the workplace. Employers will be required to develop policies that protect and promote mental health. Additionally, larger employers with 50 or more employees must create in-house mental health service. Those with fewer than 50 employees can provide part-time mental health services through adequately trained personnel, and those with fewer than 20 employees may contract external professionals with appropriate training. Employers will have one year to prepare internal regulations and organize qualified personnel to ensure compliance.

**SLOVAKIA: EMPLOYERS SPONSORED CHILD SPORTS ACTIVITIES**

Effective 1st January 2025, a recent amendment to the Labour Code mandates that employers with an average of 50 or more employees in the previous year must financially support the sports activities of their employees' children under 18. To be eligible, employees must have been within the company for over 24 months and provide proof of their child's sport participation. The support will cover 55% of eligible expenses, up to a maximum of EUR 275 per calendar year in total for all children. To implement this new benefit, employers must establish a process for handling, reviewing, and approving employee requests, as well as disbursing funds.

**HUNGARY: WORKPLACE SAFETY PROCEDURES SIMPLIFIED**

Changes in regulations concerning workplace safety are discussed. More medical professionals are to be authorized to conduct occupational health tasks, and that workplace risk assessments will be required every five years, instead of three, unless specific circumstances demand otherwise. These activities will be more efficient and faster, offering convenience for employers. However, internal regulations may need adjustment. The proposal has been submitted to public consultation.

**CZECH REPUBLIC: CHANGE OF POSITION MAY REQUIRE EMPLOYEE'S CONSENT**

The Czech Supreme Court has recently challenged a provision in the Labour Code that allows employers to unilaterally transfer employees to different positions. The Supreme Court emphasized that any change of position should be mutually agreed upon by both parties. An employer's unilateral decision to transfer an employee should only be permissible in exceptional circumstances. If an employee refuses a transfer, an employer will have to find alternative suitable position. This issue is now pending before Constitutional Court. If the Constitutional Court sides with the Supreme Court, employers should establish clear procedures for handling potential position changes.

**POLAND: EMPLOYER'S TRANSPARENCY REGARDING THE USE OF AI IN THE DECISION-MAKING**

Poland has recently approved a draft amendment to the Trade Unions Act. The proposed changes will require employers to disclose to trade unions detailed information about the algorithms and AI systems they use in decision-making processes upon request. This includes insights into the parameters, principles, and instructions that influence crucial aspects such as working conditions, pay, job retention, or employee profiling. With trade unions gaining access to this data, employers should be more cautious and strategic in maintaining good relations with their social partners.

**ESTONIA: CHANGES IN THE FOREIGNERS ACT**

Estonia is streamlining its immigration process for businesses. The draft bill provides that (i) foreigners and employers will be able to contact the state electronically when applying for a residence permit for work purposes, (ii) employers must be registered in the Estonian Trade Register and confirm actual economic activity in Estonia for at least 12 months to file for an employee's residence permit. Employers must be registered in the Estonian Trade Register to expedite the process and benefit from this amendment.

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