

PCS GOOD MORNING HR | 30/26

Dear Readers,

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

PRESIDENT REFERS LABOR INSPECTORATE AMENDMENTS TO THE CONSTITUTIONAL TRIBUNAL

The Presidend has referred the amendments to the law on National Labor Inspectorate (PIP) to the Constitutional Tribunal. The main concern relates to the new powers granted to the inspectors, who would be able to reclassify civil law contracts as employment contracts without involving the court. According to the President, giving labor inspectors such broad authority to interfere in the relationship between businesses and individuals providing services raises serious legal concerns. The case has been referred to the Constitutional Tribunal under a subsequent review procedure, meaning the new provisions remain in force and will continue to apply until the Tribunal issues its decision. The referral does not suspend the implementation or application of the new rules, so employers should be prepared for inspections under the amended regulations.

PIP RECEIVES 250 COMPLAINTS ON EMPLOYMENT MISSCLASIFICATION AFTER TWO WEEKS

Since the labor inspection reform came into force, PIP reported a rise in complaints about employers using civil law contracts instead of employment contracts. Between July 8, and July 21, PIP received approximately 250 complaints, and already begun following up on them. By the beginning of the week, it had taken action in several dozen cases across industries ranging from retail and services to healthcare, manufacturing, and industrial processing. PIP says the rise in complaints reflects not only the Inspectorate's expanded enforcement powers but also the public awareness campaign that has been running for the past several months.

COURT: CORPORATE LINKS DO NOT JUSTIFY RECLASSIFYING A CIVIL LAW CONTRACT

The Court of Appeal in Poznań confirmed that ownership or management links between companies, by themselves, are not enough to apply Article 8(2a) of the act on social insurance system. To treat work performed under a civil law contract as work performed for an individual's employer, the Social Insurance Institution (ZUS) must prove the actual nature of the work and identify who ultimately benefited from it. The case involved an employee who worked under an employment contract for one company while also performing separate duties under a civil law contract with another affiliated company. Although the two companies shared owners, used some of the same infrastructure, and cooperated with one another, the court found that ZUS failed to prove that the work performed under the civil law contract actually benefited the employee's employer. The ruling highlights the importance of clearly documenting separate responsibilities, work arrangements, and the entity that receives the benefit of the services. Ruling of the Court of Appeal in Poznań of June 3, 2025 (III AUa 974/24).

CENTRAL INSTITUTE FOR LABOR PROTECTION HIGHLIGHTS KEY HEALTH AND SAFETY CONSIDERATIONS FOR DESK BASED WORK

The Central Institute for Labor Protection has published new workplace health and safety recommendations aimed at preventing common health issues associated with prolonged sitting. It identifies chronic venous insufficiency and back pain as two of the most significant risks for employees who spend long hours at a desk. The guidance encourages employers to focus not only on ergonomic workstation design but also on how work is organized. It recommends providing appropriate seating, including alternative seating options where suitable, promoting proper posture, and encouraging employees to take regular movement breaks throughout the workday. The recommendations provide a reminder for employers to review their workplace health and safety practices and consider whether any updates are needed to better support employees who perform primarily desk-based work. Link to the guidance: *here.*

NEW LIMITS ON DOCTORS' WORKING HOURS AND COMPENSATION

Last Friday, the Government Legislation Center published a draft bill amending the act on healthcare services financed from public funds. The proposed amendments would introduce maximum compensation rates and a cap on doctors' working hours. The new limits would apply to doctors working under both employment contracts and civil law contracts. If adopted, the new law would take effect 14 days after its publication. Link to the draft bill: *here.*

Please do not hesitate to contact us: Karolina Kanclerz, attorney-at-law, partner, **Sławomir Paruch**, attorney-at-law, partner, and **Oskar Kwiatkowski**, attorney-at-law, senior lawyer.

UPCOMING EVENTS

- **HR Lab Katowice: Employers under growing regulatory pressure** – September 3, 2026, 11:00 – 14:00, Katowice. Register: *here.*
- **Investigations in practice – from evidence to a decision: Financial misconduct and conflicts of interest – using technology to preserve and analyze digital evidence** - September 10, 2026, 11:00 - 11:45, online. Register: *here.*
- **HR Lab Poznań: What's next for B2B & how to prepare to address workplace bullying, harassment or financial misconduct?** – September 30, 2026, 11:00 – 14:00, Poznań. Register: *here.*

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