

PCS GOOD MORNING HR | 33/26

Dear Readers,

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

CONSTITUTIONAL TRIBUNAL TO REVIEW INCREASED NATIONAL LABOR INSPECTION FINES

Under the July 2026 amendments to the Labor Code, which granted the National Labor Inspection (PIP) expanded supervisory authority over employers, new fines for violations can range from PLN 2,000 to 60,000. PIP's primary focus will be penalizing employers who use contracts based on the Civil Code when standard employment contracts are legally required. This represents another measure aimed at curbing contract misclassification. The President has now referred the specific provisions regarding fine increases to the Constitutional Tribunal for review.

OVER 5,000 DECISIONS SUSPENDING SICKNESS BENEFIT PAYMENTS

In the second quarter of 2026, the Social Insurance Institution (ZUS) audited nearly 110,000 individuals on sick leave. These checks led to 5,300 decisions to suspend sickness benefit payments, saving roughly PLN 8 million in halted benefits. ZUS uses its statutory authority to review evaluations made by medical examiners, and when non-compliance is found, ZUS can either reduce benefit amounts or suspend payments completely.

EMPLOYEE CAPITAL PLAN OPT-OUT DECLARATIONS EXPIRE AFTER MARCH 1, 2027

Next year marks the return of automatic enrollment for Employee Capital Plans (PPK), re-enrolling all eligible workers in the scheme. Existing opt-out declarations will automatically expire after that. To remain excluded from PPK, employees must submit a new opt-out notice after March 1, 2027. Employers are legally required to auto-enroll all qualifying staff members aged 18 to 55.

NEW COMMITTEE AND BUSINESS ENGAGEMENT FOR POLISH AI REGULATIONS

In November, the Sejm will form the Committee on the Development and Security of Artificial Intelligence (Komisja Rozwoju i Bezpieczeństwa Sztucznej Inteligencji, KRiBSI) to oversee the implementation of EU AI regulations. Practical outcomes, including formal inspection proceedings and complaint handling, are expected in the fourth quarter. Additionally, an "AI sandbox" will be established to help regulate the market and allow businesses to test high-risk AI systems in a controlled environment.

PROFESSIONAL DRIVERS INELIGIBLE FOR BRIDGING PENSIONS

Responding to a petition from truck drivers operating vehicles over 3.5 tons, the Ministry of Family, Labor, and Social Policy has rejected their request for early retirement. The Ministry stated that long-distance driving does not meet the specific criteria required for a bridging pension. Citing Constitutional Tribunal rulings, officials clarified that a heavy workload alone does not qualify a job for early retirement; specific physical and mental demands must be met. Exceptions apply only to drivers transporting hazardous materials, as well as emergency services and public transportation drivers.

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

- **Modern Employer: HR Hat-Trick – B2B, workplace bullying and pay transparency. Three changes to prepare for after the summer break** – August 25, 2026, 11:00 – 11:45, online. Registration: *here*.
- **Employer and Employee in Court: Autumn 2026 in Labor Court** – August 26, 2026, 11:00 – 11:45, online. Registration: *here*.
- **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*.
- **Conference: Restructuring in the workplace** - September 17, 2026, 11:00 - 13:10, 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*.

Please note that the information given above is general and should not be treated as legal advice or as a basis for making business decisions. The firm accepts no liability whatsoever for using this information without prior consultation.