

PCS GOOD MORNING HR | 34/26

Dear Readers,

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

GIP ISSUES FIRST INTERPRETATIONS ON CIVIL LAW CONTRACTS

The first interpretations issued by the Chief Labor Inspector under the new rules are largely unfavorable to those seeking guidance. The Labor Inspectorate pays particular attention to the level of control exercised by the hiring entity and the extent to which the individual is free to organize and plan their work. It also considers whether the work must be performed personally. Although these interpretations apply only to the specific circumstances described in each request, they provide a useful indication of the direction the National Labor Inspectorate (PIP) is taking.

NEW SELF-ASSESSMENT CHECKLIST FOR CIVIL LAW CONTRACTS

The Chief Labor Inspector has introduced a new 30-point checklist to help employers assess whether a civil law contract should be replaced with an employment contract. The checklist leaves room for interpretation and does not indicate how much weight employers should give to each characteristic of an employment relationship. It can help identify potential risks, but it does not give employers a clear answer as to which form of employment is appropriate. The issue has become particularly important following the introduction of PIP's new powers. Ultimately, the classification of a contract still depends primarily on how the work is actually performed, rather than on the outcome of the checklist.

NEW RULES FOR EMPLOYING NON-NATIONAL WORKERS SINCE AUGUST 22

As of August 22, new restrictions are in effect regarding the possibility of employment of citizens of Colombia, Venezuela, and Georgia. To work legally, in addition to a work permit, these individuals must have a visa or a residence permit that allows them to work in the territory of Poland. Individuals who began working before August 22 under the visa-free regime may continue working until they have exhausted the duration of that regime.

ZUS LOOKS INTO STUDENT STATUS

Social Insurance Institution (ZUS) has launched inspections aimed at preventing employers from hiring non-national workers who claim student status without actually pursuing their education. According to ZUS, some employers engage non-national contractors and pay for their enrolment in post-secondary schools allowing them to obtain student status. In practice, ZUS believes that these arrangements may serve only as a way to avoid social security contributions and increase the contractors' net pay.

UODO ISSUES AI GUIDE FOR SMALL AND MEDIUM-SIZED BUSINESSES

The President of the Personal Data Protection Office (UODO) recommends that those responsible for purchasing and implementing AI systems first review how the relevant model works and the risks associated with its use. Employers should also carefully review the terms governing the processing of personal data in agreements with AI system providers. At the same time, employers using AI systems should, in line with UODO's recommendations, assess how AI affects interactions with people. A trained employee should ultimately remain responsible for making the final assessment. The Guide availible: *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

- **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.