Dear Readers,

We are pleased to present the September edition of the HR Perspectives newsletter.

In this edition, we cover the following topics:

- **Contractors' health insurance contributions under scrutiny by the National Health Fund (NFZ)**;
- **PPK** – should employers prepare for further obligations?
- **Temporary contract work** – do the PIP's new powers also cover temporary contract work?

We also include a calendar of upcoming events organized by PCS.

We hope you enjoy it!



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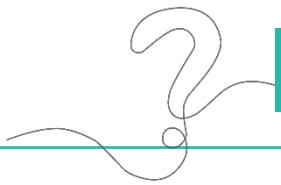
Is there a topic you would like us to cover in HR Perspectives? Or perhaps after reading our publications, you have additional questions, reflections, or issues that require further exploration? We encourage you to contact us.



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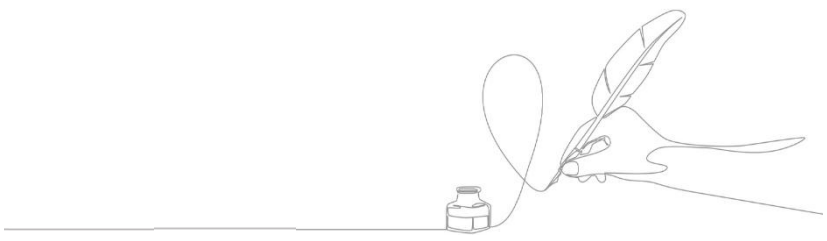


Contractors' health insurance contributions under scrunity by the National Health Fund (NFZ) – who is at risk of a back-payment demand?

Jakub Grabowski-Castañeda, attorney-at-law, senior lawyer, jakub.grabowski@pcslegal.pl

Individuals who work with businesses as contractors operate their own businesses, which allows them to choose from various forms of taxation. Different forms of taxation result in different amounts of health insurance premiums. Although this arrangement is fully legal and provided for by law, it is not viewed favorably by the Social Insurance Institution (Zakład Ubezpieczeń Społecznych).

Recently, we assisted a client during a Social Insurance Institution (ZUS) audit, which began in the standard manner – an examination of the accuracy of social insurance filings, which at the start of the audit covered only employees hired under employment contracts. However, once the ZUS inspector determined that the employer could not be accused of any irregularities and that there would be no basis for imposing additional social insurance contributions, the audit took a completely different turn. The focus shifted to the business activities of a contractor working with the employer. The result? ZUS determined that the services were provided not as part of a business activity but under a contract of mandate. ZUS is forwarding the audit report to the National Health Fund (NFZ) so that a decision can be issued reclassifying the basis for health insurance coverage.

The implication of these findings is that the health insurance premium owed to the National Health Fund (NFZ) is payable by the company as the payer – at a rate of 9% – and not by the contractor, who had been paying 4.5% because he had opted to tax his business at a flat rate. Naturally, all amounts are subject to interest.

PPK after changes – should employers prepare for further obligations?

Julita Kołodziejska-Szczygieł, senior lawyer, julita.kolodziejska-szczygiel@pcslegal.pl

It is becoming increasingly common for people participating in the Employee Capital Plan (PPK) to opt for an early withdrawal of the funds accumulated in their account. This raises concerns for the Polish Financial Supervision Authority (Komisja Nadzoru Finansowego) regarding the programme's fundamental purpose, which is long-term saving for the future and the associated requirement that funds may only be withdrawn after the age of 60. For this reason, there is talk of potential changes to the way the PPK operates. Although no specific legislative measures are currently being considered, employers should keep abreast of planned regulations and be prepared for any new obligations relating to the administration of the PPK.

A review of the functioning of the PPK by the Council of Ministers (carried out once every four years) is due in 2026. Following this review, the Council of Ministers will submit a report to the Sejm on the effects of the PPK Act, together with any proposed amendments. It is noted that one of the aims of this year's review is to make the scheme more attractive. This may therefore provide an opportunity to amend the regulations affecting both the rights and obligations of PPK participants and employers. It is therefore worth keeping a close eye on the direction of the planned changes. Most of these changes may, in fact, require specific

action on the part of employers – particularly in terms of adapting HR processes, updating internal documentation and ensuring appropriate communication with employees.

It is worth bearing in mind that the PPK scheme can be regarded as a form of employee benefit. Some employers make use of the option to fund additional contributions to the scheme, raising the level above the statutory minimum. Although the PPK, due to the statutory obligation to implement it, is not usually regarded as a standard employee benefit, employers have the option of using the scheme as part of their recruitment strategy. Offering additional employer-funded contributions can enhance the attractiveness of the benefits package and support the recruitment and retention of staff. In a situation of growing competition for staff, such an approach can serve as an additional factor in the choice of employer, highlighting the employer's long-term commitment to the financial security of their staff. It should be noted, however, that the extent of this competition remains constrained by the statutory limits on additional contributions.

Regardless of whether and to what extent changes are made to the PPK, experience shows that the greatest challenge for employers is usually not the entry into force of new regulations themselves, but rather their effective implementation in day-to-day organizational processes. This is particularly important because, for some organizations, the PPK is not only a statutory obligation but also a key component of their offering to job candidates and employees. Any changes to the programme's operation may affect both administrative processes and the way the PPK is used as a tool to enhance an employer's attractiveness and build long-term employee engagement. Such a proactive approach will enable organizations to respond more effectively to new obligations, minimise the costs of implementing changes and make better use of the programme's potential within their HR policy.

Temporary work under contracts of mandate under PIP scrutiny. Do business owners have anything to worry about?

Kamil Nazimek, attorney-at-law, lawyer, kamil.nazimek@pcslegal.pl

The new powers granted to the National Labour Inspectorate (PIP) regarding the verification of civil law contracts have caused quite a stir amongst business owners. However, a new aspect of this issue is increasingly coming to the fore, one which initially seemed to have been downplayed – namely, whether the PIP's new powers also cover temporary work, where the contract of mandate remains a very popular form of employment.

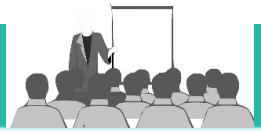
It is clear that the new reclassification mechanisms were designed primarily with traditional, bilateral employer-employee relationships in mind. Furthermore, the legislation explicitly permits temporary work to be carried out under civil law contracts, and the legislator has for years recognised and accepted this market practice. This is a significant argument against inspectors automatically questioning such models of cooperation.

This does not mean, however, that employers can breathe a complete sigh of relief. Regardless of the specific nature of temporary work, PIP will certainly be examining whether the way work is organized corresponds to the actual nature of the contracts entered into. It is worth bearing in mind that PIP inspections, during which inspectors will be able to exercise

their new powers, will not only be pre-planned and targeted at specific companies, but – as the PIP itself notes – so-called 'tip-off' inspections may still occur, or the issue of reclassification may only come to light during an inspection that was, in principle, concerned with a different matter.

That is precisely why it is worth viewing the new regulations not as a threat, but as an opportunity to carry out an audit of the solutions currently in place. Reviewing documentation, procedures and the rules governing cooperation with temporary work agencies can significantly reduce the risk in the event of an inspection.

Below, we would like to inform you about the events we are organizing over the coming weeks.



Modern Employer: B2B under scrutiny. Key insights from the Chief Labor Inspectorate's initial interpretations and audits

Date: October 6, 2026, 11:00 – 11:45, online.
Speakers: Michał Włodarczyk, Michalina Lewandowska–Alama.
Register using the form: *here.*

Employers and Employees in Court: How workplace bullying and discrimination cases have changed after legislative updates

Date: October 7, 2026, 11:00 – 11:45, online.
Speakers: Marcin Szlasa-Rokicki, Sławomir Paruch, and Robert Stępień.
Register using the form: *here.*

Webinar: Work schedule planning. Is an extended settlement period enough?

Date: October 8, 2026, 11:00 – 11:45, online.
Speakers: Robert Stępień, Michał Bodziony, and Kinga Krzysztofik.
Register using the form: *here*.

Online Workshop: Compensation policy and key regulatory changes and challenges for HR

Date: October 12-13, 2026, online.
Speakers: Marcin Szlasa-Rokicki, Michał Włodarczyk, Ilona Zacharska, and Piotr Kozłowski.
Organized by: MMC Polska.
Registration: *here.*

HR Lab Kraków: Changes in HR & litigation and difficult employee cases

Date: October 13, 2026, 11:00 – 14:00, in person, Kraków.
Speakers: Robert Stępień, Michał Bodziony, and Kinga Wieczorek.
Event partner: ASPIRE.
Register using the form: *here.*

Workshop: Trade union relations. Managing dynamics and costs

Date: October 14, 2026, 11:00 – 11:45, online.
Speakers: Sławomir Paruch, Robert Stępień, Michał Bodziony, and Kinga Wieczorek.
Register using the form: *here.*

PCS HR Point: Aligning your anti-harassment policy with new legal standards

Date: October 15, 2026, 11:00 – 11:30, online.
Speakers: Robert Stępień, Michał Bodziony, and Kinga Krzysztofik.
Register using the form: *here.*

Webinar: Before you hand over a notice of termination - 10 questions that may help avoid employment disputes

Date: October 20, 2026, 11:00 – 11:45, online.
Speakers: Sławomir Paruch, Robert Stępień, Michał Bodziony, Kinga Wieczorek, and Natalia Stanek.
Register using the form: *here.*

HR Compliance Summit 2026

Date: October 22, 2026, 10:00 – 13:50, online.
Speakers: Karolina Kanclerz, Bartosz Tomanek, Sławomir Paruch, Robert Stępień, Paweł Sych, Miłosz Awedyk, Marcin Szlasa-Rokicki, Krzysztof Gąsior, Marcin Sanetra, Michał Włodarczyk, Michał Bodziony, Bartosz Wszeborowski, and Barbara Galant.
Register using the form: *here.*

4th Conference: Trade Unions. Compliance in union relations

Date: October 22, 2026, 10:00 – 13:50, online.
Speakers: Michał Bodziony, Kinga Wieczorek.
Organized by: Must Read Media.
Registration: *here.*

The guide **Employment Restructuring 2026**, published in collaboration with Rzeczpospolita.



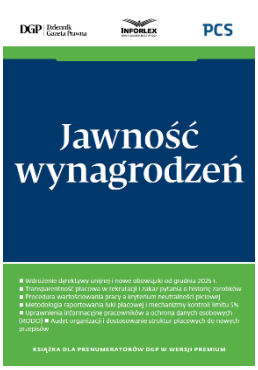
The publication discusses the following topics:

- How to modify employment terms.
- Non-wage benefits: how to attract and retain good employees.
- Working hours.
- Permanent remote work under the Labor Code.
- How to terminate an employment relationship.
- Voluntary separation program.
- Transitioning from an employment contract to a B2B arrangement.
- Labor outsourcing.
- The platform directive.
- Full transparency and communication during restructuring.

Authors: Sławomir Paruch, Robert Stępień, Karolina Kanclerz, Paweł Sych, Michał Włodarczyk, Michał Bodziony, Ilona Zacharska, Łukasz Marzec.

The guide is available through Rzeczpospolita's Plus Subscription.

Salary transparency – a commentary published jointly with Dziennik Gazeta Prawna.



The publication discusses the following topics:

- Implementation of the EU directive and new obligations effective December 2025.
- Pay transparency in recruitment and the prohibition on asking about salary history.
- Job evaluation procedures and the gender neutrality criterion.
- Methodology for reporting the pay gap and mechanisms for monitoring the 5% limit.
- Employees' right to information and the GDPR.
- Organizational audit and alignment of pay structures with the new regulations.

Authors: Sławomir Paruch, Michał Włodarczyk, Bartosz Tomanek, Michał Bodziony, Ilona Zacharska, Patryk Kozieł, Michalina Lewandowska–Alama, Mateusz Krajewski, Kamil Nazimek, Krzysztof Bardel, Julia Rożen.

The commentary is available on the Dziennik Gazeta Prawna website.