

JDP

Alert

Amendments to Labour Code Implementation of EU Directives

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Amendments to Labour Code Implementation of EU Directives

On **26 April 2023**, an amendment to the Labour Code came into force to implement EU directives, i.e. the directive on transparent and predictable working conditions and the work-life balance directive.

Employers should review and accordingly modify their internal documentation, including, in particular, work regulations, employment contract templates and statements of employment particulars.

The amendment imposes new disclosure duties on employers. The introduced changes also relate to parental leaves, rules of terminating fixed-term contracts and taking up secondary employment.

Employment contracts

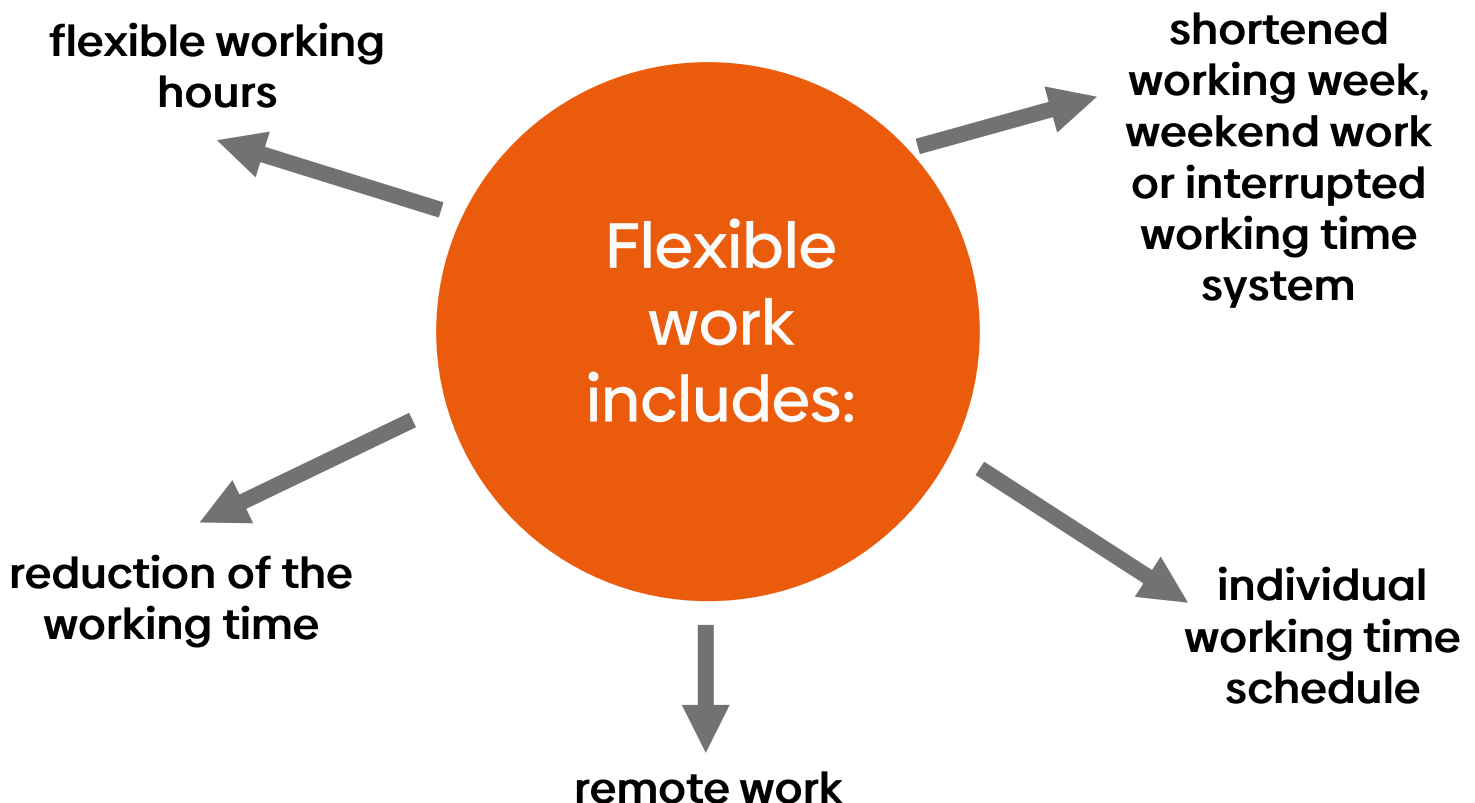
- Employers will now be required to justify – and to consult with trade union organisations, if such operate in a company – termination of a fixed-term employment contract.
- Changes were introduced in terms of entering probation employment contracts, in particular, the obligation to indicate the intention to enter into another fixed-term contract and the right to extend a probation employment contract by the duration of an employee's excused absence was introduced.
- Employees will now have the right to annually apply for conversion of an employment contract into an indefinite-term employment contract or for more predictable and safer working conditions.

Note! Employers will no longer have the right to prohibit employees to take up secondary employment (unless they enter into a non-competition agreement).

Broader rights related to leaves and additional breaks

- 2 days or 16 hours of release from work due to force majeure with the right to receive half of the salary.
- 5 days of unpaid carer's leave.
- Parental leave extended by 9 weeks that cannot be transferred to another employee-parent.
- Right to use a paternal leave only until the child reaches the age of 12 months.
- Additional at least 15-minute breaks included in the working time and intended for employees working an increased number of daily working hours.

Note! Employees having children up to the age of 8 years may apply for flexible work which includes:



Electronic communication

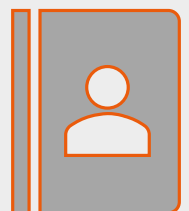
- The amended provisions considerably facilitate communication with employees. Employees may file most of the requests **on paper or electronically**.
- The statement of employment particulars may be delivered **electronically**.



Wider information duties on the employer's part

Under new regulations, employers are required to provide i.a. the following information in the statement of employment particulars:

- breaks from work,
- right to daily and weekly rest,
- terms of overtime work and compensation for overtime work,
- terms of moving between an employee's workplaces,
- terms of changing shifts (concerns shift workers),
- additional salary components and monetary and in-kind benefits,
- right to participate in training sessions; and
- the social insurance institution to which social security contributions are paid.



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