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Raczkowski

PRO HR

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TOPICS

Work clothing and footwear for juveniles, including personal safety equipment, at the employer's expense. Labour rules and regulations to be updated - new list of prohibited work. There are also other new responsibilities

Only one parent or guardian raising a child under the age of 8 can refuse to work overtime, at night time or go on a business trip

Ukrainian citizens with legal residence in Poland until 4 March 2024

End of the "covid fiction" - a foreigner's residence and work must be legalized by 31 July

NEWS / EVENTS

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INCLUDING PERSONAL SAFETY EQUIPMENT,
AT THE EMPLOYER'S EXPENSE.
LABOUR RULES AND REGULATIONS TO BE UPDATED -
NEW LIST OF PROHIBITED WORK. THERE ARE ALSO
OTHER NEW RESPONSIBILITIES**



Monika Czekanowicz
Attorney-at-law

The new regulations will be effective as of 30 September 2023.

There will have to be constant supervision over juveniles at work, for example, by teachers.

Young people will need to be informed about the risks and health protection in a way they can understand.

Breaks during work are to take place in rooms isolated from hazardous agents.

The occupational risk assessment for juveniles will be more extensive, and must be updated each time the work organization changes.



**ONLY ONE PARENT OR GUARDIAN RAISING A CHILD
UNDER THE AGE OF 8 CAN REFUSE TO WORK OVERTIME,
AT NIGHT TIME OR GO ON A BUSINESS TRIP**

Katarzyna Soboń
Advocate

According to Article 178 §2 of the Labour Code, an employee raising a child until the child turns 8 years old may not work without his or her consent (i) overtime, (ii) at night, (iii) under an intermittent working time system, or (iv) be posted outside the permanent workplace.

Until 26 April 2023, the entitlement was available to employees raising children up to the age of 4. As a result of the implementation of EU Directives, this entitlement has been expanded.

However, the above right can still only be exercised by one parent or guardian (Article 189[1] of the Labour Code). This means that if the employee has declared that he or she wants to exercise this entitlement, the other parent (guardian) no longer has this option. He or she cannot refuse to work overtime, at night or go on a business trip.

UKRAINIAN CITIZENS WITH LEGAL RESIDENCE IN POLAND UNTIL 4 MARCH 2024.



Ewa Mierzyńska
Immigration consultant

The stay of Ukrainian citizens residing in Poland under EU temporary protection (UKR status) will be extended until 4 March 2024.

The validity periods of residence permits, national and Schengen visas and visa-free stays held by Ukrainian citizens will also be extended until 4 March 2024 by the same token.

Note that the extension of the legality of the stay of Ukrainian citizens does not remove the obligation to notify the competent labour office of entrusting work to them. In order to ensure the legality of their work, their employer is obliged to notify the competent labour office within 14 days of the assignment of work. Notification must also be made if, among other things, the job position or salary changes, and when the contract is renewed.



Małgorzata Bojsza
Lawyer

END OF THE “COVID FICTION” - A FOREIGNER'S RESIDENCE AND WORK MUST BE LEGALIZED BY 31 JULY

As of 1 July 2023, the state of epidemiological threat will cease to apply. For foreigners residing in Poland, this means the end of the so-called "covid fiction" - residence permits and work permits extended for this period by law will remain valid only until 31 July 2023.

Employers hiring foreigners, should make sure that no later than by 31 July:

- these foreigners regularize their residence status, for example, by submitting a proper application for a temporary residence permit, if they have been staying in Poland on that basis;
- a new work permit is obtained if foreigners have been performing work on the basis of the aforementioned extension.

Otherwise, the residence and work of foreigners using the so-called "covid fiction" will become illegal.

The above will also apply to holders of extended PBH visas with the right to work. Despite submitting a residence application, they will lose the right to work in Poland. It will therefore be necessary to obtain a work permit for them.

NEWS / EVENTS

The 7th edition of the Compliance Day is coming.

Date: September 28, 2023 | 10am – 4pm.

Place: Nobu Hotel, Warsaw

DETAILED AGENDA SOON

REGISTRATION: [HERE](#)



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