

Bird & Bird

# Poland: Employment law amendment Q1 2025

What will change and how to prepare?

*January 2025*



# HR Checklist for Poland

## *For Q1 2025 and beyond*

The year 2025 looks set to be another challenging one for employers. New regulations range from the national, such as the annual increase in the minimum wage, to EU regulatory projects, as well as to changes on the horizon, such as employer obligations around ESG or pay transparency.

Here is an overview of the key changes that will come into force this year and next. Employers should keep abreast of employment law trends to successfully navigate the impact of these changes on their businesses.

Projects & changes	When?	What?	Action points
<b>Increase in the minimum wage</b>	From 1 January	<ul style="list-style-type: none"><li>• Minimum wage: PLN 4,666 gross</li><li>• Minimum hourly rate: PLN 30.50 gross</li><li>• Statutory severance pays capped at PLN 69,990 gross</li><li>• <b>NOTE: There will be no mid-year increase in the minimum wage in 2025.</b></li></ul>	<ul style="list-style-type: none"><li>• Recalculate: components of remuneration, including allowance for night work, pay for downtime, sick pay, severance pay, graduate trainee benefits.</li></ul>
<b>Opt-out from Company Social Benefit Fund operation</b>	Until 31 January	<ul style="list-style-type: none"><li>• Employers with less than 50 employees (FTE) may opt-out from operating a Company Social Benefits Fund or pay holiday allowances.</li><li>• <b>NOTE: Opt-out is only valid for a given year.</b></li></ul>	<ul style="list-style-type: none"><li>• FTE verification</li><li>• Involve employee representatives – special procedure to be followed: the consent of the company's trade union organisation (or of the employees' representatives in cases where work regulations are in force).</li></ul>

Projects & changes	When?	What?	Action points
<b>Holidays and bank-holiday planning</b>	The new rules regarding Christmas Eve will come into force on 1 February 2025	<ul style="list-style-type: none"> <li>• Christmas Eve (24 December) will be a new bank holiday as of 2025.</li> <li>• Therefore, Christmas Eve, like any holiday occurring during the working time period and falling on a day other than Sunday, will reduce working hours by 8 hours.</li> <li>• <b>NOTE: There are 14 bank holidays in 2025.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Plan to provide a day off in lieu of the applicable pay period for 3 May and 1 November 2025, which fall on a Saturday in 2025.</li> <li>• Actively monitor holiday planning and usage to ensure a balanced working environment.</li> </ul>
<b>Additional maternity leave for parents of premature babies</b>	From 19 March 2025	<ul style="list-style-type: none"> <li>• Parents of premature babies will be entitled to 8-15 weeks of additional maternity leave at a rate of 100% of the maternity allowance.</li> <li>• The length of leave will depend on the time of birth and the condition of the baby.</li> <li>• <b>NOTE: Mothers, fathers, legal guardians, foster parents and adoptive parents will be entitled to such extended leave.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Receiving and accepting formal requests from parents: a request for additional maternity leave should be submitted to the employer together with: (i) a medical certificate stating the week of pregnancy in which the child was born, (ii) the child's birth weight and (iii) the length of the child's hospital stay.</li> </ul>
<b>ESG compliance and reporting mechanism</b>	From 2025 for companies employing more than 250 employees	<ul style="list-style-type: none"> <li>• In 2025, many companies in Poland will have to comply with new environmental, social and governance (ESG) reporting requirements.</li> <li>• <b>NOTE: There are different ESG reporting thresholds. From 2025, this obligation will apply to large companies that meet at least two of three criteria: they have more than 250 employees, a balance sheet total of more than €25 million or a net turnover of more than €50 million. This also applies to listed companies, banks and insurance companies. From 2026, MSP listed companies will be obliged, with the possibility of deferring such obligation until 2028. In 2027, MSP companies that are regular market issuers, except for micro-enterprises, will be obliged.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Internal audit of ESG readiness – implementing all necessary procedures, documents and structures. As the focus in ESG is on human rights, social impact and D&amp;I (including inclusive language), some existing documents may need to be updated despite general compliance.</li> </ul>

Projects & changes	When?	What?	Action points
<b>National Labour Inspectorate (PIP) plans for 2025-2027 – be ready</b>	On-going	<ul style="list-style-type: none"> <li>The PIP has announced that for the years 2025-2027, inspections will focus mainly on: parental rights, remote working, whistleblowing, PPK (Employee Capital Investment Plans), bullying, working time and remuneration payments, concluding civil law contracts under employment-like conditions.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure overall compliance with labour laws; have procedures in place, authorised and trained staff and external consultants to deal with issues.</li> </ul>
<b>Gender pay-gap</b>	Obligation to implement the Directive into Polish law in 2026	<ul style="list-style-type: none"> <li>The Directive (EU) 2023/970 has three objectives: to eliminate the wage gap, combat wage discrimination and make wages transparent.</li> <li><b>NOTE: The government has begun legislative work to transpose the directive into Polish law.</b></li> </ul>	<ul style="list-style-type: none"> <li>Legislation monitoring, changing internal documents and workplace culture.</li> </ul>
<b>Immigration</b>	Ongoing	<ul style="list-style-type: none"> <li>There are a number of legislative initiatives, some of which may significantly change the procedures for hiring foreigners. It is also possible that temporary protection and special rules for extending existing permits for Ukrainians will end on 30 September 2025.</li> </ul>	<ul style="list-style-type: none"> <li>No need to act if the employer does not recruit foreigners.</li> <li>If you employ foreigners, you will need to monitor the legislative process to identify any impact on your internal procedures. In addition to the standard ongoing checks required, an additional analysis of the status of Ukrainians must be carried out in advance before the end of September 2025.</li> <li>If you are recruiting from abroad, you should be aware of the changing practices of Polish consulates when considering visa applications.</li> </ul>

# Keep on your radar in 2025



Projects & changes	When?	What?	Action points
<b>Trade unions and new technologies (AI) used by employers</b>	Expected to still come into force in <b>2025</b>	<ul style="list-style-type: none"> <li>The draft bill pertaining to the Trade Unions Act states that trade unions are entitled to obtain information from the employer about: the parameters, rules and instructions underlying the algorithms or AI systems that influence decisions affecting working and pay conditions, access to and retention in employment.</li> <li><b>NOTE: The changes are designed to avoid the potential risk of discrimination or unfair treatment of employees, as a result of, for example, algorithmic errors.</b></li> </ul>	<ul style="list-style-type: none"> <li>Legislation monitoring</li> </ul>
<b>New Act on Collective Bargaining Agreements (“CBA”)</b>		<ul style="list-style-type: none"> <li>The new Collective Bargaining Act aims to revitalise the practice of collective bargaining and to make such agreements more popular, as well as easier to adopt and register, including the introduction of fixed term CBAs instead of indefinite ones.</li> </ul>	<ul style="list-style-type: none"> <li>Legislation monitoring</li> </ul>
<b>New definition of mobbing</b>		<ul style="list-style-type: none"> <li>The draft amendment to the Polish Labour Code provides, inter alia, for:                             <ul style="list-style-type: none"> <li>– Harmonising the definitions of harassment and mobbing (excluding “incidental” behaviour from the definition of mobbing);</li> <li>– Defining employee claims in relation to harassment;</li> <li>– Shifting the burden of proof in equal treatment cases to employers;</li> <li>– Obliging employers to take preventive and remedial action;</li> <li>– Extending employers' duties to include the protection of dignity.</li> </ul> </li> <li><b>NOTE: The bill is at the first reading in the Polish Parliament (Sejm).</b></li> </ul>	<ul style="list-style-type: none"> <li>Legislation monitoring</li> <li>Reviewing current anti-mobbing policies and practices, provide training.</li> </ul>

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<b>Further equalization of non-employment and employment contracts</b>	Expected to come into force in <b>2026</b>	<ul style="list-style-type: none"> <li>The Ministry of Family, Labour and Social Policy is planning to further equalize employment and non-employment contracts (e.g. mandate agreements or some B2B contracts). The idea is to count years of service (seniority) in a manner similar to that used for employment contracts.</li> <li>Further extend compulsory social security contributions for service contracts.</li> <li><b>NOTE: The aim of the changes is equalizing working conditions and improving social protection for workers.</b></li> </ul>	
<b>New rules on sick leave</b>		<ul style="list-style-type: none"> <li>Social securities laws changes are also on the horizon (draft bill from October 2024), including changes to sick leave, the possibility of working during sick leave (when employees work in more than one place) and some changes affecting the issuance of certificates by ZUS doctors to address the shortage of medical staff.</li> </ul>	
<b>Anti-hate law and claims</b>		<ul style="list-style-type: none"> <li>New claim – the so-called “blind lawsuit” would allow employers to initiate a case when the identity of persons that violated their good name and reputation is unknown if such violation occurred on the Internet.</li> <li><b>NOTE: This will provide employers with the tools they need to combat untrue and damaging opinions from disgruntled employees.</b></li> </ul>	



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