

## **New information obligations since August 2022.**

Another changes that employers must prepare for concern new information obligations. The scope of the employer's information obligations towards the employee has been significantly expanded.

After the changes to the regulations, employers will be required to inform the employee in paper or electronic form no later than within 7 days from the date of admitting the employee to work, at least about (for your convenience, the text regarding new duties has been bolded):

- a) **the employee's daily and weekly working time standard,**
- b) **the employee's daily and weekly working time (and therefore not only the standard, but also the working time),**
- c) **the employee's breaks at work (this also includes breaks not included in the working time, additionally it is worth paying attention to the change in regulations in the form of an additional break if the daily working time exceeds 9 hours),**
- d) **the employee is entitled to daily and weekly rest,**
- e) **rules concerning overtime work and compensation for it,**
- f) in the case of shift work - **rules concerning transition from shift to change,**
- g) in the case of several places of work - **the rules for moving between places of work (a consequence of the possibility of indicating several places of work in the employment contract),**
- h) other than specified in the employment contract **components of remuneration and benefits in cash or in kind,**

- i) the duration of the paid leave to which the employee is entitled, in particular annual leave or, if it is not possible to define it on the date of providing the employee with this information, about the procedures for granting and determining the leave,
- j) the applicable **procedure for termination of employment**, including formal requirements, the length of periods notice and the date of appeal to the labor court or, if it is not possible to determine the length of the notice periods on the date of providing the employee with this information, the manner of determining such notice periods,
- k) **the employee's right to training**, if the employer provides them, in particular on the general principles of the training policy employers,
- l) collective labor agreement or other collective agreement to which the employee is covered, and in the case of concluding a collective agreement outside the workplace by joint bodies or institutions - the name of such bodies or institutions,
- m) if the employer has not established the work regulations - deadline ie, place, time and frequency of payment of remuneration for work, night time and the adopted method of confirming the arrival and presence at work by employees and justifying absence from work.

Additionally, not later than within 30 days from the date of the employee's **admission to work, the employer informs about the name of the social security institution** to which social security contributions related to the employment relationship are transferred and information on social security protection provided by

the employer; this does not apply if the employee chooses the social security institution.

The employer informs the employee, in paper or electronic form, about the change of the address of his registered office, and in the case of an employer who is a natural person without a registered office - the address of residence, no later than within 7 days from the date of changing the address.

The employer informs the employee, in paper or electronic form, about the change in his employment conditions as well as about the employee being covered by a collective labor agreement or other collective agreement immediately, but no later than on the day on which such a change applies to the employee. This does not apply to the case where the change in terms of employment results from a change in the provisions of the labor law and social security law, if these provisions have been indicated in the information provided to the employee.

Importantly, all the above information may be provided to the employee by the employer in electronic form, provided that it will be available to the employee with the possibility of printing and storage, and the employer will retain a proof of its transfer or receiving by the employee. The information obligations of the employer will also change in the case of assigning to work abroad for a period exceeding 4 consecutive weeks. Before the employee leaves for work or to perform an official task in the territory of a country that is a member of the European Union or in the territory of a country that is not a member of the European Union for a period exceeding 4 consecutive weeks, the employer provides the employee with information in paper or electronic form about:

- 1) the country or countries in which the work or official task abroad is to be performed;
- 2) the expected duration of this work or official task;
- 3) the currency in which the employee will be paid the remuneration while performing work or official tasks abroad;

4) benefits in cash or in kind related to the performance of work or business tasks abroad, when such benefits are provided for by the provisions of labor law, unless it results from the employment contract;

5) ensuring or not ensuring the return of the employee to the country; 6) the conditions of the employee's return to the country - if such a return is ensured.

On the other hand, employers posting employees from the territory of the Republic of Poland for a period exceeding 4 consecutive weeks, before posting such an employee to work in another Member State, additionally inform such an employee in paper or electronic form about:

1) the remuneration for work according to the law of the Member State to which the worker was posted;

2) a posting allowance or regulations concerning the reimbursement of expenses for the coverage of travel, food and accommodation costs, if such benefits are provided for in the provisions of labor law, the provisions of regulations, statutes, collective labor agreements or other collective agreements or receivables to cover costs related to business travel;

3) a link to the official website, maintained by the Member State to whose territory the worker has been posted, containing information on the terms and conditions of employment that must apply towards posted workers.

The employer's information obligations towards the entire staff will also be modified. And so, the employer will be obliged to inform employees in the manner adopted for a given employer about:

1) the possibility of full-time or part-time employment;

2) the possibility of promotion;

3) vacancies.

Thus, the novelty is the obligation to inform about the possibility of promotion.