

Find out about recent updates and upcoming changes in employment law in Poland

THE ACT ON COLLECTIVE BARGAINING AGREEMENTS AND COLLECTIVE ARRANGEMENTS

Since 13 December 2025, the new act has digitised the registration of collective agreements via the National Register of Collective Labour Agreements. This is intended to encourage the wider use of collective bargaining in Poland and to formalise social dialogue with trade unions, including for foreign employers operating in Poland. Any employer entering into or amending a collective agreement must now comply with the new electronic filing rules. In practice, this requires mapping which Polish entities may be covered, identifying which trade unions are entitled to bargain and setting internal procedures for negotiations and registration.

AMENDMENTS TO THE LABOUR CODE CONCERNING PAY TRANSPARENCY

From 24 December 2025, employers must disclose the salary (either as a range or a specific amount) for each role to every candidate, at the latest before they accept an offer. This information may be provided in the job advertisement, before the interview, or immediately prior to hiring, and must be consistent with any internal pay regulations or applicable collective agreements. These changes are already in force and require updating job posting templates, recruitment scripts and offer letters to mitigate non-compliance and uphold equal pay standards.

AMENDMENTS TO THE LABOUR CODE ON HOLIDAY PAY IN LIEU OF UNUSED ANNUAL LEAVE, THE COMPANY SOCIAL BENEFITS FUND AND ELECTRONIC EMPLOYMENT DOCUMENTATION

As of 27 January 2026, the timing for paying out cash equivalents for unused annual leave is governed by the following specific deadlines. The standard rule is that payment is due on the employee's regular payday. If the regular payday occurs before the employee's final day of work, the employer has up to 10 days after the employment agreement terminates in which to settle the balance. If that 10-day deadline falls on a non-working day, the payment must be completed by the immediately preceding working day. On the same date, amendments to the Act on the Company Social Benefits Fund entered into force, requiring at least two elected employee representatives to participate in consultations where no trade union operates, thereby strengthening the role of workforce representatives. At the same time, a number of labour law provisions were updated to expressly allow "paper or electronic form" for employee-related documentation and communications, to better streamline exchanges between employers and staff. This includes, for example, information on workplace monitoring, notices about the transfer of an undertaking to a new employer and consultations with trade unions on intended dismissals, all of which can now be handled electronically, as long as the legal conditions are met.

THE IMPLEMENTATION OF DIRECTIVE 2023/970 ON PAY TRANSPARENCY AND THE GENDER PAY GAP

Work is currently underway to implement Directive 2023/970, which must be transposed into Polish law by 7 June 2026. The new pay transparency rules are expected to enter into force in 2026–2027 and will apply to almost all employers. Key changes will include bans on asking about past salaries and obligations to explain pay setting criteria to employees in clear, accessible terms. Employers with more than 100 employees will also need to analyse – and in some cases publish – gender pay data, investigate gaps above 5% and implement corrective measures. This will require robust pay structures, reliable HR data, internal governance and cross border coordination for international groups.

IMPLEMENTATION OF THE “WOMEN ON BOARDS” DIRECTIVE

The Women on Boards Directive aims to improve the gender balance in management positions at large publicly listed companies employing more than 250 people, with a turnover exceeding EUR 50 million or with a balance sheet total exceeding EUR 43 million. The goal is to achieve, by 30 June 2026, either a 33% representation of the underrepresented gender in all management positions, or a 40% representation of the underrepresented gender among non-executive directors. Companies that fail to meet these targets will be required to implement clear, non-discriminatory recruitment procedures, justify their selection of candidates and publish reports on their actions and progress. Failure to act may result in financial penalties of up to 5% of annual revenue. Companies should analyse the current composition of their governing bodies, develop a diversity policy in line with Warsaw Stock Exchange rules, implement objective recruitment procedures and establish reporting processes.

NATIONAL LABOUR INSPECTORATE’S POWER TO RECLASSIFY CIVIL LAW CONTRACTS

From 8 July 2026, the National Labour Inspectorate may, in certain cases, reclassify civil law contracts (e.g. B2B and mandate contracts) as employment contracts by administrative decision. Reclassification will be possible if an inspection leads to the employer being ordered to correct a misclassification, but the employer fails to comply. In such cases, the relationship may be deemed an employment contract from the start of the inspection, with back pay and social security consequences, generally subject to a three-year limitation period. This significantly increases the risks associated with quasi-employment models and requires a structured review of all non-employee engagements in Poland.

AI IN THE WORKPLACE

The EU AI Act has been in force since 1 August 2024, with phased implementation. From August 2026, employers using AI in HR will have to comply with detailed rules for high-risk systems. AI tools used for screening candidates, analysing CVs or running initial interview stages are likely to be classified as high risk, with strict requirements on risk management, transparency and human oversight. Employees and candidates affected by AI-driven decisions must be able to obtain understandable explanations and challenge the outcome through a human-involved appeal process. Employers need an inventory of AI systems used in recruitment and people management, together with governance frameworks, documentation and policies aligned with both the AI Act and Polish labour law.

AMENDMENTS TO THE POLISH LABOUR CODE ON MOBBING AND DISCRIMINATION

A draft amendment to the Polish Labour Code is currently under discussion in parliament (the *Sejm*) and was referred for further work on 25 March 2026. If adopted, the new rules could start applying around late 2026 / 2027, so employers should already be planning their compliance steps. The draft introduces a simplified definition of workplace bullying as the persistent harassment of an employee (excluding one off incidents, performance management and justified criticism), with a minimum compensation level of six times the statutory minimum wage. This will require revisiting HR practices, documentation and internal investigations. The draft also updates the concept of direct discrimination and divides indirect discrimination into “discrimination by assumption” and “discrimination by association”, with the minimum compensation ranging from one to three times the minimum wage depending on whether the breach is isolated or repeated. These changes will directly affect recruitment, promotion, pay and termination decisions. Employers with at least nine employees will be required to adopt clear internal rules on preventing bullying and discrimination, which in practice means implementing or overhauling policies, complaint channels, investigation procedures and targeted management training.

DIRECTIVE ON ADEQUATE MINIMUM WAGES

Directive 2022/2041 on adequate minimum wages in the European Union was adopted in October 2022. Although the deadline for transposing the directive into Polish law passed in November 2024, Poland has yet to implement it. The directive aims to establish a framework to ensure a decent standard of living for workers by improving the transparency, stability and adequacy of minimum wage setting mechanisms. Member States with statutory minimum wages must establish the necessary procedures for setting them, and statutory minimum wages are to be updated at least once every two years. On 11 November 2025, the Court of Justice of the European Union issued a ruling confirming that the directive is consistent with the EU Treaties. In Poland, the relevant provisions remain at the draft stage. For employers, this will probably mean more frequent and more predictable minimum wage adjustments and stronger expectations around fair wage setting mechanisms.

UPDATE OF EUROPEAN REGULATIONS

On 9 October 2025, the European Parliament adopted Directive 2025/2450 amending the rules governing the functioning of European Works Councils. A European Works Council is a cross-establishment body representing employees in companies or groups of companies with a community aspect. The new provisions aim to remove existing ambiguities and clarify current regulations, ensure more meaningful consultation for employees in multinational companies and guarantee prompt and timely access to information regarding decisions affecting employment. At the same time, the European Parliament is working on a directive regarding the employee's right to be offline, i.e. the right not to engage in work-related tasks outside working hours and not to participate in work related communication via electronic devices.

CONTACTS

JOANNA JASIEWICZ

joanna.jasiewicz@gide.com

MAGDALENA KALINOWSKA

magdalena.kalinowska@gide.com

KAROLINA ZAWIŚLAK

karolina.zawislak@gide.com

You can also find this legal update on our website in the News & Insights section: [gide.com](https://www.gide.com)

This newsletter is a free, periodical electronic publication edited by the law firm Gide Loyrette Nouel (the "Law Firm"), and published for Gide's clients and business associates. The newsletter is strictly limited to personal use by its addressees and is intended to provide non-exhaustive, general legal information. The newsletter is not intended to be and should not be construed as providing legal advice. The addressee is solely liable for any use of the information contained herein and the Law Firm shall not be held responsible for any damages, direct, indirect or otherwise, arising from the use of the information by the addressee. In accordance with the French Data Protection Act, you may request access to, rectification of, or deletion of your personal data processed by our Communications department (privacy@gide.com).