SOŁTYSIŃSKI KAWECKI SZLĘZAK

HRadar Newsletter

August 2025

Changes in applying for shortened maternity leave after miscarriage

On 6 August 2025, new regulations came into force abolishing the obligation to determine the sex of a child after miscarriage or stillbirth.

Until now, the law required women who had suffered a pregnancy loss to determine the sex of the child, without which it was not possible to register a stillbirth certificate. The lack of this document excluded them from the right to take 8 weeks of maternity leave and receive a funeral allowance.

New regulations introduce a special medical certificate to be issued by a specialist or a doctor specialising in obstetrics and gynaecology. The certificate will confirm the stillbirth of a child on the basis of medical or obstetric records, regardless of the duration of the pregnancy. In the case of funeral allowance, it will also be possible to present a death certificate.

The pilot programme for a shorter working week

In June, the Ministry of Family, Labour and Social Policy announced the start of recruitment for a pilot programme for reduced working hours. The proposed change involves a 20% reduction in working hours (in the form of a reduction in the working day from 8 to 6 hours per day, the introduction of a 3-day weekend or the granting of an additional day of leave).

Recruitment for the pilot programme will start on 14 August and last until 15 September this year. Both private and public entities can apply to participate in the programme. The following conditions must be met:

- the entity must have been in business for at least 12 months prior to the date of application;
- employ at least 75% of employees on the basis of an employment contract;
- cover at least 50% of employees with the project;
- maintain employment at a level not lower than 90% of the initial level specified in the application;
- maintaining the remuneration of employees participating in the pilot project at a level not lower than that applicable on the date of commencement of the pilot project, throughout its duration;
- no deterioration in the working and remuneration conditions of employees covered by the project.

By **15 October 2025**, the selection process will be completed and the list of employers who have qualified for the pilot programme will be published. Each employer who qualifies to participate in the programme will be eligible to receive up to PLN 1 million in support for the implementation of the project. Importantly, the cost of the project, calculated per employee covered by the pilot programme, may not exceed PLN 20,000.

The support provided to employers under the pilot programme may be used to finance:

- information and promotion activities and costs related to project management, including coordination, recruitment of participants, monitoring, evaluation and accounting (however, these costs may not exceed 10% of the total project value),
- substantive costs, e.g. research, analyses or expert opinions on how to implement reduced working hours and the expectations of employees and employers in this regard, training for employees related to the solution being tested,
- activities related to the optimization and automation of processes key to reducing working hours, and
- remuneration of employees covered by the pilot programme.

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Inclusion of contract work and self-employment in length of seniority

Legislative work is underway on a bill that would lead to the inclusion of periods of work performed under a contract of mandate and self-employment in length of seniority. This is a significant change that will affect people working under civil law contracts. The length of seniority affects the acquisition of employee rights, such as the amount of holiday leave.

Until now, seniority has been calculated solely on the basis of employment under an employment contract. The amendment aims to standardise the rules for determining seniority, regardless of the form of employment or gainful activity.

Ban on smoking nicotine-free e-cigarettes in the workplace

On 5 July 2025, an amendment to the so-called Tobacco Act came into force. Until now, the regulations only prohibited smoking e-cigarettes with nicotine, which employees used to smoke so-called ‘zero nicotine’ e-cigarettes. At the same time, it was difficult for employers to verify whether a given e-cigarette was actually nicotine-free or not.

The amendment harmonises the rules on smoking in the workplace. From now on, it will be prohibited to smoke both cigarettes and e-cigarettes with and without nicotine on the premises of the workplace. Employees will be able to smoke tobacco products during breaks if the employer designates a suitable place for this purpose. The employer, as the administrator of the workplace, may completely ban smoking on the premises (and therefore not establish a separate smoking room) and in front of the premises.

Verification of education by employers

The government's legislative agenda includes an announcement of amendments to the Act on Higher Education and Science. According to the announcement, employers will be able to verify the education of their employees.

According to the draft, universities will be able to provide, at the employer's request, information on the authenticity of the data contained in a diploma. This will be subject to a fee of **1% of the minimum wage**. Employers will be able to submit a request in the event of justified doubts as to the authenticity of the data in the document.

The government plans to adopt the draft **in the third quarter of 2025**.

Contact us!

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