

# International Labour and Employment Compliance Handbook

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Edited by Salvador del Rey and Robert J. Mignin

## Labour and Employment Compliance in Poland

Third Edition

Barbara Jóźwik



Wolters Kluwer  
Law & Business

International Bar Association

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and Employment Compliance Handbook, available on  
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INTERNATIONAL BAR ASSOCIATION

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The IBA GEI will become the leading voice and authority on global HR issues by virtue of having a number of the world's leading labour and employment practitioners in its ranks, and the support and resource of the world's largest association of international lawyers.

#### **Further information**

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## About the International Labour and Employment Compliance Handbook

From 1976 through 1988, the International Bar Association and Kluwer Law International published the groundbreaking International Handbook on Contracts of Employment. This Handbook provided one of the first global overviews of the law of the employment relationship.

Since publishing the first edition, globalization of business has created an increased demand for knowledge of labor and employment laws throughout the world. Therefore, along with Kluwer, we decided to publish an updated Handbook which we have titled the International Labour and Employment Compliance Handbook.

This new Handbook is intended to be a practical guide by providing a general overview of key labor and employment issues in multiple jurisdictions. Each chapter is written so that it is easy to understand by lawyers and non-lawyers alike. Each country author has also followed a standard outline to assist readers in analysing employment issues in each country.

For the first edition of this new Handbook, we have included nineteen (19) different countries. In future editions, we will add new countries.

This Handbook would not have been possible without the help and assistance of many people. Most importantly, the individual country authors are all distinguished legal practitioners who spent considerable time drafting and revising their chapters to meet difficult deadlines. We thank each of them. Our friends at Kluwer, especially Ewa Szkatula, have done a wonderful job in keeping the editors and the authors on schedule. We are also indebted to Ginny Faber who has helped edit each chapter. Finally, we want to also express our gratitude to Elisabet Calzada and Sandra Peris of Cuatrecasas, Gonçalves Pereira, and Meagan C. LeGear and Rhonda Jones of Baker & McKenzie LLP in Chicago for their valuable assistance in the coordination and organization of each of the chapters. Our warmest thanks to each of them.



ABOUT THE INTERNATIONAL LABOUR AND EMPLOYMENT COMPLIANCE HANDBOOK

We hope this Handbook will be a helpful and useful resource. We look forward to input and suggestions for future editions of the Handbook.

The Editors

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March 2013

# Poland

## AUTHOR

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Barbara Jóźwik is an attorney at law in the employment practice of Schoenherr Warsaw. Schoenherr is a leading law firm in Central Europe with offices in Belgrade, Bratislava, Brussels, Bucharest, Budapest, Ljubljana, Prague, Sofia, Vienna, Warsaw and Zagreb. Barbara has more than twelve years experience as an employment attorney. Barbara is specializing in all aspects of employment law, including national and multi-jurisdictional issues, individual and collective employment law.

Barbara has particular experience in advising clients on drafting executive contracts, terminating contracts with top-managers, drafting internal regulations, such as remuneration and working rules, and workplace bullying procedures, advising employers on such issues as employee incentive plans, bonus arrangements, restructuring and redundancies as well as negotiating settlements.

Her practice also includes negotiations with trade unions and works councils. She has experience with complex reorganizations and restructuring matters, including personnel reductions, works council/trade unions information/consultation requirements, harmonization of employee benefits, transfer of undertakings.

Barbara represents clients in labour courts. Most disputes concern mobbing and discrimination issues but also dismissals, overtime and remuneration.

Previously, Barbara worked as an attorney at law in the law firm Gleiss Lutz (2004–2008) and Nörr Stiefenhofer Lutz (1998–2004) in Warsaw, at which she also specialized in employment matters. Barbara is admitted to the Polish Bar Association (1998) and is a graduate of the University of Warsaw (German philology and law, Master's degree in 1991 and 1993).

POLAND

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