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Answer given by Executive Vice-President Mînzatu
on behalf of the European Commission
(8.10.2025)

With regard to the situation of the employees situated in Poland and other EU Member States, Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses¹, protects employees' rights in the event of a change of employer.

As stated in Article 1(2) of the forementioned Directive, the Directive applies 'where and in so far as the undertaking, business or part of the undertaking or business to be transferred is situated within the territorial scope of the Treaty', also in cases where the transferee's headquarters are established outside the EU. Where the Directive applies, 'the transferor's rights and obligations arising from a contract of employment or from an employment relationship existing on the date of a transfer shall, by reason of such transfer, be transferred to the transferee' (Article 3(1)) and that the transfer 'shall not in itself constitute grounds for dismissal by the transferor or the transferee' (Article 4(1)). This means that the transfer cannot in itself justify the dismissal of workers in the transferred business or change in working conditions.

¹ <https://eur-lex.europa.eu/eli/dir/2001/23/oj>.