

# Poland's approach to supporting occupational safety and health compliance: the role of labour inspectorate and prevention services

## Report

Poland's approach to supporting occupational safety and health compliance:  
the role of labour inspectorate and prevention services

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## Executive Summary

**This report centres on two main categories of occupational safety and health (OSH) actors: the State Labour Inspection (Państwowa Inspekcja Pracy – PIP) and prevention services, which include OSH services and occupational health services (OHS).**

The findings are based on a detailed study utilising qualitative and quantitative data, including reviews of available documents, reports, media and interviews with relevant stakeholders.

As this report underlines, there is a lack of data, information and knowledge about the role of the Labour Inspectorates and prevention services in supporting OSH compliance at the EU level. Therefore, it was decided to conduct country case studies in Germany, Ireland, Norway, Poland and Portugal, followed by a comparative analysis of the five countries.

The present report delineates the outcomes and findings of the research project in Poland. In addition, six case studies and two policy briefs were developed on the role of the Labour Inspectorate and prevention services in supporting compliance.<sup>1</sup>

**The report presents the approach to labour inspection in Poland, which could be characterised as a co-enforcement model.** The co-enforcement model involves a collaborative approach to ensuring OSH compliance with the cooperation of different institutions and organisations. This approach combines inspection and prevention activities. The enforcement model focuses on ensuring compliance with labour laws through inspections, penalties and corrective measures, often organised around a single/central organisation responsible for the labour inspection.

PIP consist of a centralised State Labour Inspection and 16 District Labour Inspectorates, alongside a training and educational centre. In general, PIP core responsibilities are centred around three thematic areas: (1) workplace health and safety, (2) compliance with legal protection of labour, and (3) ensuring the legality of employment. This mission is executed through traditional enforcement activities: targeted inspections and proactive measures designed to mitigate the risk of accidents and ensure compliance with labour regulations. However, the scope of PIP's activities extends beyond enforcement, leaning towards a co-enforcement model. A significant aspect of its mandate involves prevention, combined inspection–prevention activities, activities targeting specific sectors or topics, promotion, and educational initiatives geared towards fostering a safety culture and cultivating healthy work environments within Polish enterprises. Further, the co-enforcement model is manifested via a broad network of cooperation and stakeholders involved in PIP activities, such as a broad scope of other

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<sup>1</sup> The six case studies are referred to continuously throughout the report. The cases are numbered as 'Case PL1', 'Case PL2', etc., PL referring to Poland. This is further explained in the chapter on methodology.

See EU-OSHA - European Agency for Safety and Health at Work, *Addressing workplace stress in Poland: supporting occupational safety and health compliance (Case PL1)*, 2025. <https://osha.europa.eu/en/publications/addressing-workplace-stress-poland-supporting-occupational-safety-and-health-compliance-case-pl1>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish State Labour Inspection agreements: supporting occupational safety and health compliance (Case PL2)*, 2025. <https://osha.europa.eu/en/publications/polish-state-labour-inspection-agreements-supporting-occupational-safety-and-health-compliance-case-pl2>

See EU-OSHA - European Agency for Safety and Health at Work, *Ukrainian refugee and migrant workers: supporting occupational safety and health compliance (Case PL3)*, 2025. <https://osha.europa.eu/en/publications/ukrainian-refugee-and-migrant-workers-supporting-occupational-safety-and-health-compliance-case-pl3>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish 'Agreement for Safety in Construction': supporting occupational safety and health compliance (Case PL4)*, 2025. <https://osha.europa.eu/en/publications/polish-agreement-safety-construction-supporting-occupational-safety-and-health-compliance-case-pl4>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish sector prevention and inspection programmes: supporting occupational safety and health compliance (Case PL5)*, 2025. <https://osha.europa.eu/en/publications/polish-sector-prevention-and-inspection-programmes-supporting-occupational-safety-and-health-compliance-case-pl5>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish initiatives to support OSH experts: supporting occupational safety and health compliance (Case PL6)*, 2025. <https://osha.europa.eu/en/publications/polish-initiatives-support-osh-experts-supporting-occupational-safety-and-health-compliance-case-pl6>

The policy briefs are as follows:

See EU-OSHA - European Agency for Safety and Health at Work, *Polish Labour Inspectorate supporting occupational safety and health compliance*, 2025. <https://osha.europa.eu/en/publications/polish-labour-inspectorate-supporting-occupational-safety-and-health-compliance>

See EU-OSHA - European Agency for Safety and Health at Work, *Prevention services role in supporting occupational safety and health compliance in Poland*, 2025. <https://osha.europa.eu/en/publications/prevention-services-role-supporting-occupational-safety-and-health-compliance-poland>

governmental institutions, OSH organisations, social partners, sectoral organisations and universities, among other organisations.

**Considering OSH prevention, the report covers two key dimensions: OSH services and OHS.** The OSH prevention service can be a separate unit/position within the company whose tasks are to organise preventive activities to protect the workers from occupational hazards, improve OSH conditions and advise the employer on OSH-related matters. OSH experts can work as internal staff (dedicated to OSH or in other positions, yet appointed to handle OSH) or external experts contracted for specific tasks. OSH experts play a key role in ensuring safe and healthy working conditions. However, in Polish, the name of this service is Occupational Safety and Hygiene (Bezpieczeństwo i higiena pracy – BHP), which to some extent reflects its limited engagement in health issues.

**OHS specialists are occupational doctors responsible for the delivery of occupational medical examinations.** Occupational medical examinations apply to every worker regardless of position or type of work, provided they benefit from a regular employment relationship<sup>2</sup>. Therefore, they exclude workers on civil law contracts and other atypical employment forms. Notably, companies must issue a referral to the examinations. Most commonly, these tasks are handled by OSH experts (internal or external) or, in smaller companies, other competent staff assigned to this task. These referrals should be based on the occupational risk assessment for selected employees, indicating OSH risks present in the workplace. Based on the referrals, OHS doctors conduct the medical examinations. Therefore, the quality of the risk assessment in the company is closely linked to the quality of the occupational medical examination.

Overall, this report provides an overview of the activities of and key challenges faced by labour inspection and OSH and OHS prevention services and their role in supporting OSH compliance in Poland. Chapter 2, *OSH landscape in Poland*, examines the legal and operational environments in which these bodies function, providing insights into Poland's regulatory structures governing OSH practices. Chapter 3, *The activity of the State Labour Inspection*, focuses on the core activities of the State Labour Inspection, including complaint handling and labour inspections, and its co-enforcement model for OSH risk prevention. Chapter 3 discusses the dynamics of complaint handling, showing a recent decrease in complaints in 2023 and indicating that **complaints mainly fall under primary remuneration and employment relationship issues.**

Furthermore, Chapter 3 provides insights into the inspections, covering inspections delivered as a follow-up to the complaints and planned inspection activities. This section discusses a **solid data-driven approach while choosing the sectors for the inspection focus. PIP set up its inspection and prevention activities based on analysing the number of fatal and severe accidents, focusing on the construction sector in recent years, which has had the highest share of these accidents.**

Chapter 3 also elaborates on the PIP approach to penalties, which is affected by the structure of the Polish economy, composed of SMEs. **Given SMEs' dominance, labour inspection focuses on positive re-enforcement and education, adjusting penalties to the financial capacities of each enterprise. At the same time, labour inspectors stress that the current financial penalty level is insufficient, especially considering recurring and severe violations. Therefore, the section discusses proposals in the 2023 Annual Activity Report, including the non-financial approach to enforcement.** Finally, the section draws on horizontal activities, such as: sector-specific programmes covering selected sectors like the campaign 'Budowa. STOP Wypadkom' (Construction. STOP Accidents); programmes targeting specific types of companies (see *Box 9: Example of PIP initiative targeting SMEs*); activities supporting targeted vulnerable groups, such as young people entering the workforce; and a broad spectrum of training, workshops and promotional activities supporting OSH prevention.

Chapter 4, *The activity of OSH and OHS prevention services*, discusses the roles and responsibilities of OSH experts and occupational health professionals in safeguarding workers' wellbeing through proactive health and safety measures. The section on OSH experts provides information on the characteristics of OSH experts, primarily based on the findings from the Central Institute for Labour Protection – National Research Institute (CIOP-PIB) in 2020 (Dobrzynska, 2020), providing insights on

<sup>2</sup> Information about the different forms of employment in the Polish Labour code and their related aspects to OSH and labour inspection is available in Box 7 below. More information is also available from the PIP webpage section "Employees": <https://www.pip.gov.pl/en/for-employees/forms-of-employment>



the numbers of OSH specialists or their scope of work and the type of tasks internal and external OSH experts tend to carry out. Further, it presents debates on the qualifications of OSH experts and the discussion on OSH experts with specific expertise versus OSH experts with generalist profiles (and on-ground experiences working with companies). The section on OSH experts concludes with the personal motivations and the barriers to the OSH professions. Further, the second part of Chapter 4 focuses on the OHS and occupational doctors, discussing the scope and procedure of occupational medical examinations. Next, Chapter 4 focuses on the OHS challenges, including the uneven distribution of occupational doctors and occupational health centres across Poland. Finally, Chapter 4 discusses the **prevention potential of occupational medicine, which is underutilised, as well as the barriers to access to occupational medical examinations as in the case of agriculture, where farmers, due to their form of employment, are not covered by mandatory occupational medical examinations.**

Chapter 5, *Cooperations and synergies*, further discusses the synergies established within Poland's OSH system, examining PIP's collaborations, focusing on four main types: cooperation in inspections, cooperation in expertise exchange, cooperation in promotion and collaboration in knowledge/data sharing. Further, PIP cooperates with prevention services institutions, social partners and business entities. It provides an overview of how these synergies are created, their legal basis and scale, and what they comprise in terms of both promotion and enforcement. **In the labour inspection section, the chapter discusses the practicalities and examples of cooperation contributing to the co-enforcement model. When it comes to OSH and OHS prevention services, providing overarching insight on collaborations and synergies was more challenging, considering the diversified landscape of actors involved in OSH prevention.**

Chapter 6, *Challenges in labour inspection and OSH and OHS prevention services*, identifies the challenges within Poland's OSH system commonly faced by labour inspection, OSH and OHS prevention services. They both face the challenge of designing and carrying out their activities in an economy dominated by SMEs, issues related to human resources (demanding workload, limited human resources, needs in terms of expertise), and the need to develop approaches addressing challenges of the new world of work, such as the rise of remote and gig/platform work. These are summarised in Chapter 7, *Conclusions and key findings*. Indeed, the last chapter underlines the data-driven and collaborative approach in labour inspection, which supports response to challenges in the dynamic world of work. It emphasises the discussions about changes in penalties and presents the idea that includes non-financial measures and debates on human resources and the scope of PIP responsibilities. This last chapter also underlines the significance of the latest research in providing information about OSH experts. This indicates that these studies support discussions on topics such as OSH experts' qualifications and the demand for OSH expertise (either general OSH experts or specialists in a specific field). Considering OHS, the final chapter stresses the prevention potential of OHS as well as regional disparities in access to occupational medical examinations.

# 1 Introduction

Improving the extent and quality of compliance with occupational safety and health (OSH) regulations and improving OSH is a longstanding objective at the European and national levels. However, given the rapidly evolving world of work, particularly in terms of new forms of employment, business models, the nature of work and the impact of globalisation on it, achieving this goal is an increasing challenge.

In 2020, the European Agency for Safety and Health at Work (EU-OSHA) started an OSH overview activity on the 'Supporting Compliance' theme. The main aim of this overview is to provide high-quality data to researchers and policymakers to improve the understanding of supporting compliance and enable better-informed policies.

As this report underlines, there is a lack of data, information and knowledge about the role of the Labour Inspectorates and prevention services in supporting OSH compliance at the EU level. Therefore, it was decided to conduct country case studies in Germany, Ireland, Norway, Poland and Portugal, followed by a comparative analysis of the five countries.

The present report delineates the outcomes and findings of the research project in Poland. In addition, six case studies and two policy briefs were developed on the role of the Labour Inspectorate and prevention services in supporting compliance.<sup>3</sup>

This report analyses Poland's OSH system, focusing on compliance, inspection and prevention activities. Specifically, this report explores how the Polish OSH system, the State Labour Inspection (Państwowa Inspekcja Pracy – PIP) and prevention services support these protective and preventive efforts.

The report, therefore, aims to discuss and present the following aspects of the Polish OSH system:

- To provide insights into the **regulatory and policy landscape**, translating policies into practice and fostering a safety culture.
- To present primary **intervention strategies** employed by PIP and prevention services to support compliance.
- To identify **challenges** faced by labour inspection and prevention services in Poland and effective strategies for addressing them.
- To show how labour inspection and prevention services address **traditional and emerging workplace challenges**, including those posed by technological advancements.

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<sup>3</sup> The six case studies are referred to continuously throughout the report. The cases are numbered as 'Case PL1', 'Case PL2', etc., PL referring to Poland. This is further explained in the chapter on methodology.

See EU-OSHA - European Agency for Safety and Health at Work, *Addressing workplace stress in Poland: supporting occupational safety and health compliance (Case PL1)*, 2025. <https://osha.europa.eu/en/publications/addressing-workplace-stress-poland-supporting-occupational-safety-and-health-compliance-case-pl1>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish State Labour Inspection agreements: supporting occupational safety and health compliance (Case PL2)*, 2025. <https://osha.europa.eu/en/publications/polish-state-labour-inspection-agreements-supporting-occupational-safety-and-health-compliance-case-pl2>

See EU-OSHA - European Agency for Safety and Health at Work, *Ukrainian refugee and migrant workers: supporting occupational safety and health compliance (Case PL3)*, 2025. <https://osha.europa.eu/en/publications/ukrainian-refugee-and-migrant-workers-supporting-occupational-safety-and-health-compliance-case-pl3>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish 'Agreement for Safety in Construction': supporting occupational safety and health compliance (Case PL4)*, 2025. <https://osha.europa.eu/en/publications/polish-agreement-safety-construction-supporting-occupational-safety-and-health-compliance-case-pl4>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish sector prevention and inspection programmes: supporting occupational safety and health compliance (Case PL5)*, 2025. <https://osha.europa.eu/en/publications/polish-sector-prevention-and-inspection-programmes-supporting-occupational-safety-and-health-compliance-case-pl5>

See EU-OSHA - European Agency for Safety and Health at Work, *Polish initiatives to support OSH experts: supporting occupational safety and health compliance (Case PL6)*, 2025. <https://osha.europa.eu/en/publications/polish-initiatives-support-osh-experts-supporting-occupational-safety-and-health-compliance-case-pl6>

The policy briefs are as follows:

See EU-OSHA - European Agency for Safety and Health at Work, *Polish Labour Inspectorate supporting occupational safety and health compliance*, 2025. <https://osha.europa.eu/en/publications/polish-labour-inspectorate-supporting-occupational-safety-and-health-compliance>

See EU-OSHA - European Agency for Safety and Health at Work, *Prevention services role in supporting occupational safety and health compliance in Poland*, 2025. <https://osha.europa.eu/en/publications/prevention-services-role-supporting-occupational-safety-and-health-compliance-poland>

- To present the changes in compliance promotion, monitoring and enforcement by OSH regulators during the **COVID-19 pandemic**, drawing lessons from recent developments.

Poland's current labour inspection and prevention services involve several organisations. While labour inspection services are covered by PIP, prevention services have several relevant bodies. This report will focus on two types of prevention services: OSH services/experts and occupational health services (OHS).

The system is diverse. Responsibilities related to workers' health and safety are dispersed among various bodies, each with intersecting responsibilities. This report presents the complexities of this system. It highlights the most influential actors and their missions concerning OSH to provide a thorough yet focused overview.

Overall, the report covers the following sections:

**Table 1: Structure of the report**

Chapter name	Thematic focus
Chapter 1: Introduction	It explains the rationale of the research projects, presents the aims of the report and provides a brief methodology description.
Chapter 2: OSH landscape in Poland	It offers an overview of Poland's OSH framework, focusing on the key entities of PIP, OSH experts/services and related institutions. It discusses the operational and legal environments these bodies operate within, along with the specificities of the Polish labour market.
Chapter 3: The activity of the State Labour Inspection	This chapter discusses the main activities of PIP, including handling complaints and conducting labour inspections, and a co-enforcement model for OSH prevention. It also examines the roles and trends in penalties.
Chapter 4: The activity of OSH and OHS prevention services	This chapter provides an overview of the activities comprising the OSH prevention services model in Poland, encompassing OSH services, occupational medicine and other relevant institutions. It focuses on the roles and characteristics of OSH experts, occupational medicine professionals and other bodies dedicated to ensuring workers' wellbeing.
Chapter 5: Cooperations and synergies	It presents the synergies and cooperations established within the OSH system in Poland, encompassing various types of activities, actions and legal relationships.
Chapter 6: Challenges in labour inspection and OSH and OHS prevention services	It presents the identified challenges of the OSH system in Poland and discusses how the system's actors responded to constant and emerging challenges, such as the COVID-19 pandemic.
Chapter 7: Conclusions and key findings	This chapter discusses findings, summarising key insights and key challenges identified within the research project.

## 1.1 Methodology

To explore the OSH system in Poland, the project team adopted a mixed-method approach, combining desk research with stakeholder engagement. The chosen methodology guided the project team in responding to the following research questions:

1. What constitutes the OSH system in Poland, considering labour inspection and prevention services? What is their role in ensuring compliance in Poland?
2. What is the overall approach to labour inspection and prevention services? Which institutions are part of Poland's labour inspection and prevention services system? What is the approach of the prevention services in Poland? What are the existing regulatory and policy positions on inspection and prevention services in Poland? (see Chapter 2, *OSH landscape in Poland*).
3. How do these policies translate into practice in Poland? What is the PIP and prevention services approach to supporting compliance, and what strategies, initiatives or methods are in place? What are the data and evidence gathered around the activities of labour inspectors and prevention services? What are the data and evidence regarding OSH enforcement, sanctions, inspections, and work and activities of Labour Inspectorates and prevention services? (see Chapter 3, *The activity of the State Labour Inspection*, and Chapter 4, *The activity of OSH and OHS prevention services*).
4. Is there any evidence/examples of synergies between inspectorates, prevention services, social partners, business incentives and other forms of support for fostering compliance? Is there a joint approach between these organisations? Is there any evidence/examples of synergies between such services and other forms of supporting compliance? (see Chapter 5, *Cooperations and synergies*).
5. What challenges are faced in delivering inspection and prevention services in Poland? What strategies are effective in addressing these challenges in the Polish context? What are the current debates on labour inspection and prevention services in Poland? Are there important recent developments in OSH in Poland addressing the challenges arising from new forms of work arrangements and new and emerging hazards? (see Chapter 6, *Challenges in labour inspection and OSH and OHS prevention services*).
6. What competencies, structural frameworks and resourcing models are necessary to ensure the more widespread effectiveness of prevention services? What needs to be done to ensure that the role of prevention services is more relevant and valuable in an emergent post-industrial economy like the Polish one? How do labour inspectors and prevention services contribute to the development of a safety culture in workplaces?

These research questions are discussed throughout the report and within specific chapters.

### 1.1.1 Desk research sources and data analysis

For the desk research component, the project team identified qualitative and quantitative sources relevant to the State Labour Inspection and the prevention services, encompassing OSH services and OHS. In pursuit of this, the search spanned various materials, including academic literature, grey literature, information from social partner websites, and statistical reports and databases. The analysis of qualitative sources, which included, among others, EU-OSHA literature, legal sources and references to legal documents, was needed to better understand the responsibilities of different parties within the system. Further, the research team conducted a desk review of **academic literature** using Google Scholar, focusing on specialised health and safety journals. Keywords such as 'occupational safety and health in Poland', 'preventive services', and 'health and safety in Poland' guided the search. Only publications for the years 2018-2023 were considered. **Grey literature** also played an important part in providing background context on Polish workplaces, OSH compliance strategies, and the perception of the OSH compliance institutions' operations in particular. Desk research was predominantly conducted in Polish, with some sources in English included where relevant. Listed below are some of the sources explored:

- **State Labour Inspection Annual Activity Reports** served as valuable resources, offering insights into their daily operations.

- Additionally, **reports** commissioned or conducted by OSH organisations or social partners provided insights into the challenges within the OSH system in Poland.
- The project team also analysed **articles** from legal and labour market websites ([JestPraca.pl](#)<sup>4</sup> and [Prawo.pl](#)<sup>5</sup>), focusing on challenges and perceptions of Poland's current OSH promotion and enforcement system. Limiting the search to topics of partnerships, perception and challenges, the [Inspektor Pracy](#) journal<sup>6</sup> published monthly by PIP was also reviewed.
- Furthermore, the contents of Polish **social partner websites**<sup>7</sup> to understand their shared opinions on the subject, perceptions of system efficiency and effectiveness, responsiveness and any shared initiatives were also examined.

The analysis process for the literature sources involved the application of inclusion and exclusion criteria, which were guided by their relevance to the study's focus. This was facilitated through an analysis log, where each identified source was evaluated based on its relevance to specific issues raised in the study. These included discussions on the existing regulatory framework, approaches to OSH encompassing strategies, activities and initiatives, as well as challenges and debates within the field. Furthermore, sources were assessed for their insights into the effectiveness of OSH measures, examples of synergies across partners, innovative approaches and cross-cutting issues such as the impact of the COVID-19 pandemic. Those sources deemed valuable in addressing these aspects were subjected to in-depth analysis.

From the perspective of various stakeholders, quantitative data on OSH and labour inspection have been collected in Poland for several years using different methods. The purpose of collecting such data is to monitor the level and changes in working conditions, risks related to employment and labour inspection activity.

The main objective of this part of the desk research was to identify data sources related to the study objectives, that is, OSH of the working population divided by subgroups at one point in time and if possible dynamically, the functioning of the labour inspection, prevention activities implemented both by public authorities and establishments, and other data related to OSH. The following data sources were examined:

- **The State Labour Inspection** collects data on its activity, including the number and types of activities performed annually, such as inspections and fines.
- **Statistics Poland** collects several statistical data on OSH. They are gathered mainly from employers' perspectives, but employee information via surveys is also available. The thematic scope includes working conditions, workplace accidents (types and causes), and work-related health problems.
- **The Social Security Institution (ZUS)** mainly aims to manage and distribute social benefits, including public pensions. Therefore, the statistics collected by this institution are focused on monetary means, such as the amount of benefits paid by types of benefits and beneficiaries, as well as information on sick leaves and non-monetary benefits.
- Information managed and published by the **Nofer Institute of Occupational Medicine (NIOM)**. It includes information on occupational diseases, dangerous substances and other factors defined as occupational risks.

<sup>4</sup> JestPraca.pl is a blog dedicated to human resources news and labour market information.

<sup>5</sup> Prawo.pl is an open information service containing daily information on law and taxes, but also human resources, local government, health, education and company regulations. It contains news on the judiciary, legislation and current legal problems, as well as opinions, comments, interviews, the latest judgments and interpretations or answers to questions. It contains an updated database of legal acts and institutions (e.g. courts and offices), and also offers special newsletters. Articles dealing with *bezpieczeństwo i higiena pracy* (BHP) (OSH) were searched.

<sup>6</sup> More information is available at: <https://www.pip.gov.pl/dla-sluzb-bhp/magazyn-inspektor-pracy>

<sup>7</sup> In the context of social partners, primary attention was dedicated to the websites of organisations associated with the [Rada Dialogu Społecznego](#) (Social Dialogue Council), that is: [Business Centre Club](#), [Forum Związków Zawodowych](#), [Konfederacja Lewiatan](#), [NSZZ "Solidarność"](#), [Ogólnopolskie Porozumienie Związków Zawodowych](#), [Pracodawcy Rzeczypospolitej Polskiej](#), [Związek Rzemiosła Polskiego](#), [Związek Przedsiębiorców i Pracodawców](#)

- Finally, the European Survey of Enterprises on New and Emerging Risks (**ESENER**)<sup>8</sup> data deliver information on risk factors, labour inspection and prevention activities from the employers' perspective.

### 1.1.2 Stakeholder engagement

In conducting this study, the project team included stakeholder engagement to ensure a better understanding of the OSH compliance enforcement and promotion system. Various stakeholders were engaged through different methods and capacities tailored to the research questions. The project team initiated contact with stakeholders and sought their insights through a range of communication channels, including:

- Individual in-depth interviews: These were conducted through online platforms, telephone calls and face-to-face meetings, allowing for in-depth discussions tailored to each stakeholder's preferences and circumstances.
- Group interviews: Stakeholders were allowed to participate in group discussions if they found it preferable and if it contributed to the study's objectives.
- Written statements and responses: Stakeholders were encouraged to submit written statements or responses when they could not attend meetings or when their input required coordination among different departments or individuals within their organisation.

Table 2 presents an overview of the stakeholders engaged in the study.

**Table 2: Stakeholders consulted for the study**

Institution / organisation	Type of engagement
PIP, Prevention and Promotion Department	Written response
PIP, Supervision and Control Department	Group interview
PIP, Planning, Analysis and Statistics Department	Group interview
PIP, Prevention programmes specialist	In-depth interview
The Agricultural Social Insurance Fund	In-depth interview
The Foundation for Enterprise Development	In-depth interview
The Central Institute for Labour Protection – National Research Institute	In-depth interview
The Employers of the Republic of Poland	In-depth interview
The National Association of Safety Professionals	In-depth interview
The Polish Association of Industrial Hygienists	In-depth interview
The NSZZ Solidarność Branch in Łódź	In-depth interview
The Social Insurance Institution	Written response

Source: Ecorys & NIOM

<sup>8</sup> More information is available at: <https://osha.europa.eu/en/facts-and-figures/esener>

## 2 OSH landscape in Poland

This section presents the OSH landscape and explains Poland's overall approach to labour inspection and preventive services. The chapter introduces two main categories of actors: the State Labour Inspection, and OSH and OHS prevention services. Additionally, it provides an overview of other relevant institutions in the area of OSH, explaining the environment in which these organisations operate. Further, the section introduces information on the Polish labour market to provide an overview of the challenges relevant to OSH and the functioning of labour inspection and preventive services.

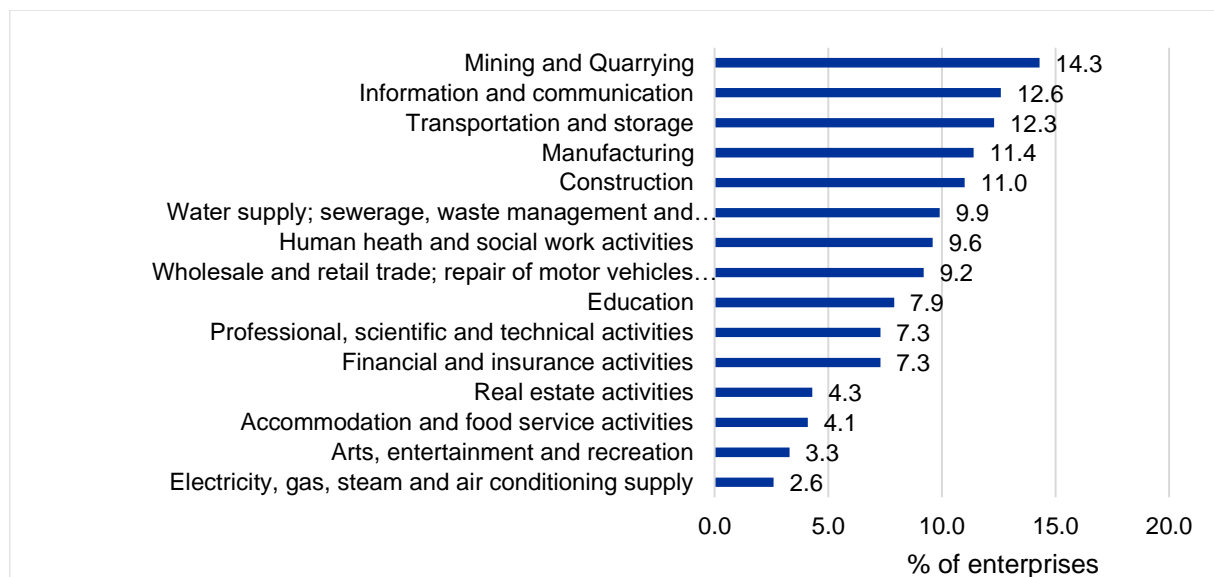
### 2.1 Polish labour market – an overview and impact of OSH challenges

A very high share of micro-enterprises characterises the Polish labour market — typical for other EU countries — and many enterprises operate in business sectors with relatively high OSH risks (such as mining, quarrying and manufacturing). On the demand side, there is a high employment rate, a very low unemployment rate, long working hours and an increasing number of migrant workers. This characteristic of the labour market imposes several challenges to OSH and, therefore, to the activity of labour inspection and prevention services actors.

#### 2.1.1 Enterprises

The current business structure continues to exert the most significant influence on labour inspection, much as it did in the previous decade. In 2022, there were 2,35 million enterprises in Poland, 9% more than in 2018. The key sectors driving Poland's economy included wholesale and retail trade (20.0% of all enterprises), construction (15.5%), professional, scientific and technical activities (14.0%), human health and social work (9.0%), and manufacturing (8.7%) (Statistics Poland, 2023).

Figure 1: The share of enterprises in Poland in the given sector



Source: Ecorys & NIOM, based on Eurostat database, Business demography by legal form and NACE Rev. 2 activity

In 2022, the micro, small, and medium-sized enterprises (SMEs) sector comprised 2,3 million enterprises (99.8%). Further, in the last years (2018-2022), an increase in micro-enterprises (by 10%) was observed, accompanied by a decrease in the number of other groups, especially small enterprises.

#### 2.1.2 Employees

The demand side of the Polish labour market is characterised by a high employment rate (77.7% in 2023), above the EU average and a historically low unemployment rate (2.8% in 2023, second lowest in the EU). The highest number of employed persons work in manufacturing (25,2%), followed by trade, repair of motor vehicles (21.6%), and construction (9.6%) (Statistics Poland, 2024).

The labour market in Poland is also characterised by a very low share of part-time employees (5.5% vs 17.2% for the EU average). Employees in Poland have long weekly working time; the number of usual weekly work hours in Poland is one of the highest in the EU (40.1 in 2022 Q4) — compared to 37.0 (EU average). Employed persons in Poland are still relatively young, as persons aged 55-74 constitute 16% of all employed persons, whereas in the EU, the share of this group exceeds 20%. Another significant trend in the Polish labour market is the growing number of foreign or migrant workers. In 2018, they constituted only 2% of all employed in the country (Statistics Poland 2019; Statistics Poland 2019a), whereas in October 2023, this share increased to 6.6%, that is, 1 013,300 persons (Statistics Poland, 2024a).

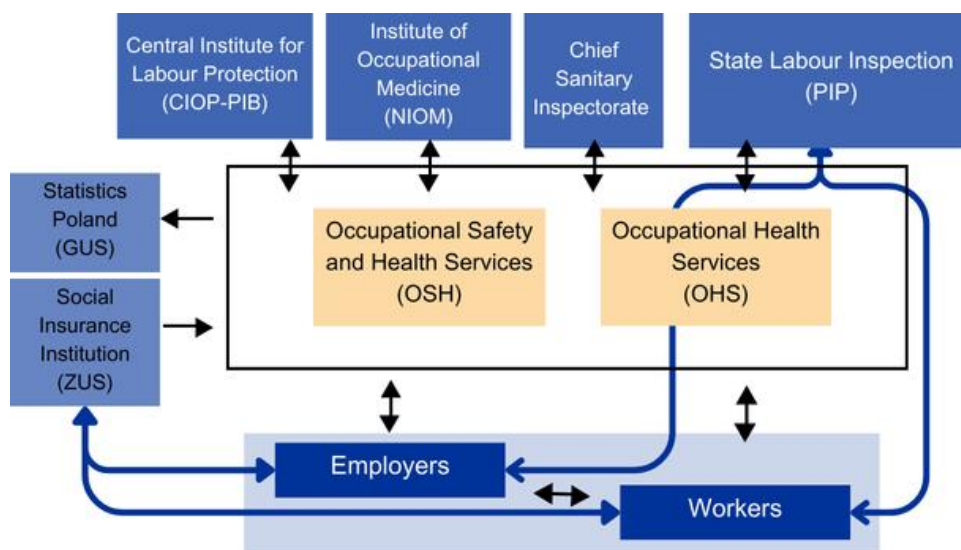
The evolving landscape of the Polish labour market, characterised, for example, by a growing number of employed foreign workers and the dominance of SMEs, presents significant implications for OSH compliance measures. The surge in foreign workers introduces diversity and complexity into workplace dynamics, necessitating tailored OSH measures to address language barriers, cultural differences, and specific needs and vulnerabilities — specifically in securing those workers' legal employment and OSH compliance by employers employing migrant workers. Moreover, the predominance of SMEs in the Polish labour market poses practical challenges for effective OSH inspection. With SMEs comprising the overwhelming majority of enterprises, the sheer volume makes it logistically challenging for labour inspection agencies to monitor compliance across the sector. Limited resources and personnel further compound this issue. Additionally, the diverse nature of SME operations, spanning various industries and work environments, requires inspectors to tailor their approaches to address sector-specific hazards and compliance needs.

Those challenges — and solutions for them — are further explored in Chapter 6, Challenges in labour inspection and OSH and OHS prevention services of this report, which discusses their impact on the OSH compliance system and strategies for addressing associated challenges.

## 2.2 Main actors of the Polish OSH system

This report concentrates on the key actors while acknowledging and referencing other relevant institutions as necessary. It is important to note that different institutions cover distinct aspects of OSH to varying degrees. For example, while the Chief Sanitary Inspectorate is not the key focus of the study, the institution can cooperate with the State Labour Inspection by passing on relevant information to selected workplaces while conducting their inspections on the sanitary environment in the establishment. Therefore, Figure 2 presents a broader, yet not exhaustive, scheme of Polish institutions relevant to the OSH system.

Figure 2: A simplified scheme of the Polish OSH system



Source: Ecorys & NIOM



However, while the Polish OSH system is complex, several key state bodies serve as its core:

- The **Ministry of Family, Labour, and Social Policy** is responsible for OSH issues. The labour division oversees matters concerning employment, working conditions and, consequently, OSH. It supervises the activities of OSH services and affiliated institutions. The Central Institute for Labour Protection - National Research Institute (CIOP-PIB) and the Social Insurance Institution (ZUS) are among the administrative bodies under the ministry's purview.
- The **Ministry of Health** oversees relevant aspects of implementing occupational medicine and OHS, a specialised field dedicated to safeguarding workers' health and preventing occupational diseases.
- **PIP** operates as an independent institution directly accountable to the **Sejm** (the lower chamber of the Polish government). This autonomy enables it to function impartially in executing its mandate related to labour inspection and regulatory oversight.

Figure 3 summarises these relations.

**Figure 3: The main stakeholders (top-most level) for the OSH system in Poland**



Source: Ecorys & NIOM

The study focuses on organisations closest to the working environment and its challenges. These will be State Labour Inspection and coordinating labour inspectors working on the ground. Considering prevention services, fulfilling OSH obligations involves two intersecting types of services: OHS, which focus on occupational medicine, and OSH services, which, in turn, focus on assisting enterprises in ensuring health and safe working conditions. These services are established and regulated by separate acts, each addressing different yet co-existing and intersecting aspects of OSH. Therefore, sections 2.3 and 2.4 focus on introducing organisations core to labour inspection and prevention services in Poland.

## 2.3 State Labour Inspection (PIP)

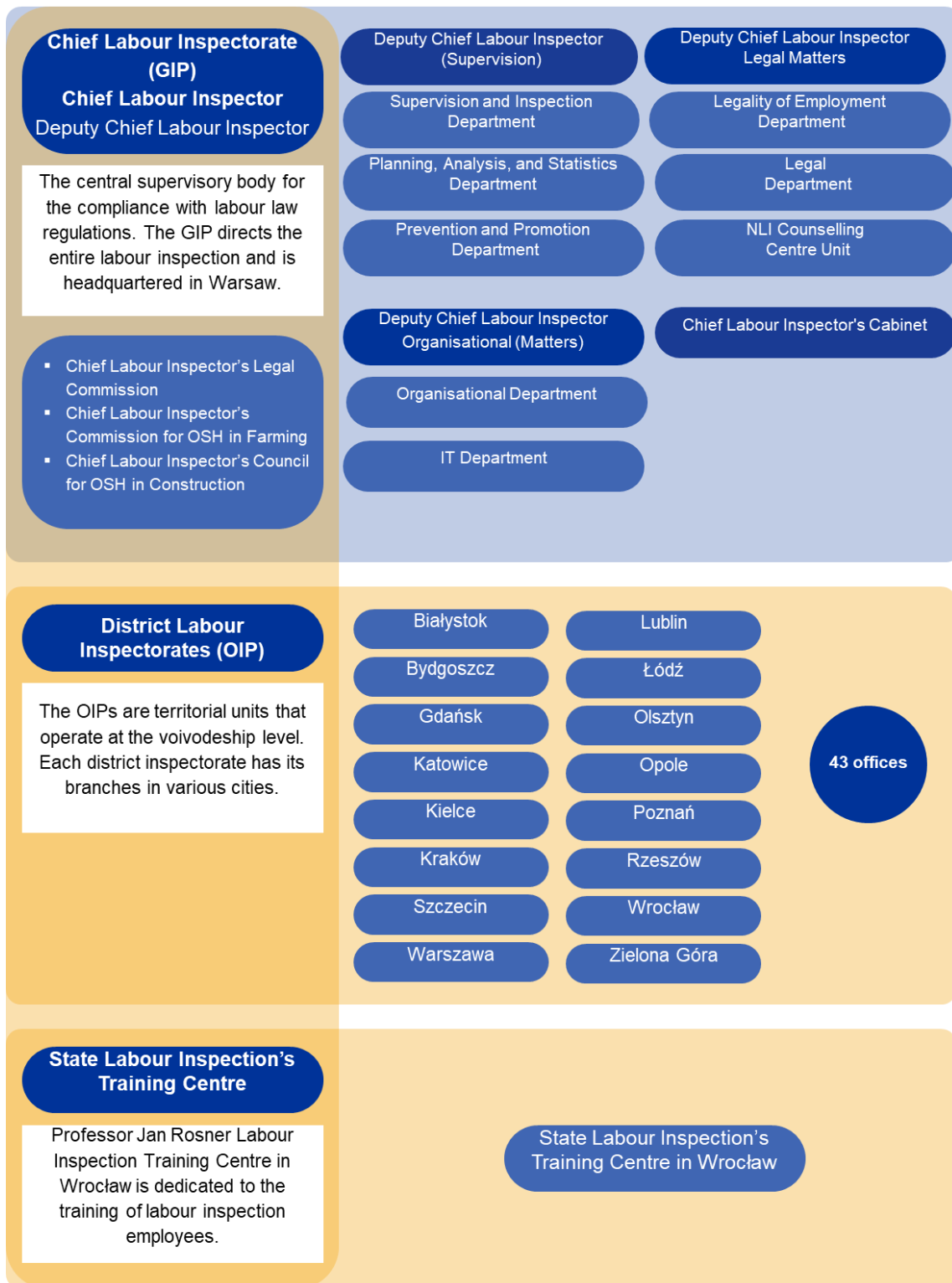
The current PIP operates with a multifaceted mission to enforce labour law effectively, particularly in OSH, which translates into three main areas of PIP activities: **(1) workplace health and safety, (2) compliance with legal protection of labour, and (3) ensuring the legality of employment**. This mission is executed through targeted inspections and proactive measures designed to mitigate accident risks and ensure compliance with labour regulations. However, the scope of PIP's activities extends beyond the enforcement. A significant aspect of its mandate involves prevention, promotion and educational initiatives geared towards fostering a safety culture and developing healthy work environments within Polish enterprises. These actions also enhance the efficacy of the inspection's supervisory functions. While diverse in nature and timing, these activities converge on a singular objective: providing employers with substantive support in fulfilling their obligations to establish safe working conditions while equipping employees with essential knowledge in labour protection.

### 2.3.1 The current model of the State Labour Inspection

The PIP system evolves from its predecessors, incorporating elements from earlier models. It includes a centralised State Labour Inspection and 16 District Labour Inspectorates, alongside a training and

educational centre. The State Labour Inspection's structure is made up of three main components, as summarised in Figure 4.

Figure 4: Simplified structure of the PIP system



Source: Ecorys & NIOM

- **State Labour Inspection – Chief Labour Inspectorate (Główny Inspektorat Pracy – GIP)**

GIP is the central authority overseeing compliance with labour law in Poland and is a key component of PIP, which operates nationwide, overseeing compliance with labour law and ensuring the welfare of employees. Its activities include both inspection and prevention activities aimed at minimising workplace hazards, as mentioned in Box 1. GIP provides the relevant minister with the results of inspections and assessments of compliance with labour law, including regulations on OSH and the legality of employment.

- **District Labour Inspectorates (Okręgowe Inspektoraty Pracy – OIP) and field offices**

These are district branches of PIP that operate within individual voivodeships<sup>9</sup> — 16 in total — with their central offices located in the capitals of these voivodeships. OIPs operate at the local level, meaning that they most often interact with employers and other local institutions or individuals, both during inspections and in their promotional activities. This is a form of the local impact of labour inspection beyond the central level of the GIP. Further, each OIP has its own tasks and competencies in controlling and supervising employers and employees. OIPs may consist of various organisational units, such as sections, national sections, secretariats, departments and field offices (currently 43). OIPs also provide free legal advice on labour law.

- **Training Centre (Ośrodek Szkolenia Państwowej Inspekcji Pracy)**

The Training Centre of the State Labour Inspection, named after Professor Jan Rosner in Wrocław, is an integral unit of PIP. It prepares individuals for the role of labour inspector through apprenticeship programmes while organising specialised and competency-based training for existing labour inspectors. Additionally, the centre promotes social dialogue by conducting preventive training for various groups, disseminating knowledge on OSH, and organising informational initiatives. It maintains a pool of qualified lecturers in the field and facilitates national and international seminars and conferences for PIP.

Overall, the State Labour Inspection is responsible for providing a combination of tasks related to inspections and prevention activities within the scope regulated by law, as presented in Box 1.

**Box 1: Competences of State Labour Inspections defined by the 2007 Act on the State Labour Inspection**

**2007 Act on the State Labour Inspection** provides a detailed framework for the functioning and organisation of Labour Inspectorates. The scope of the inspection, described in Article 10, goes broader than standard employment relationships and includes all types of employment relationships, which are subjected to:

- Supervision and control of compliance with labour legislation, in particular with health and safety regulations and rules, laws concerning employment contracts, remuneration for work and other benefits, working time, holidays, employees' rights related to parenthood, employment of young people and disabled persons; control of the legality of work; inspections associated with the safety of products examining dangerous substances;
- Preventive activities aimed at reducing risks, accidents and hazards in the working environment. In particular, it includes investigating the circumstances and causes of accidents and occupational diseases at work, controlling the application of measures to prevent them, taking promotional measures to ensure compliance with labour law and providing advice to reduce risks to the life and health of workers and on compliance with labour law;
- Cooperation with third parties, relevant institutions and organisations.

Source: Ecorys & NIOM, based on the 2007 Act on the State Labour Inspection

<sup>9</sup> A voivodeship is the highest-level administrative division of Poland, corresponding to a province in many other countries. Poland is currently divided into 16 voivodeships: Dolnośląskie, Kujawsko-Pomorskie, Lubelskie, Lubuskie, Łódzkie, Małopolskie, Mazowieckie, Opolskie, Podkarpackie, Podlaskie, Pomorskie, Śląskie, Świętokrzyskie, Warmińsko-mazurskie, Wielkopolskie, Zachodniopomorskie.

## 2.4 Occupational health services

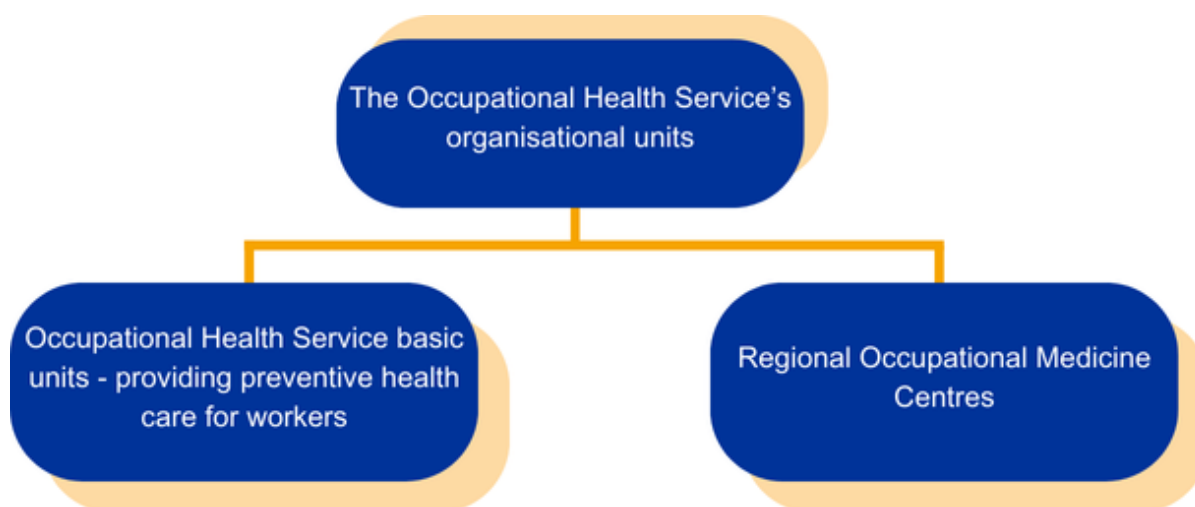
OHS were created to protect workers' health from negative working conditions and working methods and provide preventive healthcare. The duties of the OHS are based on the regular monitoring of workers' health, enabling the assessment of their health condition and the identification of harmful factors related to working conditions. As part of this monitoring, doctors inform the examined persons how to prevent negative health outcomes and manage their health (Ministerstwo Zdrowia, 2018).

In addition, OHS ensure that employers improve working conditions, which contributes to reducing occupational risks. Prevention activities include counselling people with occupational diseases, carrying out tests for early diagnosis, and consultation, diagnosis and treatment for occupational pathologies. Preventive vaccinations are also carried out, and the health status of vulnerable groups such as adolescents, the disabled or pregnant women is monitored (Ministerstwo Zdrowia, 2018). Occupational medicine focuses on various aspects of healthcare, including: initial, periodic and follow-up examinations; occupational risk assessment; advice on ergonomics and occupational psychology; and prevention of occupational diseases. It organises first aid in the workplace and health promotion among employees.

### 2.4.1 The current model of the OHS

The staff of the OHS consists of doctors, nurses, psychologists and other specialists with relevant qualifications who are responsible for carrying out multidisciplinary tasks. The service consists of healthcare providers, including provincial occupational medicine centres, research and development units, and medical universities. Occupational medicine practitioners act independently of employers, workers and their representatives to ensure objectivity and impartiality. These relations are summarised in Figure 5.

Figure 5: OHS framework



Source: Ecorys & NIOM

- **Units of OHS**

In Poland, OHS units encompass entities that carry out therapeutic activities to promote workers' health and safety. OHS units can be part of public health services or private providers. They are responsible for delivering primary occupational healthcare services. These units' tasks are performed by nurses, psychologists and other qualified individuals within the scope defined by the Act of 27 June 1997 on occupational medicine services.

- **Regional Occupational Medicine Centres**

Each voivodship in Poland has a Regional Occupational Medicine Centre, serving as a local central institution for OHS. These centres offer various services, including consultations, inspections, postgraduate training, diagnostic activities for occupational diseases, and cooperation in prevention and health promotion initiatives. They also provide expertise and guidance on organisational and operational

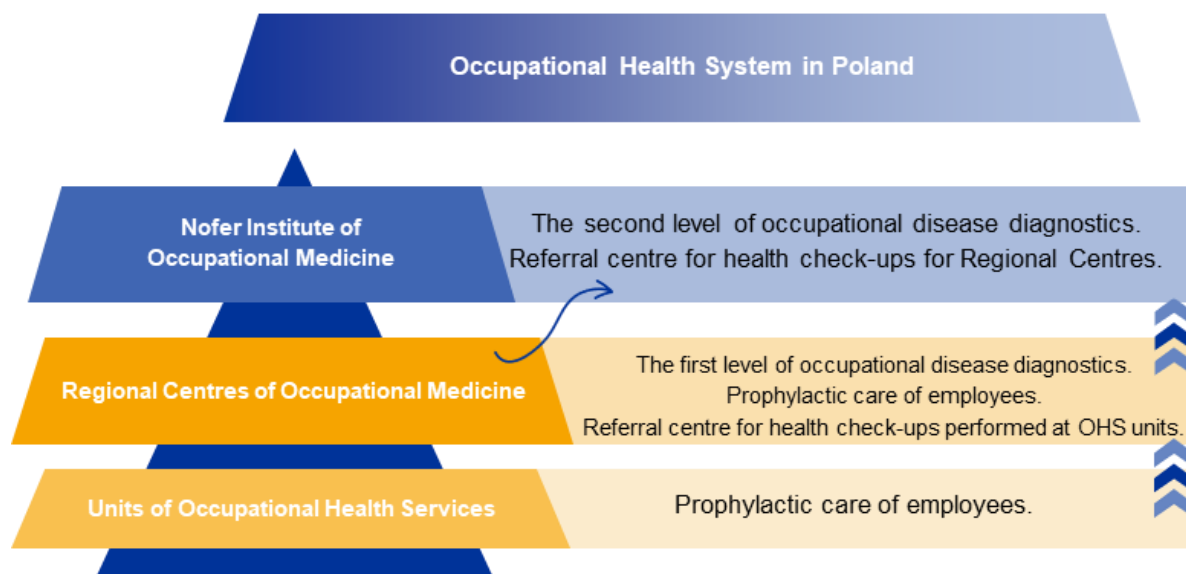
aspects of occupational healthcare. Furthermore, these centres maintain records, conduct examinations and issue medical certificates as per separate regulations.

- **Nofer Institute of Occupational Medicine (NIOM; Instytut Medycyny Pracy im. prof. dra med. Jerzego Nofera)**

NIOM is a state-owned research institute in Łódź, Poland. It is the leading institute in occupational health in Poland. NIOM serves as a secondary level of occupational disease diagnostics and is a referral centre for health check-ups conducted at Regional Occupational Medicine Centres.

These relations are summarised in Figure 6.

Figure 6: The occupational health system in Poland



Source: Ecorys & NIOM

## 2.5 OSH services/OSH experts (Bezpieczeństwo i Higiena Pracy – BHP)

OSH efforts began in Poland in the 1920s, but an official OSH service was established in 1953. Regulations and standards began to cover various industries, especially heavy industry-related ones. However, the foundations for OSH services had already been laid in the interwar period, at least 25 years earlier than suggested in the propaganda of the 1950s. Polish OSH regulations and initiatives of that period were based on several key documents (Adler, 2021).<sup>10</sup>

Additionally, between 1945 and 1989, the occupational health system was integrated into workplaces, which allowed direct supervision and adaptation of preventive measures to specific working conditions. Worksite clinics were institutions directly linked to enterprises, allowing occupational health physicians to cooperate with management, access job analysis and identify occupational hazards.<sup>11</sup> During this period, OHS and OSH were closely linked, both on an institutional and regulatory level.

- **OSH services**

After the fall of communism, the transformation process in Poland brought significant changes in the OSH approach, mainly through aligning regulations with EU standards, which was linked to membership aspirations. When Poland joined the EU, this need to align the regulations with the EU legislation

<sup>10</sup> The Presidential Decree on Occupational Safety and Health of 16 March 1928, which after the war led to the issuing of regulations by the Ministers: Labour and Welfare, Health, Industry, Reconstruction, Public Administration and Recovered Territories of 6 November 1946 on general health and safety regulations; The Decree of the President of the Republic of Poland of 22 August 1927 aimed at preventing and combating occupational diseases; The Decree of 17 December 1928, which regulated in detail the implementation of the provisions on the prevention of occupational diseases.

<sup>11</sup> Interview with a representative of the National Association of Safety Professionals.

translated into tangible changes in the OSH system on a national level, though it did not involve significant changes for the OSH services.

For many years, Polish companies had OSH experts, as part of the company staff, who were responsible for ensuring compliance with regulations and employee safety. However, in recent years, many companies have opted to outsource OSH services, outsourcing these tasks to external specialists. This shift is primarily due to factors such as financial savings and the flexibility to use external OSH services as and when required (CIOP-PIB, 2020; SEKA, 2018).

OSH experts play a key role in ensuring safe and healthy working conditions at the level of individual enterprises. The OSH service can be a separate unit/position within the company (depending on the number of employees) whose tasks are to organise prevention activities to protect from occupational hazards, improve OSH conditions and advise the employer. OSH experts can also be external consulting enterprises employed to perform OSH services — this can be either on an ongoing basis or ad hoc consultancy for the purpose of performing a specific task (based on the needs of the company). In principle, the legislation concerning OSH provision at the company level regulates who and in what capacity can perform OSH tasks at the workplace (see Box 5 *Legal requirements for establishing external and internal OSH services at the workplace*). However, in Polish, the name of this service is Occupational Safety and Hygiene (Bezpieczeństwo i higiena pracy – BHP), which to some extent reflects its limited engagement in health issues.<sup>12</sup>

## 2.6 Other institutions

As mentioned in this report's introduction, Poland's OSH system is notably complex. Here, the report briefly presents other institutions considered part of the OSH system, both for enforcing compliance with regulations and for preventive functions. While these institutions will not be extensively discussed in the subsequent sections, their relevance to the discussion will be addressed as needed.

- **Central Institute for Labour Protection - National Research Institute (CIOP-PIB)**

The CIOP-PIB is the main research institution in Poland comprehensively dealing with improving working conditions according to human psychophysical abilities. It was established by the Act of 4 April 1950, establishing the Central Institute for Labour Protection. Its main tasks include scientific research and development work in labour protection, OSH and ergonomics. The institute also deals with implementing the results of this research into practice. The overriding aim of these activities is to eliminate or reduce the cause of accidents at work and occupational diseases. In addition, the institute disseminates the results of its work through publications, competitions, exhibitions and scientific conferences (CIOP-PIB, 2024).

- **Social Insurance Institution (Zakład Ubezpieczeń Społecznych – ZUS)**

In this context, it is indispensable to mention the ZUS, which acts under the Social Insurance Act of 2002. It regulates issues in, among others, occupational health, including work-related diseases and accidents. ZUS is not directly involved in the occupational health and safety system, but through its social security activities and innovative safety campaigns (Walusiak-Skorupa et al., 2020).

- **Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego – KRUS)**

The KRUS is a public institution providing farmers with social insurance. KRUS also engages in prevention activities to promote safe work on farms and minimise occupational risks. In addition, the KRUS offers voluntary and free medical rehabilitation to eligible persons at risk of becoming incapacitated or permanently or periodically unable to work in agriculture (Infor.pl, 2024).

- **Chief Sanitary Inspectorate (Główny Inspektorat Sanitarny – GIS) and State Sanitary Inspection (Państwowa Inspekcja Sanitarna – PIS/Sanepid)**

The PIS is a specialised institution tasked with public health responsibilities, including monitoring and supervising hygiene conditions across various domains of life. The inspectorate collects epidemiological

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<sup>12</sup> Interestingly, the 2020 report of CIOP-PIB points out that among companies providing OSH services, only about 60% have the abbreviation OSH (BHP) or the word 'bezpieczeństwo' (safety) in their name (Dobrzyńska, 2020).

data on specific diseases and issues decisions related to occupational diseases. The Chief Sanitary Inspectorate is the central government administration office, established on 1 January 2000. It is headed by the Chief Sanitary Inspector, appointed by the Prime Minister upon the Minister of Health's proposal.

- **Higher Mining Authority (Wyższy Urząd Górniczy – WUG)**

The WUG operates as a central government administration office under the Minister of Industry's supervision. The primary function of the WUG and its district offices is to supervise and control mining enterprises to safeguard miners' health and the environment.

- **State Atomic Energy Agency (Państwowa Agencja Atomistyki – PAA)**

The PAA is Poland's central authority for nuclear safety and radiological protection. Regulated by the Atomic Law and subsequent implementing acts, it operates under the President's purview and is integral to ensuring safe nuclear practices.

- **Technical Inspection Authority (Urząd Dozoru Technicznego – UDT)**

The UDT functions as a state institution dedicated to ensuring the safety of technical equipment and installations. Established in 1950 and later granted its statute in 1978, the UDT conducts certification and training activities, with the Central Laboratory of Technical Inspection in Poznań serving as its research and expertise hub.

- **Office of Competition and Consumer Protection (Urząd Ochrony Konkurencji i Konsumentów – UOKiK)**

Under the Competition and Consumer Protection Act of 2007, the UOKiK is Poland's antimonopoly office, and it enforces competition laws and safeguards consumer rights.

Further, several critical non-institutional actors shape and impact OSH in Poland:

- **Trade unions**

Trade unions advocate for OSH and ensure that workers' interests are prioritised. Their involvement extends beyond the company level, as several trade unions are recognised as official social partners.<sup>13</sup> They actively contribute to shaping the OSH landscape nationally through collaboration with key stakeholders such as PIP and ministries engaged in the issues of labour and employment through partaking in social dialogue bodies. They are also engaged in different OSH-compliance promotional activities, on both the national and regional level. Their active engagement in individual company settings and broader state-level initiatives offers a valuable lens through which to analyse Poland's OSH prevention services landscape.

- **Employers' organisations**

Similar to trade unions, some employers' organisations are recognised as social partners on a national level and, as such, participate in the social dialogue concerning, for example, employment.<sup>14</sup> Independent of that — being both on national and more localised or sectoral level — these autonomous associations of employers operate independently from the government and local administration. Their main purpose is to protect and advocate for the interests and rights of employers in front of trade unions, authorities and administration.

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<sup>13</sup> Social Dialogue Council (Rada Dialogu Społecznego), which includes working groups on employment and labour law, involves the representation of the following trade unions: Independent Self-governing Trade Union Solidarity (Niezależny Samorządny Związek Zawodowy "Solidarność"), The Workers' Initiative (Ogólnopolski Związek Zawodowy "Inicjatywa Pracownicza"), and Trade Unions Forum (Forum Związków Zawodowych).

<sup>14</sup> Similarly, six employers' associations: Business Centre Club, Federation of Polish Enterprises (Federacja Przedsiębiorców Polskich), Polish Confederation Lewiatan (Konfederacja Lewiatan), Employers of Poland (Pracodawcy RP), Union of Entrepreneurs and Employers (Przedsiębiorców i Pracodawców), and Polish Craft Association (Związek Rzemiosła Polski) are represented in the Social Dialogue Council.

- **Associations for promoting OSH**

During desk research, numerous OSH-focused associations in Poland were identified, encompassing individual member associations and corporate initiatives. Among these, several have demonstrated significance in the context of prevention services and supporting compliance.



### 3 The activity of the State Labour Inspection

This section presents the approach and activity of the State Labour Inspection (PIP). Table 3 presents two key factors of PIP's activity: its overarching objectives (control and prevention), and the frequency with which they are conducted (regular or ad hoc). PIP's primary mission is enhancing workplace safety and health through control and prevention activities. Control activities involve routine workplace inspections, while prevention initiatives encompass, for instance, educational campaigns to promote safe work practices. Regarding frequency, PIP's efforts are divided into different types of tasks, such as scheduled inspections and ad hoc actions. The latter are initiated in response to reported incidents or accidents or as part of temporary promotional campaigns to advance labour standards and protect workers' wellbeing.

Table 3: Matrix of PIP's activities

Goals		Control	Prevention
		Frequency	
Regular	Scheduled inspections.	Guidance, publishing, training.	
Ad hoc	Interventions to reports or whistle-blowing, post-accident activities; special controls during pandemic.	Campaigns, post-accident recommendations.	

Source: Ecorys & NIOM

PIP activity reports (PIP Annual Activity Reports, *Sprawozdanie Państwowej Inspekcji Pracy*) provide a comprehensive overview of the institution's efforts, investigations and actions throughout the year.<sup>15</sup> These aforementioned reports are important sources for this study, providing the landscape of labour inspections, considering different types of activities and topics covered. At the same time, the review of Annual Reports allows us to observe a **data-driven approach** to informing strategic decisions. Data used primarily for the analysis are described in section 3.1, *Insights on quantitative data gathered to guide labour inspection*. Indeed, section 3.2, *State Labour Inspection and handling complaints*, describes the scope of complaints and most prevalent violations, which further guide PIP activities. Section 3.3, *Inspections*, describes the two types of inspections: inspection as the follow-up to the complaint and the planned inspection, showing the sectoral dynamics in that area. Section 3.4, *Occupational accidents and exposure to risk factors and labour inspection activity*, provides an **example of the data-driven approach showing how the number of fatal and severe accidents impacts the sectoral focus of State Labour Inspection activities**.

The following sections start the analysis of **the approach to labour inspection**, which could be **characterised as relevant to a co-enforcement model**. The co-enforcement model involves a collaborative approach to ensuring OSH compliance with the cooperation of different institutions and organisations. This approach combines inspection and prevention activities. The enforcement model focuses on ensuring compliance with labour laws through inspections, penalties and corrective measures, often organised around a single/central organisation responsible for the labour inspection. Section 3.5, *Penalties and activity of the State Labour Inspection*, discusses the existing coercive measures, arguing that these measures do not suffice to support OSH compliance and indicating the rationale for the approach combining inspection and prevention. Finally, section 3.6, *Labour inspection horizontal activities*, indicates the **combined approach to prevention and inspection, indicating how the information gathered from the data is translated to the activities**. Further, an example of cooperation with PIP and other OSH-related institutions/organisations and the practical side of the co-enforcement model is discussed in Chapter 5, *Cooperations and synergies*.

<sup>15</sup> Each year, PIP publishes its Annual Activity Report, summarising the activities conducted in the previous year, showing yearly statistics and providing an overview of work conducted. For this report, we will refer to several PIP Annual Reports, showing PIP activities between 2017 and 2024. Those are referenced as: PIP, year of publication.

### 3.1 Insights on quantitative data gathered to guide labour inspection

**Data on OSH issues are the relevant source that guides labour inspection in Poland.** Data used to advise labour inspection come from two sources: internal PIP statistics and sources external to PIP. In general, data related to OSH in Poland is well developed. The data are collected regularly (usually annually), covering various topics with detailed splits (e.g. by enterprise types, geographical location and employees' characteristics), and are publicly available.

Internally, PIP gathers data about its activity, which is further presented and explained in the following subsections of this chapter. The quantitative data collected by PIP are related to its activities, including the number of inspections, complaints received, and promotional activities carried out on a central level and by the State Labour Inspection districts. They are presented in annual publications, such as PIP Annual Activity Reports, available on the website.

According to insights from one of the interviews, the main reason for the reliability of PIP data is that they are based on inspections and not only employers' reporting. PIP employees visiting the employer's premises then confirm the actual situation. On the other hand, this is also a source of the main shortcoming of such data, that is, limited scope. They cover only enterprises controlled by inspectors; as presented before, only a fraction of all enterprises are visited annually.

Further, the primary provider of data is Statistics Poland. The data are focused on the effects of OSH policy and its practical implementation on employees' working conditions. The leading indicators are accidents at work, causes of accidents, exposure to risk factors, occupational risk assessments and prevention services used by employers. Data are collected via statistical forms delivered by employers. The only exceptions are data on accidents at work and work-related health problems collected from employees using the Labour Force Survey infrastructure.

The main challenges related to official statistics data, which have to be taken into account when drawing conclusions based on data, are twofold:

- **Exclusion of micro-enterprises.** Most enterprises are micro, that is, employing fewer than 10 people. **Statistics Poland** is collecting data on working conditions based on the sample of all enterprises operating with 100 or more persons, establishments reporting at least one employee at risk last year and establishments selected randomly. This means the sample for this research does not represent micro-enterprises and, therefore, covers only a part of the Polish economy. On the other hand, however, it has to be noted that business sectors with more significant OSH risks, that is, mining and quarrying, manufacturing or construction, are usually medium or large companies and, hence, included in this research.
- **Possible under-reporting of events and nonconformities related to OSH.** It has to be noted, though, that data on accidents at work include all enterprises, and they are obliged to fill out the statistical form and deliver it to Statistics Poland. This is related to the second possible source of the bias. Employers usually perceive OSH as a burden related to additional costs, time consumption or the risk of fines. Therefore, all statistics related to hazardous conditions or accidents delivered by employers should be 'treated' with caution. There is a possibility of under-reporting of accidents or several employers exposed to risk factors, especially as there is no sanction in case an accident is not reported or under-reporting on employees working in hazardous conditions.

Hence, the main challenge related to OSH data is a **lack of full comparability between two primary data sources: official statistics and PIP.** For example, one statistic could be compared, that is, the number of fatal accidents. This is because all deadly accidents should be reported to PIP. Statistics Poland showed 219 fatal accidents in 2021, and PIP reported 243 fatal accidents in the same year. This suggests a possible discrepancy between the two most critical official data sources on accidents in Poland. Further, PIP can request and use administrative data gathered by other institutions.

**From a methodological perspective, methodological data sources have some limitations but still provide the most accurate and available overview of OSH issues in Poland.** In the following subsection, the report discusses different types of OSH data for two reasons: 1) to provide an overview of activities, topics, sectors covered and challenges for labour inspections, and 2) to showcase how

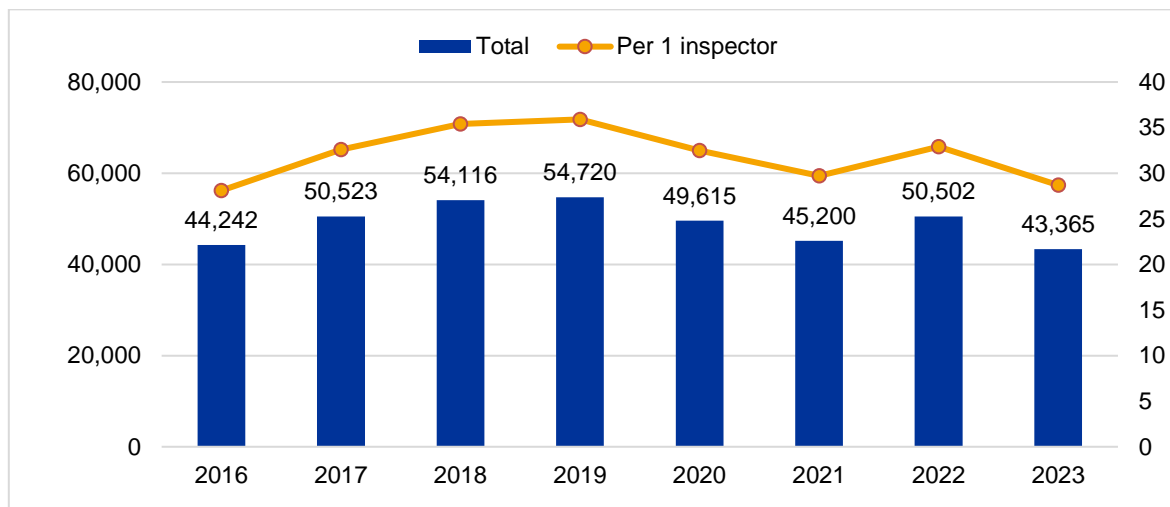
labour inspection uses data to inform their strategic decisions, showing the example of how numbers on severe and fatal injuries affect the selection of sectors for additional inspection activities.

### 3.2 State Labour Inspection and handling complaints

The number of complaints filed to the PIP is relatively stable over time, with a slight increase up to 2019, followed by a decrease in 2020 and 2021. Notably, after a slight decline in 2020 and 2021, the number of complaints increased back in 2022 and amounted to 50,502, as presented in Figure 7. Interestingly, the number of complaints decreased significantly in 2023 and amounted to 43,365, the lowest level in years (including pandemic years). The PIP report does not point out a single possible reason for the decrease in complaints. However, it indicated that a new requirement of including the qualified electronic signature on the complaint may have been the cause (PIP, 2024).<sup>16</sup>

For 2024, the Action Plan<sup>17</sup> does not pay particular attention to any specific type of complaint or theme other than maintaining the same approach and ensuring that complaints are handled at the same high standard. The Action Plan in 2023 paid particular attention to issues of bullying, payments, termination of contracts and the application of anti-crisis shields (see the section on COVID-19). Further, inspectors carefully investigated signals of violations in specific industries, especially considering contracts with contractors or subcontractors of public service or public works contracts, but also concerning entities carrying out construction activities (complaints about irregularities on construction sites) or companies operating via electronic service platforms and entities cooperating with them. Interestingly, between the end of 2023 and the beginning of 2024, PIP's website was redesigned to be more user-friendly. Therefore, it will be interesting to observe if the re-design of the website and easy-to-follow path of 'how to file a complaint' will contribute to a further increase in complaints to make up for the recent decrease (PIP, 2023c).

Figure 7: Number of complaints filed to PIP



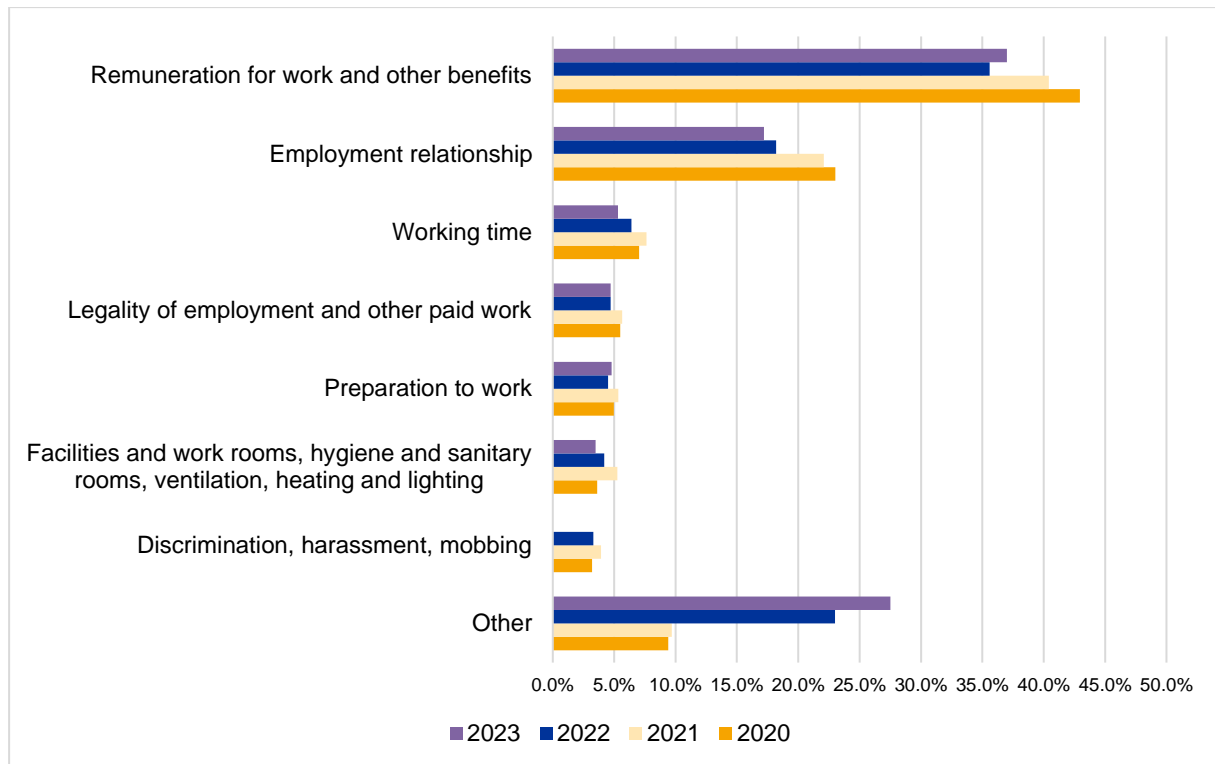
Source: Ecorys & NIOM, own calculations based on PIP Reports 2016-2023

The complaints structure shows the domination of issues related to remuneration and employment relationships. Overall, the structure of complaint types has been relatively stable in the years 2020-2023, as presented in Figure 8.

<sup>16</sup> In the instances where reference is made to a PIP publication, with a year indicated (no vowel added), the source referenced is the PIP Annual Report, published in that year. This means that it includes the data for the year prior, so in case of an Annual Report published in 2024, the period it covers is year 2023 only.

<sup>17</sup> Each year, PIP publishes a document called Action Plan, indicating strategy and approach for a given year.

Figure 8: Reasons for complaints filed to PIP



Source: Ecorys & NIOM, calculation based on PIP Reports 2020-2023

In 2023, PIP reported 27,979 complaints (compared with 32,245 for 2022) covering remuneration and other benefits, mainly lack of compensation, lower remuneration than agreed with employees, and lack of or reduced payments for overtime work or money equivalent for unused holiday time.

Interestingly, with an overall increase in complaints issued by foreign workers in Poland, the most prominent issues in 2022<sup>18</sup> reported by foreigners (both Ukrainians and non-Ukrainian workers) were payment-related issues, as presented in Figure 9. Moreover, there has been a general increase in complaints issued by foreigners, which may be associated with the migration of Ukrainian workers caused by Russia's aggression war.

<sup>18</sup> The 2023 PIP Annual Report does not provide a breakdown of data (as provided in the 2022 Report and Presented in Figure 9), however the report mentions that there is a similar trend.

Figure 9: Complaints filed to PIP in 2022 by foreign workers



Source: Ecorys & NIOM, translation from 2022 PIP Annual Activity Report

Employment relationship was the second most prominent complaint issue in 2023, with 13,004 complaints reported (16,450 for 2022). The main issues disclosed involved the lack of a written employment contract or irregularities in the provided employment contract, failure to provide an employment certificate, a civil contract instead of an employment contract, and irregularities in the termination and dissolution of employment contracts. Similarly, the legality of employment included similar administrative breaches and failure to provide social security provisions, delays in paying social security dues on behalf of employees or irregularities in foreigners' employment.

In general, there are several pathways once the complaint has been issued:

- the inspector can decide on follow-up inspections;
- inspectors can provide support by reaching out to other relevant institutions such as the Prosecutor's Office (if it is a criminal case) or Court; and
- inspectors can decide that there is no basis for action.

In 2023, 25,513 out of 75,693 complaints resulted in follow-up activity. The second part consists of cases that are impossible to investigate (no or little evidence) or issues that do not fall into the category of violations or breaches according to the existing legal framework. While the proportion of follow-up activities may seem small, having a more holistic assessment of situations is essential. The responsible labour inspectors have carefully investigated 75,693 complaints, yet initiating follow-up activity was often impossible. Additionally, handling complaints has critical educational aspects, such as providing feedback and a better understanding of regulations in the working environment.

Table 4: Number of complaints and issues versus their recognition status

Year	Number of all complaints	Number of all issues (one complaint can cover several issues)	Cases impossible to investigate	Recognised and deemed justified	Recognised and deemed unjustified
2020	49,615	87,290	37,219	22,545	22,422
2021	45,200	82,645	28,868	27,050	25,983
2022	50,502	87,510	30,193	27,895	26,203
2023	43,365	75,693	25,026	25,513	22,711

Source: Ecorys & NIOM, based on PIP Annual Activity Reports 2020-2023

Further, there is a certain regularity in the follow-up activities by issue category (remuneration, employment relationship, etc., as presented in Figure 8). In almost all categories, follow-up activities consist of, on average, between 20% and 40% of all issues reported, except for the complaints of mobbing, discrimination and harassment, which were at 6% in 2023. This disproportion may stem from the legal definition of mobbing, outlined in Article 94<sup>3</sup> of the Labour Code. According to §1, mobbing involves persistent and prolonged actions or behaviours directed towards an employee, such as harassment or intimidation — which lead to a diminished assessment of their professional capabilities — humiliation, ridicule, or social isolation from their team. Such a definition of mobbing and persistent and prolonged action elements requires solid evidence for any follow-up activity.

### 3.3 Inspections

The 2007 Act on the State Labour Inspection indicates that labour inspectors can decide to run inspections based on the following:

- Inquiries from employees/ anonymous complaints.
- Notification on workplace accidents.
- Their own initiative, which is part of ongoing programmes. Inspectors can inform the company about upcoming inspections or initiate inception without prior notice.

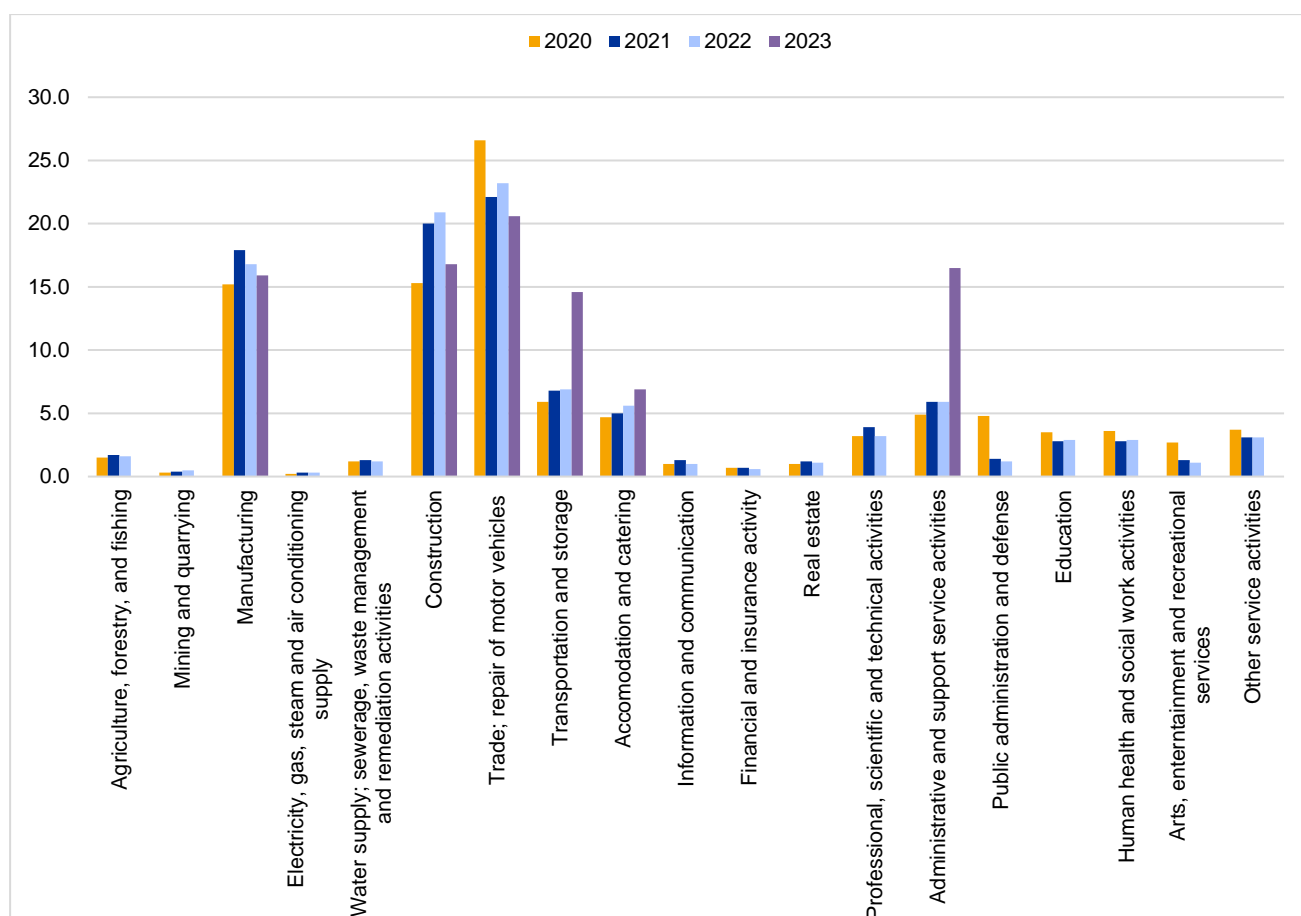
The scope of inspection includes three thematic areas:

1. Workplace health and safety — related to the overall safety of the working environment, such as proper temperature or lighting, preparation of the company premises to secure healthy and safe conditions, and ensuring the safe operation of machinery.
2. Compliance with legal protection of labour — related to ensuring that the company follows legal provisions granted in the Labour Code, such as remuneration, overtime rules, rest time and holiday time.
3. Ensuring the legality of employment — related to ensuring that workers are provided with appropriate contracts.

During inspections — in cooperation with employer and employee representatives — labour inspectors control available documentation, check on-site working conditions, including the machinery, and conduct interviews with any involved parties in the company.

Overall, the total number of inspections carried out in 2019 amounted to over 73,000. In the following years, this number decreased to 56,400 in 2020 and 55,800 in 2021. Most inspections were done in three business sectors: trade and repair of motor vehicles, construction, and manufacturing. Around 60% of all inspections were carried out in establishments from these sectors, as presented in Figure 10.

Figure 10: Labour inspections by business sectors (in percentage of total inspections)<sup>19</sup>



Source: Ecorys & NIOM, based on PIP Annual Activity Reports

In 2023, PIP conducted 61,695 inspections (59,570 in 2022). This was approximately 6% more (inspections) than in previous years. Yet, this was a fraction of all enterprises in Poland (approximately 2%; Statistics Poland, 2023). Notably, the Action Plan 2024 mentions the intention to keep inspections at similar levels of 60,000.

Importantly, inspections can take place in two modes:

- In response to complaints. A large share of inspections are in the 'Trade and repairs of motor vehicles' sector as, through the years, most complaints have been reported from representatives of this sector. Indeed, in 2020, there were 4,210 follow-up inspections in the 'trade and repair of motor vehicles' sector; in 2021, there were 5,334; in 2022, there were 5,074 and 4,387 in 2023.
- As planned initiative. Based on PIP strategic directions and/or based on the number of accidents (especially severe and fatal) in a specific sector (justifying a sector-specific and targeted approach, such as the campaign 'Budowa. STOP Wypadkom!' (Construction. STOP Accidents!)) that combined inspection and prevention activities.<sup>20</sup>

The following section on accidents further analyses the relationship between the number of inspections and severe and fatal injuries in other sectors. Notably, while PIP indicates the priority sectors for

<sup>19</sup> Data provided by PIP in the 2023 Annual Activity Report were not as detailed in comparison to previous reports, hence not all sectors are presented for 2023.

<sup>20</sup> Case *Polish sector prevention and inspection programmes: supporting occupational safety and health compliance (Case PL5)* is available at: <https://osha.europa.eu/en/publications/polish-sector-prevention-and-inspection-programmes-supporting-occupational-safety-and-health-compliance-case-pl5>

inspection country-wise each year, each District Labour Inspectorate can name its own regional priorities for inspection.

As a consequence of the labour inspection, there are several activities labour inspectors can uptake, as regulated by the 2007 Act on the State Labour Inspection and as presented in Box 2.

**Box 2: Scope of post-inspection activities as regulated by the 2007 Act on the State Labour Inspection**

As a consequence of an inspection, the following hold:

- If the inspector reveals working conditions directly endangering life and health: the inspector can impose an immediate ban on company activity until the immediate danger is removed. The company is obliged to take immediate action to remove malfunctions/malfunctioning.
- If the inspector reveals machinery malfunction directly endangering life and health: the inspector can impose an immediate ban on machinery use until the immediate danger is removed. The company is obliged to take immediate action to remove malfunctions/malfunctioning.
- The inspector can issue decisions and recommendations, which the company shall apply if the inspector finds less severe violations. Decisions on recommendations may include a specific timeline during which the company shall remove detected breaches.
- The inspector can issue financial penalties depending on the circumstances; these can vary depending on the scope of violations and include fines of up to PLN 2,000 (around €470)<sup>21</sup> for first-time violations and up to PLN 5,000 (around €1,110) for repetitive violations (recidivism). Inspectors can also issue the request to the criminal court. This can occur when employers refuse to cooperate and follow the inspector's orders and employers obstruct the activities of PIP. Additionally, it can happen when the inspector indicates the breaches of regulations discussed in the Labour Code section XIII Article 281 §1, which shows the scope of situations eligible for punitive course trials. Following the trial and case approval, the punitive court can impose fines of up to PLN 30,000 (around €7,000), or if the debtor is registered in the debtors' register, the court can order fines of up to PLN 45,000 (around €10,000).

Source: Ecorys & NIOM, based on 2007 Act on the State Labour Inspection

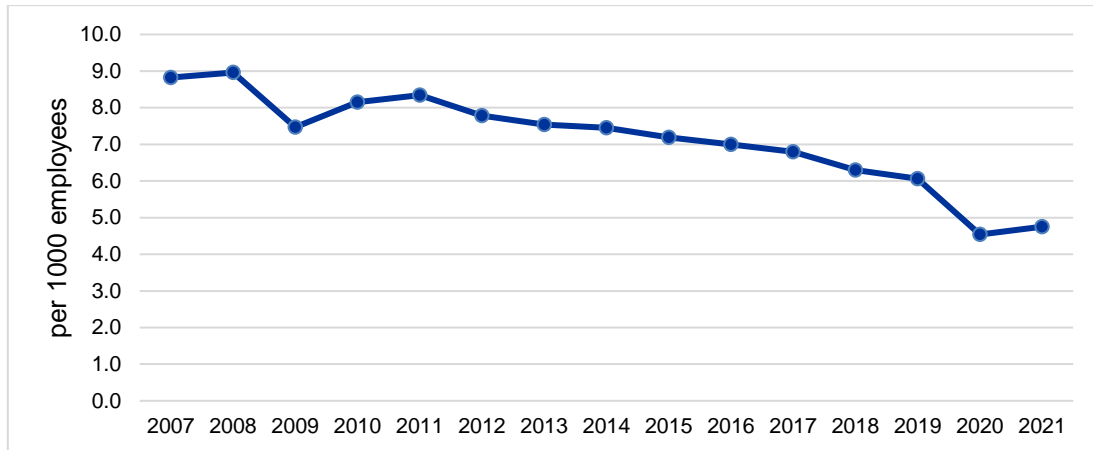
### 3.4 Occupational accidents and exposure to risk factors and labour inspection activity

**Occupational accidents (especially fatal and severe accidents) and exposure to risk factors are important indicators for planning labour inspection activities.** In recent years, the number of injuries in accidents per 1,000 employees in the total economy decreased from 8.8 in 2007 to 4.8 in 2021 (see Figure 11). However, there has been a slight increase between 2020 and 2021. In absolute terms, 68,777 employees were injured in 2021.

<sup>21</sup> PLN to EUR: PLN 1 - €4.3.



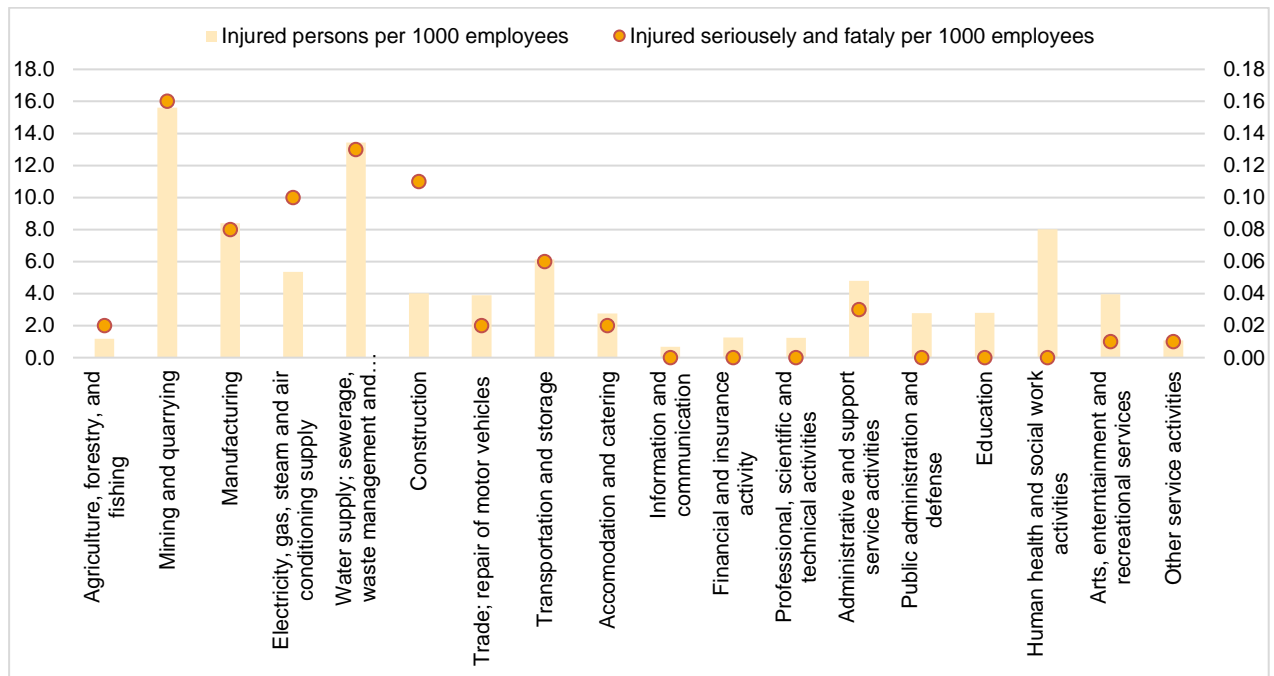
Figure 11: Persons injured in accidents at work (per 1000 employees)



Source: Ecorys & NIOM, own calculations based on Statistics Poland (2023b)

The number of injured in accidents (per 1,000 employees) varies considerably by business sector (Figure 12). The highest values were observed in mining and quarrying, water supply, sewerage and water management, and construction, which had the highest number of severe and fatal accidents. Indeed, accidents with serious or fatal injuries are the basis for undertaking inspections by PIP and designing a sectoral approach. Several inspections by sector reflect this — the 2022 and 2023 PIP Annual Activity Reports mention trade, repair of motor vehicles and manufacturing as the two sectors with the highest number of inspections and accidents. Additionally, there are many inspections in the construction sector, where the share of accidents (per 1,000 employees) is relatively low, but the share of serious accidents is high.

Figure 12: Persons injured in accidents at work (per 1,000 employees) by business sectors, 2021



Source: Ecorys & NIOM, own calculations based on Statistics Poland (2023b)

As mentioned previously, PIP uses accidents and severe and fatal accidents as indicators for priorities in inspection. **Indeed, a high number of accidents, especially severe and fatal ones, are the motivation behind the programme campaign 'Budowa. STOP Wypadkom!' (Construction. STOP**

**Accidents!**<sup>22</sup> The numbers of severe and fatal accidents, presented in Figure 12, seem to correlate with a high number of inspections, shown in Figure 10, in the manufacturing sector, and it does seem to be the case for all other sectors, such as:

- electricity, gas, steam and air conditioning supply; and
- water supply sewage, waste management.

Several factors could explain this situation. For example, the structure of enterprises in these sectors may be dominated by large-scale enterprises, meaning that several inspections in industries like mining and quarrying may have similar scope and coverage compared to hundreds of inspections in other sectors. Equally, PIP analyses data on severe and fatal injuries on a yearly basis. Therefore, action targeting these aforementioned sectors may be yet to be developed. Finally, it is worth mentioning that PIP runs other activities dedicated to sectors with a high share of fatal and severe injuries, for example, in mining and quarrying, which may not rely heavily on inspections but on different approaches based on PIP insights.

### Box 3: Remote work impact on OSH – reports to PIP on remote work accidents

According to the existing legislation, an accident at work is defined as a sudden event caused by an external factor that results in injury or death. It must occur in connection with work during the performance of an employee's regular tasks or in compliance with superiors' instructions while carrying out activities for the employer, even without specific instructions or when the employee is under the employer's jurisdiction while commuting between the employer's premises and the location where work-related duties are performed. **Considering post-pandemic changes to the mode of work and the increase in remote and hybrid forms of work, the approach to the accidents in the remote setting became an issue.** While the occurrence of occupational accidents in remote settings is not significant, both for employers and PIP, aligning existing OSH regulations with the contemporary demands of remote work remains an important issue. PIP received five **reports of accidents** in 2023 (four in 2022) during remote work. The employers of the affected individuals submitted these reports. Unfortunately, all of the affected individuals lost their lives as a result of these accidents. These incidents were characterised as sudden medical emergencies, including fainting and cardiorespiratory failure.

Due to their nature, PIP did not conduct any supervisory or investigative actions related to examining the circumstances and causes of these accidents. Regarding these specific incidents, it is known that one of them was recognised as a workplace accident. However, the remaining three incidents were not classified as workplace accidents due to the absence of an external cause (the individuals passed away due to medical conditions unrelated to their work), which is one of the elements in the definition of a workplace accident (PIP, 2022).

## 3.5 Penalties and activity of the State Labour Inspection

Following the inspections, PIP issued over 230,000 decisions in 2023 (as presented in *Box 2: Scope of post-inspection activities as regulated by the 2007 Act on the State Labour Inspection*). However, less than 5% of the decisions concerned suspension of work, transfer of employees or suspension of machinery exploitation due to more serious offences. Additionally, PIP ordered over 4,600 decisions to pay benefits related to labour contracts and issued over 17,000 penalty tickets and 1,151 penalty requests to the court. There was a significant increase in applying strong measures (penalty tickets, requests to court) compared to 2021, despite a similar number of inspections between 2020 and 2022. This may suggest that at the beginning of the pandemic (2020), inspectors were less strict and tried to consider the extraordinary circumstances in which the enterprises were operating.

Despite the increase in abovementioned strong measures, they still represent a fraction of all decisions, as indicated in Table 5. This may suggest that the labour inspection, in its activities, tries to make an impact by both sanctioning and supporting in creating safe workplaces. Indeed, the penalties system of PIP reveals a nuanced approach to enforcement and compliance within the OSH framework. This

<sup>22</sup> See section 3.6.

system prioritises penalties that are proportionate to the capabilities of businesses, rarely resorting to court for the imposition of higher fines. It reflects striving to balance sanctioning non-compliance and supporting businesses in creating safer work environments.

**Table 5: Activity of PIP: total decisions issued, suspension of work in 2022 and 2023**

Details	Numbers in 2022	Numbers in 2023
Inspections	59,570	61,695
Decisions issued (total), including:	211,714	230,366
▪ suspension of work	5,812	6,268
▪ transfer of employees to other works	3,171	3,682
▪ suspension of machinery exploitation	7,671	8,619
Decisions to pay benefits	5,040	4,663
The total value of the benefits paid to employees	PLN 73,2 mln	PLN 90,2 mln
Penalty ticket:	15,793	17,197
▪ the total value of penalty tickets	PLN 19,7 mln	PLN 22,1 mln
▪ penalty requests to the court	1,151	1,063
▪ disciplinary measures	8,468	8,043
▪ notifications to the prosecutor's office about suspected crimes	665	711

Source: Ecorys & NIOM, own calculations based on PIP Annual Activity Reports 2022 and 2023

The penalties are, overall, not seen by PIP as high enough to enforce compliance just by themselves. As they point out in the 2021 Annual Activity Report regarding the legality of employment:

*Inspections conducted by the PIP allow for the conclusion that the attitudes of those entrepreneurs who knowingly violate employment legality regulations, considering the savings made, cannot be changed by applying penalties for assigning work in the 'grey zone' under the current rules. These penalties are neither deterrent nor burdensome, failing to fulfil their function. Therefore, it is reasonable to increase the amount of imposed fines, but also to change the mechanism of their imposition, and perhaps also (following the example of some countries) to link the amount of the penalty to the size of the company's turnover (PIP, 2022).*

Indeed, PIP, in the 2023 report, shares similar reflections, along with a suggestion to introduce several measures and improvements, including:

- Developing mechanisms that link the type and scale of the fine with the kind and scale of violation. As underlined in the PIP report, currently, penalties imposed by labour inspectors, such as for breaches of the legality of employment, are neither dissuasive nor disruptive and for entities that knowingly and intentionally violate the law and do not constitute a barrier against prohibited practices in the future. Some companies breach the rules on the legality of employment because economic profits outweigh the potential costs of fines (or other measures). Therefore, the PIP Annual Activity Report proposes some new measures that would link the penalty with the scale of the violation. The report presents an example of violations in the legality of employment. In case of committing a breach in the legality of the employment of the proposed measure/penalty scale, it could depend on the number of persons working illegally, which could eventually make such practice unprofitable.
- Introducing non-financial penalties, such as the return of all kinds of finances received from the state (subsidies, tax concessions, taxes); prohibition from bidding for public contracts; and the inability to apply for governmental support schemes.

- Supporting digitalisation of labour inspectors' work by providing inspectors with mobile devices with real-time access to any needed databases (for example, to the database of the Social Insurance Security to check if the inspected enterprise pays the mandatory social security dues for their employees).
- Increasing the scope of administrative decisions that labour inspectors can issue with the immediate effects, for example, in cases of civil law contracts or self-employment, when, in fact, employees should be covered by the regular employment contract. In such cases, the labour inspector could be entitled to issue an administrative decision that would automatically transform civil law contracts or self-employment into regular employment contracts (PIP Annual Reports; Maciuła-Ziomek, 2024).

Overall, the changes proposed in the 2023 PIP Annual Activity Report have a broad scope. These proposals for improvements seem to prioritise penalties proportionate to businesses' capabilities. At the same time, these proposals focus on a systematic review of labour inspection capacities, introducing a broader scope of decisions that labour inspectors can take up or introducing elements to facilitate inspectors' work, such as mobile devices with real-time access to relevant databases (PIP, 2024).

### 3.6 Labour inspection horizontal activities

A 'horizontal approach' in PIP strategies embraces a multifaceted way to advancing compliance with OSH standards. This approach involves addressing OSH issues from various angles and combining methods to achieve their strategic objectives.

In this context, it includes the combination of three main components:

- **Sectoral inspections:** PIP conducts numerous inspections focused on specific sectors or industries considered especially dangerous for workers in terms of OSH.
- **Thematic activities:** PIP runs problem-related activities, such as supporting safe handling of chemicals in the workplace.
- **Promotional and educational activities:** Besides inspections, PIP engages in promotional and educational activities to raise awareness and educate employers and employees in the targeted sectors about OSH standards and best practices.

By combining these three approaches, PIP can address OSH challenges in sectors where conducting inspections in every workplace is not feasible due to resource constraints. The sectoral inspections allow them to assess compliance in selected high-risk sectors directly. At the same time, the promotional and educational activities contribute to improving prevention and fostering a culture of safety and OSH compliance within those sectors. PIP deemed this combination especially compelling.<sup>23</sup>

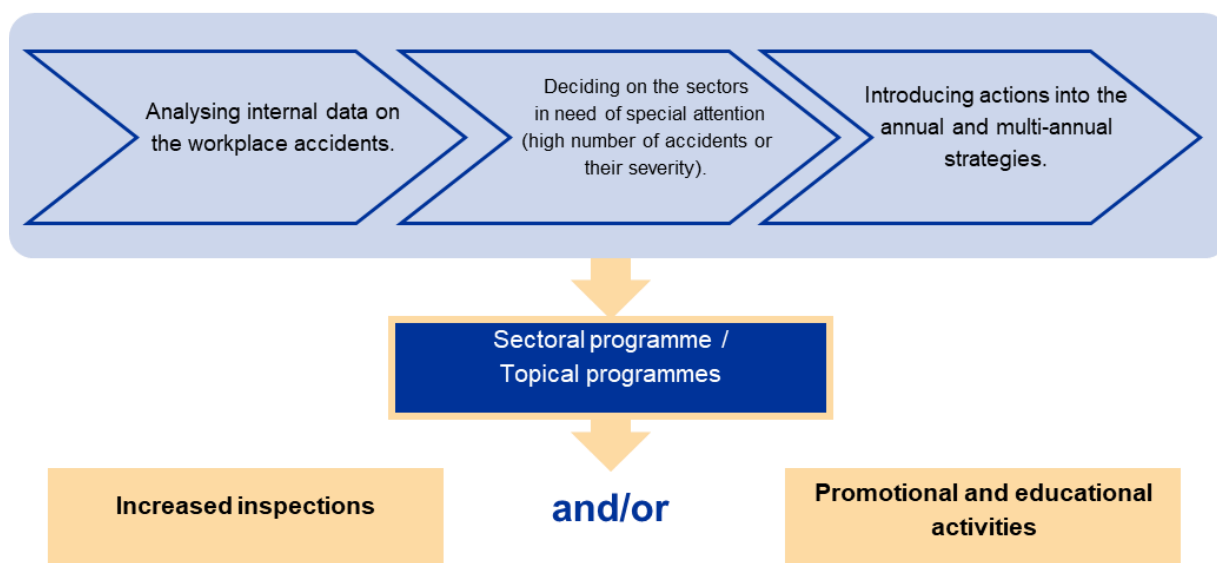
Designing such horizontal activities follows a pattern implemented similarly through different sectoral programmes. First, PIP identifies sectors with a history of irregularities and significant prevalence of accidents based on available data from previous inspections and accident reports. It is not solely based on the number of accidents but on the presence of particularly hazardous incidents. Subsequently, PIP may implement a programme specifically tailored to address issues within this sector. Such programmes are then integrated into the overall PIP strategy, encompassing inspection activities targeted at this sector and preventive campaigns.<sup>24</sup>

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<sup>23</sup> Interview with PIP's representatives.

<sup>24</sup> Interview with the PIP representatives; Programme of activities of the State Labour Inspection for 2022-2024 (Action Plans).

Figure 13: Horizontal activities pathway



Source: Ecorys & NIOM

PIP has developed and implemented several strategies that encompass heightened inspections and promotional activities in the present and previous years. They all have a similar structure, covering media and preventive-control actions to reduce hazards in selected sectors: promoting compliance with labour law regulations, especially regarding OSH, and enabling employers to adjust their facilities to current regulations through participation in a prevention programme based on self-monitoring. Listed below are the horizontal activities that PIP implemented in the period 2016-2024.

- **Budowa. STOP Wypadkom!**<sup>25</sup> (Construction. STOP Accidents!) — 2022-2024.

Figure 14: Budowa. STOP Wypadkom! campaign banner



Source: Downloadable campaign materials

- **Dobry przepis na bezpieczeństwo**<sup>26</sup> (Good Recipe for Safety) — 2019-2021 (targeting the butcheries and slaughterhouses sectors).

<sup>25</sup> For details about the construction sector's horizontal activities, see *Polish sector prevention and inspection programmes: supporting occupational safety and health compliance (Case PL5)*, 2025, available at <https://osha.europa.eu/en/publications/polish-sector-prevention-and-inspection-programmes-supporting-occupational-safety-and-health-compliance-case-pl5>

<sup>26</sup> More information is available at: <https://www.bhpnatak.pl/>, downloadable materials.

Figure 15: Dobry przepis na bezpieczeństwo campaign logo



Source: Downloadable campaign materials

- **Włącz bezpieczeństwo przy obróbce drewna**<sup>27</sup> (Switch on Safety in Woodworking) — 2016-2018 (targeting the sawmills and carpentry workshops).

Figure 16: Włącz bezpieczeństwo przy obróbce drewna campaign banner



Source: Downloadable campaign materials

This approach adopted by PIP was considered the most effective way of promoting compliance by the PIP representatives<sup>28</sup> because relying solely on inspections or promotional efforts falls short. While inspectors can impose penalties for non-compliance during inspections, these penalties are often not deemed compelling enough due to their financial nature. Likewise, solely relying on promotional activities without on-site inspections is insufficient to encourage proper conduct.

Moreover, disseminating information about the increased number of inspections within a sector allows employers to self-assess and prepare for potential inspections. This is where educational and promotional materials play a crucial role. While it may be impossible for PIP to inspect every worksite within a sector, this approach contributes to improving working conditions.

<sup>27</sup> More information is available at: <https://www.bhpntak.pl/>, downloadable materials.

<sup>28</sup> Interview with a PIP representative.

## 4 The activity of OSH and OHS prevention services

This section provides available information on the activity of OSH internal and external prevention services. It discusses these in light of debates on generalist versus specialist OSH experts' profiles, issues of qualifications, and OSH experts' activity, the scope of their duties and professional satisfaction. The next section covers activities of OHS preventive services, providing a general overview of occupational doctors' activity and developing the prevention potential of occupational medical examinations, regional disparities in the access to occupational medicine and issues around OHS services in agriculture.

### 4.1 OSH services/experts

Since the sources and information on OSH services are limited and scattered, this section heavily relies on the 2020 CIOP-PIB publication (Dobrzyńska, 2020), which addresses this gap. The section provides key information on OSH experts — who they are, how they operate, and their drivers and challenges at their work. Further, it draws on prominent discussions, covering issues of OSH expert profiles (specialists versus generalists), their qualifications and the general state of play of OSH knowledge in Poland.

OSH experts in Poland are specialists responsible for ensuring safe and hygienic working conditions. The OSH prevention service acts as a control and advisory body, reporting directly to the employer per regulatory requirements. They are individuals with specialised knowledge and skills that enable them to analyse and assess occupational risks, develop action plans to minimise these risks, provide training to employees and supervise compliance with OSH regulations in the workplace. Their main objective is to prevent occupational accidents and diseases and to promote a healthy and safe working environment.

#### Box 4: Legal obligations of OSH services and experts

##### **Regulation of the Council of Ministers of 2 September 1997 on the occupational health and safety service**

The regulation outlines specific obligations for OSH services and experts, encompassing various workplace health and safety aspects. This includes conducting regular workplace examinations, identifying hazards and proposing improvement solutions. OSH experts are instrumental in planning workplace modernisation, integrating safety standards and advising on safe production processes. They also contribute to developing safety documents, investigating accidents and promoting safety regulations. Collaboration with laboratories, doctors, labour inspections and trade unions is essential. OSH experts engage in consultations, committee work, and initiatives to promote safety and ergonomics. Prevention services' inspection scope covers organisational aspects, technical conditions, lighting, sanitary facilities, machinery, protective measures and personal protective equipment. If irregularities are detected, OSH experts have the authority to take immediate action to ensure workplace safety, including stopping operations, removing employees from hazardous tasks and recommending disciplinary actions.

It is important to note that external prevention services/OSH experts operate as private professionals rather than as part of the public system, as was the case during the communist era. These experts work in the private market, addressing the diverse needs of workplaces, employers and employees. While their role and responsibilities are regulated by law, their functions are not part of the public sector. Instead, they provide specialised services to ensure workplace safety and compliance with OSH regulations, responding flexibly to the specific requirements of their clients. This shift reflects a broader trend towards privatisation and market-driven solutions in OSH management. At the same time, depending on the company size, companies can appoint an employee responsible for OSH issues or OSH experts who are part of the company structure (internal prevention services).

**Box 5: Legal requirements for establishing external and internal OSH services at the workplace**

**Act of 26 June 1974 Labour Code, Chapter X**

Chapter X of the Labour Code describes, among others, the rules for establishing and organising the OSH service; tasks can be executed either by in-house OSH employees or external specialists. Employers with over 100 employees must create an OSH service; smaller enterprises can delegate OSH tasks to other workers after relevant training.

The Labour Code stipulates that for enterprises with 10 to 50 employees, employers who have undergone mandatory training can directly provide OSH services. Those with fewer than 100 employees can delegate OSH tasks externally or to regular employees, with the possibility of a mandated OSH service unit if occupational hazards increase. Enterprises with over 100 employees must establish an OSH service unit, while those with over 250 must appoint an OSH commission. Within the 100 to 600 employees range, at least one full- or part-time OSH specialist is required. For enterprises exceeding 600 employees, at least one OSH service specialist per 600 employees is mandated.

In summary, the Labour Code allows OSH tasks to be delegated to specialists outside the organisation without qualified employees. This allows both internal OSH services and external experts to perform OSH functions.

While OSH experts are a vital part of the OSH landscape in Poland, there is limited systematic knowledge of how these experts operate. For these reasons, in 2020, the CIOP launched a study addressing this gap. The main objective underlying the undertaking of this study was to assess the OSH services market in the country and to characterise individuals professionally engaged in carrying out tasks within the OSH services — namely, to determine the number of such specialists, ascertain whether their number is sufficient to meet market demands and discuss the characteristics of their profession (Dobrzyńska, 2020).<sup>29</sup>

Estimations developed for this 2020 report indicated there could be around 5,600 external OSH entities (individual external OSH experts and companies providing external OSH services). At the same time, another 26,000 to 32,000 employees work as internal OSH experts. Further, the external OSH market is anticipated to expand, and the demand for external OSH services will grow. Indeed, the study estimates that by 2030, it may double and increase to 12,000.<sup>30</sup> However, the OSH expert market is balanced, where the demand and supply are aligned (Minister of Family, Labour and Social Policy, 2024).

In terms of the demography of the profession, the majority of OSH experts in Poland are middle-aged individuals (around 70% aged 30-49). Men dominate the OSH profession, with a ratio of three men to one woman. Most hold higher education certificates (85% among external experts and 67% among internal OSH service). Most individuals have professional experience ranging from 6 to 20 years. The OSH service is primarily characterised by employment under employment contracts (53% among external OSH specialists and 87% among in-house OSH services).<sup>31</sup> The characteristics of this group are summarised in Figure 17.

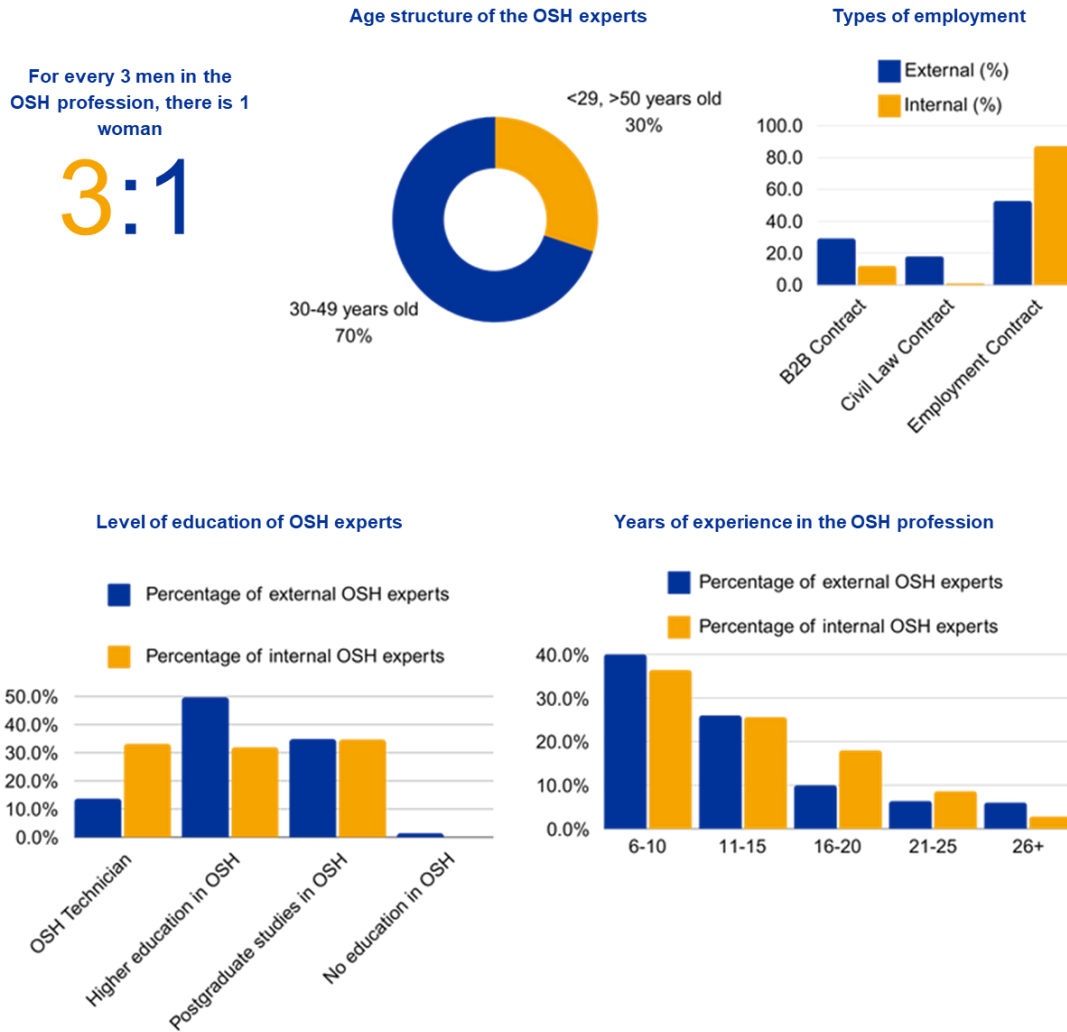
<sup>29</sup> The sources utilised in the study included: a desk research literature analysis encompassing both Polish and international sources, questionnaire-based research using the computer-assisted telephone interviewing (CATI) technique between August and September 2020, involving a sample size of 500 individuals (250 external OSH experts and an equal number of OSH service experts employed in enterprises), interviews with experts, totalling five interviews, and market models applied to estimate and forecast the size of the OSH services market.

<sup>30</sup> To estimate that, the study used as the baseline the number of OSH companies active between 2010 and 2020. Based on these numbers, the study calculated the compound annual growth rate to estimate the growth level per year, which was later used for projections for 2030. These calculations were developed to project the expected OSH service in the future, to support OSH sector development by understanding future supply and demand for OSH experts and services.

<sup>31</sup> The reported forms of contracts, as presented in Figure 17, include business-to-business contracts, characterised by agreements between businesses without formal employment relationships. Civil law contracts are regulated by the Civil Code and encompass contracts of mandate and project delivery contracts. Employment contracts, governed by the Labour Code, provide employees with benefits such as paid leave and healthcare security. When a civil law contract is used instead of an employment contract, the employee does not receive paid leave, and healthcare security is optional and must be requested



Figure 17: Characteristics of the OSH experts in Poland – age, gender, type of employment, level of education and years of experience (external and internal OSH experts)



Source: Ecorys & NIOM, based on Dobrzyńska (2020)

Further, the tasks most likely to be performed by the in-house, internal OSH service and the external OSH service provider are slightly different, as reported by the experts themselves and as presented in Table 6. **Notably, both tasks are performed by internal and external experts. However, the survey indicated which task they perform most often.**

separately. For more details on employment forms, see *Box 7: Coverage of health and safety regulations according to the employment type based on the Labour Code.*

**Table 6: Reported tasks performed by internal and external OSH service providers**

Tasks of internal OSH experts	Tasks of external OSH experts
Collaborating with employee representation.	Inspecting workplace conditions and compliance with OSH regulations.
Participating in determining the circumstances and causes of workplace accidents and occupational diseases.	Informing the employer about occupational hazards.
Maintaining documentation related to workplace safety.	Analysing OSH conditions and making recommendations.
Reviewing detailed OSH instructions for workstations.	Advising on the application of regulations and OSH principles.
Promoting OSH and ergonomics within the company.	Submitting proposals regarding OSH requirements in production processes.
Participating in the development of internal company documents such as regulations and general OSH instructions.	Collaborating on OSH training and vocational adaptation.
Providing advice on organisation and work methods in positions with harmful factors.	Reviewing documentation of construction facilities and workspaces (or their modernisation).
Participating in occupational risk assessment and making recommendations regarding ergonomics.	Collaborating with external research laboratories or medical care.

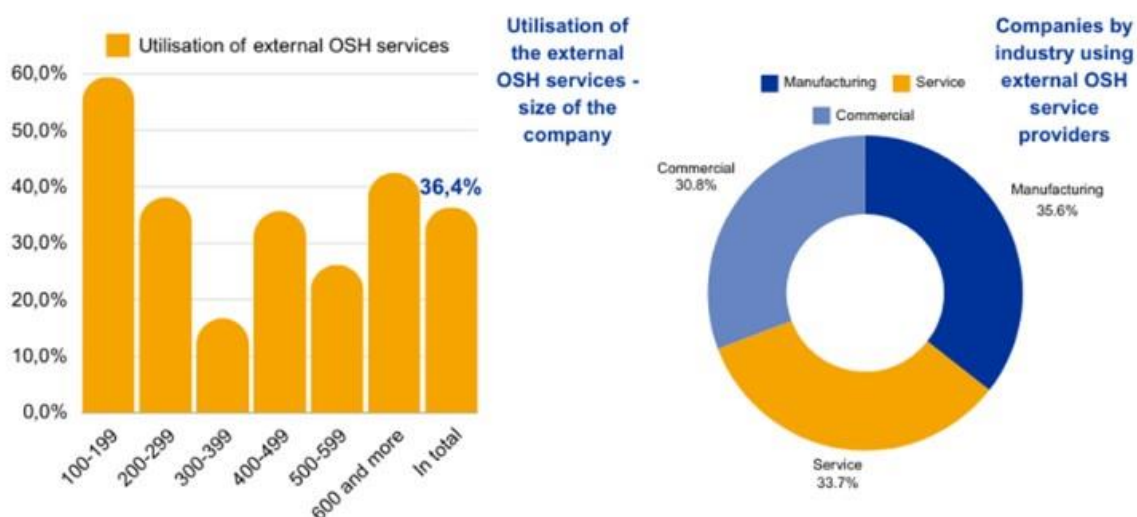
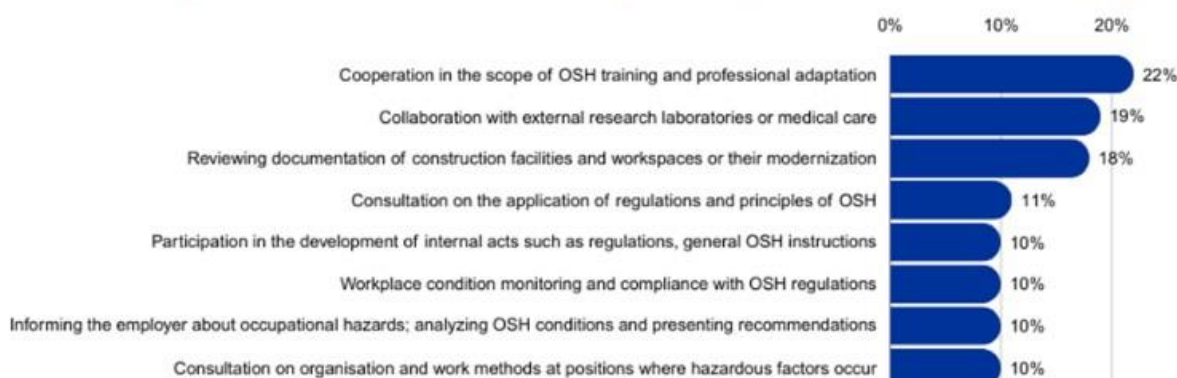
Source: Ecorys & NIOM, based on Dobrzyńska (2021)

The report further showcases that utilising the external OSH experts' services is also prevalent among enterprises with over 100 employees, with 36% engaging external specialists.<sup>32</sup> Their services predominantly entail cooperation in training and collaboration with research laboratories or medical care. The manufacturing companies exhibit the highest demand for external OSH expertise, surpassing the service and commercial sectors. However, the difference is minimal (Dobrzyńska, 2020). The characteristics of these services, as discussed in the report, are provided in the Figure 18 infographic.

<sup>32</sup> In the legal and legislative environment, there is a discussion regarding the compliance of employing specialists from outside the workplace in enterprises employing more than 100 employees. The Labour Code addresses the employment of such specialists in workplaces with up to 100 employees, as discussed above, but the report data show that it is a common practice (Dobrzyńska, 2020).

Figure 18: Utilisation and tasks of the external OSH service providers as of 2020<sup>33</sup>

**Tasks most likely to be outsourced to external OSH experts in companies with more than 100 employees**



Source: Ecorys & NIOM, based on the 2020 CIOP-PIB report

#### 4.1.1 OSH experts with generalist profile versus more specialised OSH expertise

Further, the report specifies that the demand for external OSH services is not only among the companies not having internal OSH experts but, interestingly, also among the companies that have internal OSH staff, which may suggest the increased demand for more **specialised OSH services**, covering narrow OSH areas. Indeed, the report indicates that demand for specific OSH services may increase, for example, work requiring constant supervision (construction sector) or work in particular hazardous industries or sectors (e.g. chemical industry) (Dobrzyńska, 2020). Also, the shift was observed in the competencies of the OSH experts delivering training. Previously, industry-specific training was conducted by highly knowledgeable individuals in their respective fields, but not necessarily OSH experts. These trainers were often employees of various institutes, labour inspectors and possibly from the Institute of Occupational Medicine, who were well prepared in expertise and training methodology. However, nowadays, there is a shift in the way OSH experts conduct training. This change may result in some trainers lacking the breadth of knowledge required for effective training delivery, leading to concerns about the quality and effectiveness of the training provided. Therefore, the shift has introduced

<sup>33</sup> Additionally, while not included in this particular study, of companies employing 1-99 employees, 20% utilise external OSH service providers (Dobrzyńska, 2020).

a potential gap in specialised knowledge for training purposes — suggesting that specialised expertise is indeed needed.<sup>34</sup>

Notably, another study from 2019 provides the opposite assessment, based on interviews with representatives of the Regional OSH Centres that are part of the CIOP-PIB regional network (Taradejna-Nawrath, 2019). The discussion based on the findings from the interviews with experienced OSH experts indicated that rather than more specialised services and OSH experts, there is a need for a more significant number of experienced **OSH experts with comprehensive knowledge and broad experience (generalist profile)**. The report mentioned that instead of going for more specialised services, OSH experts should be involved in the upskilling, focused on the knowledge relevant to specific sectors, improving the education base for OSH experts and teaching skills among the lecturers, and improving education in the field of health and safety, especially concerning basic, practical knowledge that is insufficient in the case of entry-level OSH experts. This aligns with EU-OSHA's discussion paper (EU-OSHA, 2023), which suggests that while highly specialised skills are still relevant, they may not be as universally applicable as they once were. Instead, there's a growing emphasis on providing competent advice tailored to specific risk management needs, hence more comprehensive OSH expertise.

In the discourse surrounding OSH in Poland, both viewpoints emerge, as summarised by the respondents in the CIOP-BIP 2018 study (Taradejna-Nawrath, 2019). Six out of 15 respondents express a heightened demand for specialised expertise or OSH services within their workplaces. They note that some younger OSH specialists omit specific tasks due to insufficient expertise. Particularly in areas such as working with chemicals or biological agents, which necessitate specialised knowledge, appropriate OSH service should be provided. However, there is also apprehension regarding the fragmentation of the OSH services market, as specialists might offer specialised services rather than general OSH expertise. On the other hand, eight out of 15 respondents hold a different perspective, emphasising the need for general yet in-depth, specialised and comprehensive knowledge in OSH, as the market predominantly requires versatile competencies. However, they stress that these competencies must be practical, accurate and of high quality to meet the demands of the field effectively. At the same time, most participants in this study do not observe increased interest in specialised OSH services — the demand for all services remains the same (Taradejna-Nawrath, 2019).<sup>35</sup>

#### **4.1.2 Qualifications and OSH experts' activities**

The issue of the **qualifications** of OSH experts remains prevalent among publications and discussions. An OSH expert can be a person pursuing a profession of an OSH technician or a person with a university degree with specialisation in OSH or postgraduate studies in OSH. Additional courses or certificates are not obligatory. They are an additional form of improving one's qualifications. The basic qualification includes completing an essential health and safety course and advanced specialised courses, depending on the specific industry. Having first aid skills and health and safety legislation knowledge is also essential. Further specialisations may relate to particular sectors, such as the chemical industry or construction, requiring more detailed understanding.<sup>36</sup> However, there are several issues around the approach to the qualifications since there is no uniform approach to gaining OSH qualifications, nor is there developed data on the level of training among OSH workers, their access to knowledge and self-education.<sup>37</sup>

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<sup>34</sup> Interview with OSH sector representative.

<sup>35</sup> The article concludes that there is no need to introduce market qualifications in the field of OSH in the Polish labour market — effectively promoting specialised services. While some voices advocate for this solution, they also express numerous doubts regarding its justification, given the current market conditions. Employers primarily seek specialists with full-range competencies. Profiling competencies would maintain or even exacerbate unhealthy price competition, with questionable possibilities for hiring specialists with 'narrow competencies'. Study participants do not identify any new or related services that could complement the duties of OSH experts, which would serve as a basis for identifying market qualifications.

<sup>36</sup> More information is available at: <https://infobhp.pl/jak-zostac-specjalista-bhp-wymagania-kursy-i-certyfikaty>

<sup>37</sup> Interview with OSH sector representative.

**Box 6: Legal requirements on the level of education and professional experience of OSH experts**

**Regulation of the Council of Ministers of 2 September 1997  
on the occupational health and safety service**

The regulation outlines qualifications for OSH experts (both internal and external). It requires either a technician's qualification in the area of OSH specifically, higher education in OSH or completion of postgraduate studies in OSH. The regulation provides conditions, including educational background and professional experience, necessary for professional advancement — fulfilling roles successively as specialist, senior specialist and chief specialist in OSH. Employees in single-person OSH units should meet qualifications equivalent to at least a senior safety inspector, while those managing multi-person OSH units should meet the requirements specified for the position of OSH specialist at a minimum. Individuals with relevant higher education and one year of work experience in the OSH service may provide external OSH services to enterprises.

On the other hand, there are some indications of the level of the qualification. The 2020 study mentioned above included a survey of 500 OSH experts (Dobrzyńska, 2020), which indicated that most respondents, especially among external OSH experts, had higher education certificates. Indeed, 49.8% of external OSH experts and 32% of internal OSH experts completed higher education, specifically focusing on OSH. Further, the most frequent education for both groups was supplementary postgraduate courses specialising in OSH, followed by vocational education. However, the same report mentions that the respondents note that there are other aspects than hard qualifications, such as work experience, in terms of length of service and competence, understood as knowledge and skills in health and safety at work to ensure successful delivery of OSH services. At the same time, some initiatives focus on the certification and standardisation of qualifications. In 2023, the CIOP-PIB and the National Association for Occupational Health and Safety Professionals launched the Competence Certification Council, gathering top experts in the field who work on the training of other OSH experts, ending up with issued certificates confirming the competence of specialists or competence of lecturers in OSH.<sup>38</sup>

While the discussed data indicate the level of professional expertise, the issue of the quality of those qualifications remains. In the context of training provision, social partners, sectoral representatives and OSH experts highlight that the current OSH training market is fragmented, with small companies often offering basic training sessions. The trainers' competencies may be insufficient — they frequently lack appropriate preparation beyond meeting statutory educational requirements, including practical experience, adequate knowledge of hazards, regulations and OSH principles, and sometimes lack methodological preparation. Additionally, ambiguous regulations regarding the responsibility for the quality of conducted training further complicate the matter (OPZZ, 2014). Study respondents from CIOP-PIB Regional OSH Centres interviewed for the 2018 study also point out the issue of low competency levels among OSH experts. Further, they voice the need to improve the education system in this field, for example, through the introduction and continuity of properly monitored practices for OSH students, upon completion of which they would assume OSH service duties (Taradejna-Nawrath, 2019).

At the same time, despite the efforts and resources allocated to various programmes and activities, there appears to be a gap between the investment and the actual knowledge acquired by future employees. While employers are legally required to provide training, there's a noted deficiency in basic OSH knowledge among employees, highlighting a potential disconnect between the training provided and its effectiveness in fostering understanding. Further, there are concerns about the availability and quality of teaching staff, with indications of burnout and a lack of proper personnel, impacting the training quality. Overall, there is a lack of a systemic approach to OSH education — both on the side of experts and employers — in Poland.<sup>39</sup>

Overall, more studies and data are needed to provide a more robust assessment of the role and activities of the OSH experts. Indeed, there is a lack of nationwide statistical and economic data on the activity of entities of OSH service providers, and the qualitative sources are fragmented. Further, the OSH expert's

<sup>38</sup> More information is available at: <https://ospsbhp.pl/rada-ds-certyfikacji-kompetencji--1680596993>

<sup>39</sup> Interview with employers' organisation representative.

environment is scattered and diversified. It includes internal experts working in-house for specific companies (with different sizes and specificity) and external OSH experts providing broad or particular expertise for the companies. Thus, such a dynamic and fragmented environment is challenging to describe.

### 4.1.3 Professional satisfaction and challenges experienced by OSH experts

'Work Safety in Poland 2021: The Role and Image of OSH Services' (Koalicja Bezpieczni w Pracy, 2021) data reveal key insights into the OSH industry. The foremost challenges include the lack of awareness regarding OSH's importance among employees and employers, difficulties in interpersonal interactions and the challenge of building a safety culture. Conversely, professionals find satisfaction in the industry's opportunities for personal and professional development, meaningful interpersonal interactions and engaging project work. Addressing these challenges while leveraging the industry's strengths can foster a more effective and fulfilling work environment in the OSH sector. These results are summarised in Table 7.

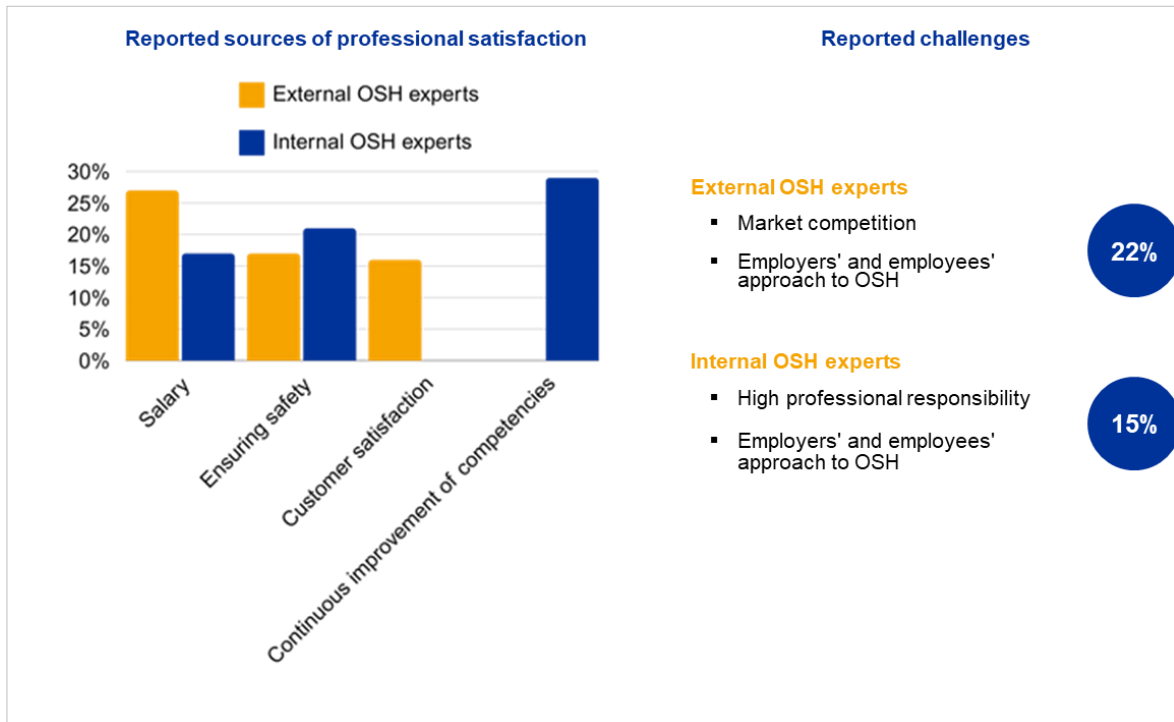
**Table 7: Challenges and professional satisfaction sources reported by Polish OSH experts**

The most interesting aspects of working in the OSH industry	
Opportunities for development	69%
Interaction with people	66%
Interesting projects	45%
Unpredictability	30%
Sense of agency	20%
Impact on the company	16%
Building safety culture	12%
The greatest challenges in working in the OSH industry	
Lack of understanding of OSH importance by employees	51%
Lack of understanding of OSH importance by superiors/employers	48%
Interaction with people	37%
Building safety culture in the workplace	32%
Adaptability to changing work conditions	30%
Achieving good results	30%
Use of technical OSH language in a foreign language	23%
Knowledge of current regulations	13%
Discrimination based on education	9%
Discrimination based on gender	8%
Feeling of lack of influence on company functioning	2%

Source: Ecorys & NIOM, based on Koalicja Bezpieczni w Pracy (2021a)

The duality between internal and external OSH experts also leads to reported differences in perceived professional satisfaction and challenges (Dobrzyńska, 2020), as summarised in Figure 19.

Figure 19: OSH experts reported sources of professional satisfaction and most commonly experienced challenges

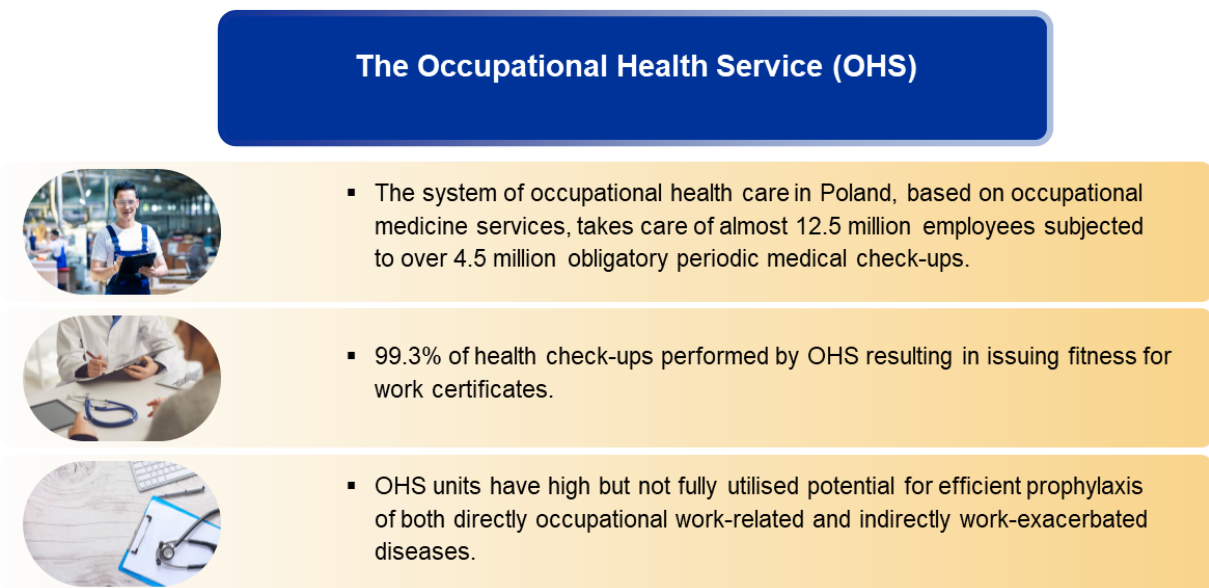


Source: Ecorys & NIOM, based on Dobrzyńska (2021)

## 4.2 OHS activities

This section provides more details on the functioning of the OHS. It briefly presents the legal environment for obligatory medical examinations, explains the procedure for the occupational medical examination and discusses the prevention potential in improving employees' OSH. Overall, the sources identified on the topic are fragmented and limited. To a large extent, these give only basic information on the functioning of the occupational medicine services — the analysis of a significant extent relies on the Statistics Poland data, which provide information on functioning but, to a smaller extent, provide an insight into the scope of these activities. Therefore, this section provides more details on regional disparities in access to occupational medicine services. As a valuable addition, the issue of occupational medical examinations in agriculture is presented.

Figure 20: Key facts on the OHS



Source: Internal sources of NIOM

Statistics Poland's 2022 report 'Health and health care in 2022' indicates that in 2022, 5,534 health entities provided services in occupational medicine, with 1,503 occupational doctors providing services on their premises (Statistics Poland, 2023).

Occupational medical examinations apply to every employee, regardless of position or type of work. They do not apply to the entire workforce since the obligation includes only employees with employment contract under the Labour Code. Therefore, they exclude employees on civil law contracts and other atypical employment forms, as presented in Box 7. Thus, the obligation of occupational medical examination does not cover all workers in the labour market.

#### Box 7: Coverage of health and safety regulations according to the employment type based on the Labour Code

The Labour Code is the primary document that regulates the working relationship between employees and employers, including aspects related to OSH and labour inspection. However, a significant limitation in the Labour Code is the predominant focus on the standard employment relationship, where the term 'employee' refers explicitly to individuals under employment contracts, thus affording less protection to those in alternative forms of employment.<sup>40</sup> Nevertheless, other forms of labour relations, such as civil law contracts, are observable in the labour market.<sup>41</sup> The choice of employment form is crucial to ensure compliance with the necessary health and safety standards.

- The employment contract is subjected to the full range of health and safety regulations. The employer must provide safe working conditions, carry out health and safety training, and provide protective clothing and equipment. Also, the employer has to comply with working and rest time standards. In the case of a civil law contract, if the contractor performs work

<sup>40</sup> This bias may partially stem from the fact that most of the employment arrangements in Poland are the employment contract (Statistics Poland, 2024).

<sup>41</sup> The trend of imposing employment costs on employees and getting away without employment contracts is becoming increasingly common. Recently, a natural expansion of civil law employment has been observed. In Poland, the percentage of people employed based on civil law contracts, amounting to more than 15% (in 2023 1,345,800 persons were working under contracts, of which 2,262,900 under civil law and similar contract; Statistics Poland 2024, Statistics Poland 2024c). Further, the percentage of temporary workers is one of the highest among the EU-27 countries (Eurostat 2023). According to the data of Statistics Poland, the majority of people working at their primary job on civil law contracts (over 80%) undertake this form of work not of their own choice.



in conditions similar to an employment contract relationship, the employer may be required to ensure specific health and safety standards.

According to Art. 304 §1 and §3 of the Labour Code, an employer shall ensure healthy and safe conditions of work for individuals who perform work on any basis other than an employment relationship, at the employer's establishment or at another location designated by the employer, as well as for self-employed persons who conduct economic activity on their own account at the employer's establishment or at another location designated by the employer. The obligation to ensure safe work conditions applies accordingly to any entrepreneurs who are not employers and who organise work performed by individuals:

- 1) on the basis other than an employment relationship;
  - 2) who conduct economic activity as self-employed.
- Temporary work. Temporary workers employed by a temporary employment agency are subject to health and safety regulations, just like employees with a contract of employment. The temporary employment agency and the company where the employee works usually share responsibilities for ensuring safe working conditions.

Considering the above, the Labour Code does not cover other forms of employment to the same degree as employment contracts.

Source: Ecorys & NIOM, based on the Labour Code

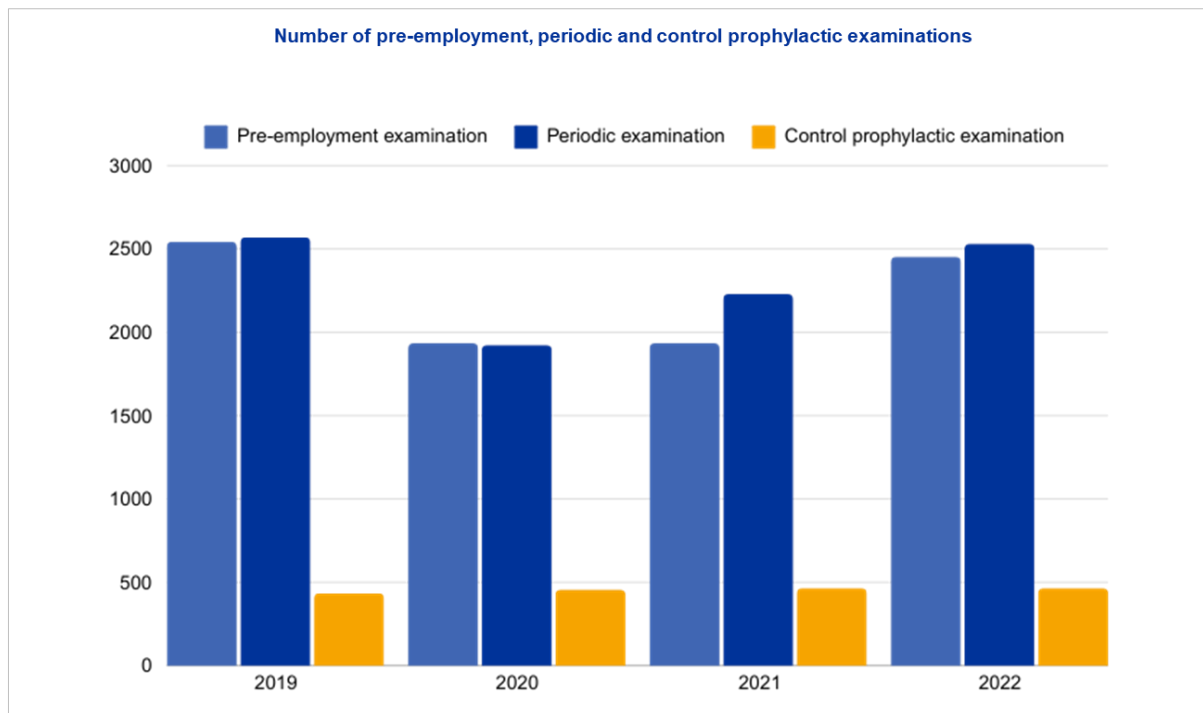
According to Article 229 §4 of the Labour Code, an employer is prohibited from hiring, via regular employment contract, a person without a valid medical certificate confirming that there are no contraindications to work in a particular position. Before starting work, a newly employed person must undergo a medical examination and provide the employer with the relevant health certificate. The cost of the medical examination is on the employer.

Companies must issue a referral to the examinations. The referral must be prepared based on the risk assessment performed in the company and the identification of the exposure of risks by visiting workstations, analysing the results of measurements of factors harmful to health. **Therefore, the quality of the risk assessment in the company is closely linked to the quality of the occupational medical examination.**

There are several types of obligatory occupational medical examinations of employees, which number-wise are consistent over time, as presented in Figure 21, and include:

- **Pre-employment examinations** are compulsory at the stage of employment and for employees transferred to new positions, especially those related to exposure to harmful agents.
- **Periodic examinations** are carried out regularly during employment, per the doctor's instructions.
- **Control prophylactic examinations** are required after an absence of more than 30 days due to illness, regardless of the cause.

Figure 21: Numbers of occupational medical examinations (in thousands)



Source: Ecorys & NIOM, based on Statistics Poland (2023a)

The scope of the occupational medical examination is shaped by the methodological guidelines for conducting preventive medical examinations of employees within the Minister of Health and Social Care Ordinance dated 30 May 1996, presented in Box 8.

**Box 8: Methodological guidelines for conducting preventive medical examinations of employees**

**The Minister of Health and Social Care Ordinance dated 30 May 1996  
(updated in November 2020, January 2023)**

**Methodological guidelines for conducting preventive medical examinations of employees**

Methodological guidelines determine the minimal scope of occupational medical examinations. They include a list indicating the occupational risks; each identified risk is assigned to the scope of medical examinations and the requested frequency of the occupational medical examinations. For example, exposure to operating a monitor (computer) is transferred to evaluating visual acuity every five years. Overall, the risks included in the guidelines are divided into five general categories of occupational risks: physical risks, risks related to exposure to industrial dust, chemical risks, biological risks and other risks. For every occupational medical examination, at minimum, occupational medicine doctors need to adjust the scope of the medical examination considering every single risk mentioned in the referral issued by an OSH expert within the company.

It should always be remembered that during the preventive medical examination of the employee, the following additional goals must be achieved (apart from the individual health assessment):

- assessing whether the physical and psychological characteristics<sup>42</sup> of the employee (or candidate employee) enable him/her to perform the work in a given position without the risk of adverse changes in the state of their health;
- excluding the existence of any disease that could pose a threat to co-workers during work or which could be exacerbated as a result of continuing work; and
- during periodic medical examinations, the progression of any previously occurring changes in health is assessed compared to the results found in previous preventive medical examinations.

#### **4.2.1 Scope of occupational medical examinations and potential for preventive role**

Due to their obligatory nature, study interviewees noted that occupational medicine examinations could play an important preventive role. In their opinion, these visits could have a more prominent role in health prevention by running additional health procedures or increasing awareness about occupational health and incentivising workers to improve their health.<sup>43</sup> These may involve, for example, referral for additional blood tests (peripheral blood count, glycaemia, cholesterol), measuring blood pressure and body weight, in-depth interviews or the provision of health recommendations, which could support diagnosis for many health conditions or diseases, consequently improving workers' overall health, including their health and safety at work. In general, while the examinations have a minimal scope, designated by legal regulations, doctors can also request additional tests, which are not in straightforward connection with the occupational risks. While occupational medical examinations provide this unique opportunity, there are indications that this is not always the case. A study conducted on 204 workers (Wittczak et al., 2020) indicated that doctors do not always utilise this opportunity, focusing on mandatory procedures.

One of the reasons for underutilising the prevention potential of examinations is the scope of the legislative requirements. The Ordinance (see Box 8) is still directed towards workplace exposures, not general health and risk factors. The last changes in the Ordinance made performing the examination easier (before, it was obligatory to include different specialists like ophthalmologists, ENT specialists, and neurologists; now, it is up to occupational medicine doctors). However, it still does not include a broader scope of health issues; for example, it does not include civilisation diseases or psychosocial risk factors for all employees, regardless of the occupation.

#### **4.2.2 Regional disparities in access to the OHS**

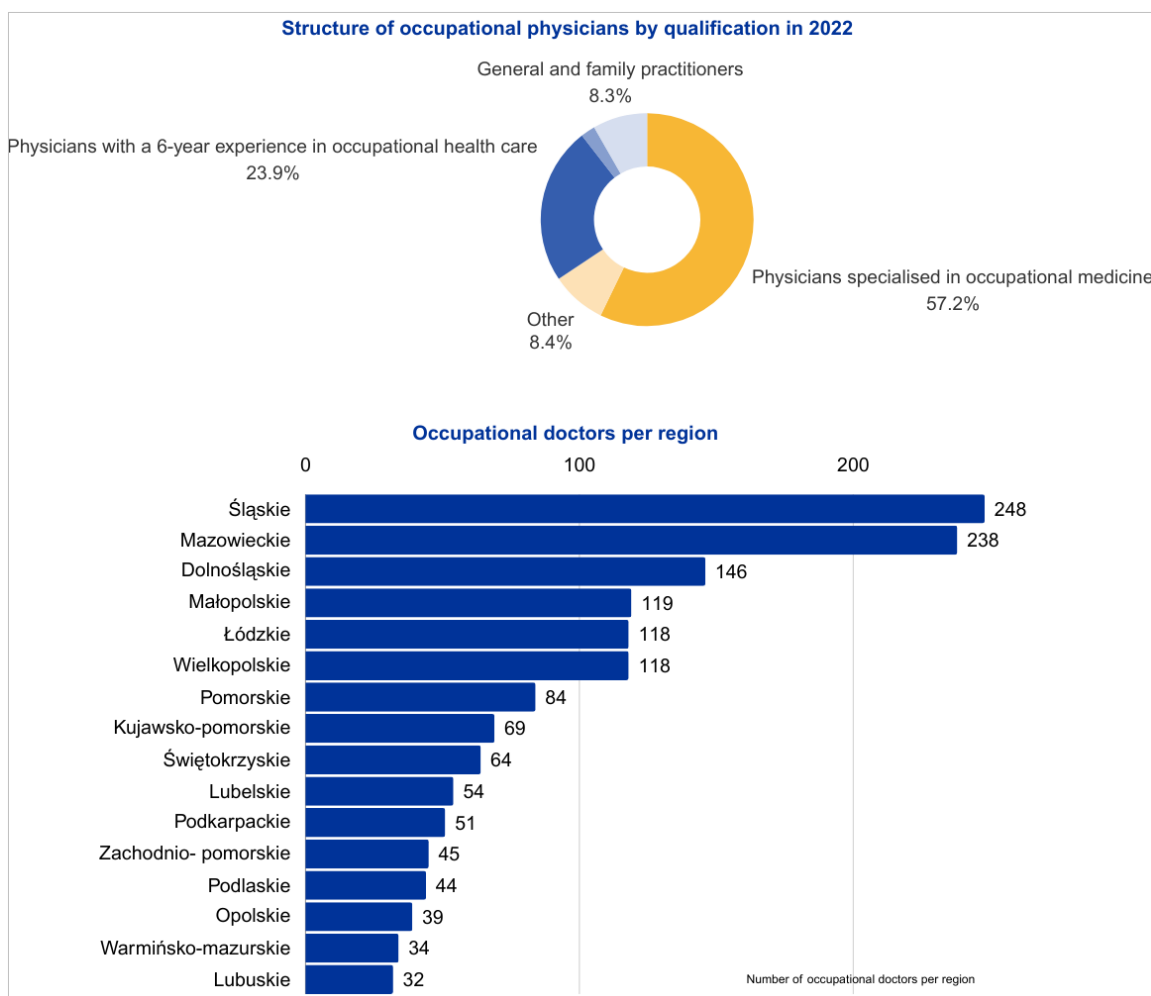
All employees employed based on the employment contracts under the Labour Code must be subjected to occupational health examinations, as described above. However, access to the OHS differs depending on the region and size of the OHS facility. Indeed, large urban centres and sizable workplaces frequently establish their own occupational health clinics. This infrastructure facilitates the routine examination and monitoring of employees' health, ensuring compliance with occupational health regulations and promoting worker wellbeing. However, this advantageous set-up is predominantly urban, leaving smaller cities and rural areas disadvantaged. The scarcity of occupational health facilities and specialists in less populated regions creates a significant disparity in access to essential medical services. For example, data from Statistics Poland (related to 2022) illustrates the regional disparities in the availability of occupational doctors (Statistics Poland, 2023a). However, issues of occupational physicians are more complex since also doctors with other specialities can perform some tasks for occupational medicine, as presented in Figure 22.

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<sup>42</sup> Assessments are only performed in specific instances, when, for example, the employee will be driving vehicles or operating heavy machinery. On the basis of the psychological tests, the psychologist prepares an assessment and description of the person's psychomotor skills, intellectual abilities and social maturity.

<sup>43</sup> Interview with OSH sector representative.

Figure 22: Structure of occupational doctors (absolute numbers)



Source: Ecorys & NIOM, based on Statistics Poland (2023a)

Equally, in smaller cities and towns, the availability of occupational physicians is markedly constrained. Often, there may be as few as two specialists serving an entire town and its surrounding areas. This limited access strains the available occupational healthcare resources and forces employees to endure long appointment waiting times. The insufficiency of occupational health specialists in these regions can delay necessary examinations, impacting employee' health and safety. The geographical distribution of OHS necessitates that employees in smaller cities may need to travel to other locations for required examinations. In some cases, workers may need longer absences from work, for example, when laboratory tests and additional examinations are required for specific categories of employees (e.g. production workers). It may disrupt their work schedules and impose additional financial and personal burdens on them. Employers in smaller towns, cities and regions with fewer occupational doctors may face considerable challenges accessing occupational health examinations. The need to search for doctors in other localities may increase the time away from work, which can be inconvenient economically and logistically for employees and employers. Therefore, access to specialised occupational medical services may pose a burden to occupational medical examinations.

The range and quality of healthcare services available to employees also vary significantly depending on the city's size and employers' financial capacity. In large cities, employers often provide their employees with additional healthcare services, such as comprehensive subscriptions that allow access to a wide array of specialists. These benefits frequently extend to employees' families and may include broader health service packages, free access to swimming pools or other physical activity facilities, and so on. Conversely, in smaller cities, the scenario is different. Clinics offering such comprehensive

packages are unavailable, which limits the options for employers who wish to provide additional health benefits to their employees. It is also important to underline that the high cost of services in private clinics often makes these options unaffordable for small companies and their employees.

### **4.2.3 OHS and agriculture**

The OHS are subject to sectoral dynamics. For example, in the case of the agricultural sector, there are some challenges in farmers' occupational medical examinations and overall coverage of agriculture-specific preventive healthcare.

In general, the employer's primary obligation is to ensure that the employee has a valid medical certificate confirming that they have no contraindications to work in a particular position and have also completed up-to-date OSH training before starting to perform their duties. However, the situation becomes more complicated when employment is on a different basis than in a traditional employment relationship, this is the case, for instance, for farmers. Farmers often do not fall within regular employment relationships, so undergoing occupational preventive examinations by individual farmers is voluntary, and the farmers themselves bear the examination costs. This is the reason for the low interest in this form of preventive care in the sector.<sup>44</sup>

Before the examinations, companies, or as in the case of individual farmers, farmers themselves, shall provide a referral defining the scope of the examination and indicating the existing exposures in the workplace. In farmers' cases, there may be an issue with identifying exposure and its extent. In many cases, it may be incomplete, as the farmer may not be aware of specific harmful and dangerous factors for health in their work environment.

Over the years, the issue of occupational medical examinations of farmers has been a topic of policy debates. These debates covered topics of the cost of occupational medicine examinations (KRUS, other institutions or by individual farmers), the institution responsible for checking the compliance with occupational medicine examinations (in different sectors, State Labour Inspection verifies these during inspections), consequences of (not) undergoing such examinations and potential support for farmers in primary OSH complaints of referrals for the occupational health examinations.<sup>45</sup> Yet, no significant changes have been introduced. Currently, the Ministry of Health, in cooperation with the Agency for Restructuring and Modernisation of Agriculture, has taken a different approach to supporting the preventive health of farmers. Indeed, these institutions cooperate to encourage farmers to participate in the wider prevention health programme 'Prevention 40 PLUS', allowing them to undergo several preventive examinations.<sup>46</sup>

Further, individual farmers are not covered by preventive healthcare concerning work at the level guaranteed to other employees. Healthcare provided by primary care physicians is not focused on assessing work-related hazards and taking appropriate preventive actions. Further, the procedure for diagnosing, adjudicating and issuing decisions on the recognition of occupational diseases in the case of individual farmers is challenging, as there is no continuous monitoring of the health status of this working group through preventive examinations or monitoring of occupational hazards in the work environment of the individual farmer in terms of quality and quantity. Individual farmers fall outside the scope of regulations on safety and hygiene at work.

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<sup>44</sup> Interview with KRUS representative.

<sup>45</sup> Internal exchange between Ministry of Health and NIOM.

<sup>46</sup> More information is available at: <https://politykazdrowotna.com/artykul/ministerstwo-zdrowia/932997>

## 5 Cooperations and synergies

As Chapter 3, *The activity of the State Labour Inspection*, mentions, **the approach to labour inspection could be characterised as the co-enforcement model. Indeed, one of the important elements of the co-enforcement model is the collaborative approach and involvement of a range of actors within inspection activities. Therefore, this chapter explores relevant cooperations and synergies, considering PIP and other OSH actors and discussing examples of institutions and types of activities.** Further, contrary to the enforcement model, the co-enforcement model does not provide concrete coercive measures by combining inspection and prevention activities. Thus, this chapter examines different types of cooperation in the area of inspection but also prevention, promotion and knowledge sharing.

### 5.1 Cooperations of the State Labour Inspection

In the Polish OSH environment, coordination and synergies in approaches between various stakeholders are essential to ensure compliance with relatively complex regulations. PIP, as a central player in safeguarding the rights and wellbeing of workers, is fundamentally and legally mandated to engage in synergistic partnerships with other institutions. In practice, these collaborations encompass a broad spectrum of stakeholders, including:

- public administration, such as public employment services, labour market institutions, the Government Plenipotentiary for Equal Treatment, National Revenue Administration (Krajowa Administracja Skarbowa), police, border guard, ZUS and local self-government bodies; and
- social partners, such as trade unions, employers' organisations, works council bodies, employee councils and social labour inspectors.

The synergies between PIP and other institutions can be categorised into three primary domains of cooperation:

- inspections
- promotion
- knowledge/data sharing

Those types of cooperations and synergies are created, on the one hand, in response to the ever-growing responsibilities of PIP, and on the other hand, in recognition of the complex and evolving nature of the modern labour market, where the interplay of various institutions is essential to address new and emerging challenges and promote the wellbeing of workers and stability of workplaces.

It must be acknowledged that while some of the cooperations are formalised (e.g. for enforcement purposes), for particular initiatives, programmes and promotional cooperations, these arrangements are more ad hoc. Generally, the basis for cooperation with many institutions relies on formal agreements; however, these agreements are primarily general, encompassing the areas of cooperation mentioned above. While these agreements provide a fundamental framework, cooperation is subject to the specific needs, responsibilities and relations between the institutions involved. These unwritten aspects, which are not explicitly outlined in the text of the agreements, play a significant role in shaping the practical implementation of collaborative efforts but are more challenging to capture. The domestic agreements of PIP can be classified into two primary categories: those entered into with national authorities, and those established with social partners and other national-level organisations. These agreements pertain to various areas of cooperation, depending on the partner involved. Typically, they are concise documents that provide an overview of the types of support envisaged. They commonly encompass assistance in promotional activities and exchanging information regarding workplace irregularities or emerging labour market issues. However, it's important to note that these agreements are often general, primarily expressing the intent to cooperate without delving into specific operational details.<sup>47</sup>

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<sup>47</sup> For details on the formal agreements between PIP and national stakeholders, please see *Polish State Labour Inspection agreements: supporting occupational safety and health compliance (Case PL2)*, 2025, available at: <https://osha.europa.eu/en/publications/polish-state-labour-inspection-agreements-supporting-occupational-safety-and-health-compliance-case-pl2>

### 5.1.1 Cooperation in inspections

Cooperation during inspections can be seen in the actions undertaken before and after inspection. This means there are ways of informing PIP on the areas of particular concern (see section 5.1.3, *Cooperation in knowledge sharing*) and mechanisms for reporting irregularities in the workplace. In the context of inspections, collaborative synergies are primarily reserved for state institutions equipped with enforcement capabilities. Each jointly conducted inspection is noted in a control report, and information on such cooperation is then uploaded to PIP's database. The information on jointly conducted inspections is then included in Annual Activity Reports.

- **Cooperation in potentially risky inspections**

When there is an anticipation of potential hazards or dangers associated with an inspection, PIP may need enforcement or additional support during inspections. In such cases, collaboration with external entities such as the police or border guard is sought, as they possess the requisite resources and specialised knowledge to ensure the safety of inspectors. Furthermore, these collaborative efforts come into play when there is a presumption that labour regulations, beyond just OSH standards, are being violated. While PIP primarily focuses on labour law compliance and workplace safety, the police and border guard have broader responsibilities encompassing public safety and criminal enforcement. As PIP lacks the authority and expertise to handle situations involving danger, illegal activity or individuals fleeing from inspection, support is sought from entities equipped with enforcement capabilities and the power to address safety concerns and enforce the law.

These potentially risky situations include the possibility of danger, such as the use of weapons, in workplaces that employ illegal immigrants with no knowledge of any European language, suspicion of labour camps, or instances where workers or supervisors might attempt to flee during inspections.<sup>48</sup> In response to these concerns, coordinated inspections are organised to address two main objectives:

- First and foremost, the primary aim is to ensure the safety of PIP inspectors. Given that inspectors lack the means to protect themselves in potentially risky situations, the involvement of law enforcement agencies becomes crucial to guarantee their safety.
- Secondly, these coordinated inspections enforce laws beyond labour-related matters. They enable the authorities to address broader legal issues and potential criminal activities, including those unrelated to labour violations.

- **Synergies in expertise**

The growing scope of responsibilities assigned to PIP necessitates collaboration with external partners due to potential gaps in expertise or specialised knowledge within PIP itself. As the regulatory landscape becomes increasingly intricate, there are instances where PIP may encounter situations that require highly technical expertise beyond its capacity. Consequently, PIP seeks to collaborate with institutions or actors possessing the necessary skills and knowledge to ensure comprehensive service delivery. This strategic collaboration ensures that PIP can effectively fulfil its mandate, even when a more specialised approach is required. The main instances are in connection with PIP's responsibility to control the safety of workers' tools, appliances, protective equipment and certain chemical substances.

Here, the connections between formal agreements, practical arrangements and possible responsibilities can be traced. Two examples will illustrate these connections: PIP's cooperation with UOKiK and with the UDT.

When Poland joined the EU, its competencies expanded significantly, particularly in the context of the New Approach Directives (Miareczko & Jędrzejewska, 2019). These directives encompass legal regulations that allow for the free movement of products that meet essential safety requirements concerning human beings, animals and the environment. The New Approach Directives are mandatory for implementation by all EU Member States, aiming to create a unified system of regulations to eliminate so-called technical barriers to trade. In Poland, the primary authority responsible for product controls in

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<sup>48</sup> Interview with the representatives of PIP, December 2023.

line with these directives is the UOKiK (UOKiK, 2009). However, specialised bodies such as PIP and the UDT are accountable for controls in their respective areas of expertise.

In the context being discussed, the focus is primarily on the control of products used in workplaces, such as pressure vessels, personal protective equipment, fuel-burning devices, devices and protective systems intended for use in potentially explosive atmospheres, lifting equipment, pressure equipment, machine safety, noise emissions from equipment used outdoors and low voltage equipment (Miareczko & Jędrzejewska, 2019). Following the New Approach Directives, PIP inspects workplace products, including those produced outside the EU. At the request of the National Revenue Administration, labour inspectors assess whether products, such as those from China, can be allowed for use within the EU, typically at the eastern border or in the port of Gdańsk. This practice is also employed in other European countries. The new responsibilities were, however, not accompanied by appropriately increased funding or human resources.<sup>49</sup>

- Office of Competition and Consumer Protection (UOKiK)

PIP and UOKiK have entered into a cooperation agreement in 2010. Under the terms of this agreement, cooperation primarily revolves around the exchange of necessary data for product control, joint assessment of draft legal acts, organisation of training programmes, sharing information and offering insights on matters of significance to product users covered by the control system. The agreement also stipulates the involvement of representatives from both institutions in meetings of the Steering Committee for Market Surveillance and administrative cooperation groups addressing issues associated with specific New Approach Directives, including those related to machine safety, pressure vessels, personal protective equipment and lifting equipment.

In practice, however, the collaboration between these two entities is somewhat constrained. The precise delineation of responsibilities between the two institutions results in limited points of intersection. For instance, if, during the inspection of specific commercial products, UOKiK identifies that the product is also used in a workplace, control over that product falls under the jurisdiction of PIP. Notably, the Steering Committee for Market Surveillance has not assembled for the past four years, and there are no immediate plans to resume meetings. Furthermore, there are no ongoing joint initiatives for legislative amendments.<sup>50</sup>

- Office of Technical Inspection (UDT)

The UDT is responsible for the technical safety of machinery. However, since humans operate machines, support from PIP is essential. Therefore, machines approved for use must also be commended for workers' operation. The UDT, for instance, issues permits for the use of tower cranes on construction sites, but the control of their usage falls under the purview of PIP.

Since Poland acceded to the EU and expanded PIP's responsibilities, closer collaboration has been established with the UDT. An understanding has been reached to avoid duplicating tasks between the two institutions. However, the matter of controlling various products is quite complex. For instance, pressure vessels should be subject to UDT control, but they cannot perform these assessments as they also act as a certifying body for such tests and cannot rule on their cases. Nevertheless, they possess the necessary engineering knowledge and competence to conduct such inspections. Therefore, if it is discovered during an inspection that a pressure vessel may not meet EU standards, examining it becomes the responsibility of PIP.

Fortunately, the highly effective cooperation between both institutions allows for the sharing of engineering expertise and addressing any uncertainties PIP may have during inspections. This support is not explicitly outlined in legislation but is established through cooperation agreements, which have worked exceptionally well in this context.<sup>51</sup>

As demonstrated by these examples, synergies arise when the responsibilities of PIP expand, creating two distinct pathways for collaborative expertise, defined by the boundaries of responsibilities required for conducting inspections and enhancing overall cooperation. On the one hand, these boundaries can

<sup>49</sup> Interview with the PIP representatives.

<sup>50</sup> Telephone communication with the UOKiK representative.

<sup>51</sup> Interview with the PIP representatives.



be clearly defined, as seen in the collaboration with UOKiK, where extensive day-to-day cooperation is not often necessary. On the other hand, the UDT possesses the engineering expertise needed to assist PIP when it encounters situations where it cannot independently perform inspections. In the complex landscape of legislation, these synergies in expertise prove to be particularly valuable.

### 5.1.2 Cooperation in promotion

Synergies in OSH compliance promotion between PIP and various stakeholders are versatile and dynamic. Formal agreements typically establish a framework for cooperation in promoting safe working conditions. They represent a structured approach to collaboration, yet they are not very specific about how joint OSH promotion should occur. On the other hand, a substantial portion of compliance promotion synergies occurs outside of these formal agreements and relies on flexible, context-specific arrangements. This means that different initiatives aimed at promoting compliance with labour regulations may engage other partners, depending on the specific theme or objective of the action.

The overarching focus of those synergies is the shared commitment to enhancing and ensuring safe working conditions. As such, this shared emphasis transcends the boundaries of institutions, bodies and organisations that collaborate with PIP in various capacities. The recognition of this shared objective forms the basis for cooperation and synergy.

The partnerships forged to promote OSH compliance span synergistically across various levels, encompassing state institutions, OSH organisations and even educational institutions, reflecting a remarkable degree of flexibility. It also illustrates PIP's commitment to identifying avenues for promoting OSH compliance by aligning with the shared objectives of other stakeholders, thereby significantly expanding their reach and impact. It is also worth noting that such cooperation extends to the local level, where it is organised not by the central PIP but by District Labour Inspectorates.

Given the diverse range of promotion initiatives, programmes and campaigns undertaken by PIP, providing an exhaustive list of such partnerships is challenging. Nevertheless, an illustrative example can shed light on the diversity and adaptability of these collaborations.

- **The 'Legitna praca' campaign**

The 'Legitna praca'<sup>52</sup> (Legitimate Work) initiative was created by PIP in response to concerns and data indicating that young workers, mainly those aged 18-24, are at a higher risk of experiencing severe workplace accidents. These concerns were substantiated by information from EU-OSHA, which highlighted the increased vulnerability of young workers to workplace hazards. Recognising the need to address this issue and safeguard the rights and wellbeing of young workers entering the job market, PIP initiated the three-year-long 'Legitna praca' campaign in 2022. This nationwide campaign targets students, young individuals embarking on their careers and those newly entering the workforce.

At the central level, in 2023 and 2024, media-related activities were carried out as part of the campaign, including creating a website and a series of materials on YouTube and Instagram, as well as promoting the campaign in public transport. Video adverts and posters were placed in vehicles. However, a significant portion of the activities in the initial phase of this project were conducted at the local level, with District Labour Inspectorates being responsible for cooperation. In 2022, 472 training sessions and 201 other activities aimed at popularising this topic were conducted within the programme's framework. Both types of activities were often co-organised with partners (PIP, 2023). For example:

- The District Labour Inspectorate in Rzeszów conducted educational workshops with the Craft Branch School.
- The District Labour Inspectorate in Katowice organised training sessions in cooperation with the Silesian Provincial Command of Voluntary Labour Corps (the report also informs that this District Labour Inspectorate has entered into agreements on joint collaboration and promotion of initiatives related to the protection of workers with the University of Silesia in Katowice, the Silesian Medical University in Katowice and the Silesian University of Technology in Gliwice). This District Labour Inspectorate also collaborated with the ZUS Branch in Sosnowo. It jointly

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<sup>52</sup> See <https://prawawpracy.pl/>

launched a helpline as part of the 'First Job - First Step' project for individuals starting their first job.

- The District Labour Inspectorate in Poznań promoted the programme during the 'Road to Safety' conference organised by the Institute of Safety Engineering and Quality at Poznań University, aimed at teachers of safety education. Teachers attending the conference received educational materials, including the 'Culture of Safety' handbook with a CD (produced by CIOP-PIB), the 'In Your First Job' handbook (produced by ZUS) and publications from PIP. Collaboration was initiated with the CIOP-PIB, and further joint actions within the programme are planned.
- The District Labour Inspectorate in Bydgoszcz, in collaboration with the Kuyavian-Pomeranian Provincial Command of the Voluntary Labour Corps in Toruń and the Kuyavian-Pomeranian Chamber of Crafts and Entrepreneurship in Bydgoszcz, organised a conference titled 'Employment of Young Workers'. The meeting addressed issues related to the employment, education and reimbursement of employment costs for young workers. In March 2022, the Provincial 'Safety at Work' competition for youth from the Voluntary Labour Corps was held at the Training and Education Centre in Grudziądz. The Kuyavian-Pomeranian Voluntary Labour Corps Command organised the competition with the District Labour Inspectorate in Bydgoszcz.

As part of the Legitimate Work campaign, PIP also implemented the educational programme 'Safety Culture' aimed at youth above the age of 15. Partners of PIP in implementing the programme include high schools, technical schools, vocational schools, universities, education authorities, county police commands and the Voluntary Labour Corps.

The 'Legitna praca' campaign illustrates that promotional activities involve collaboration with various partners at different levels, including educational institutions, government bodies and organisations. It also includes different methods of cooperation, from organising joint events to establishing a helpline and distributing materials prepared by other state institutions on the subject. It also shows that synergies can be sought outside of top-most, centralised PIP agreements and are often successful on a more local level.

### **5.1.3 Cooperation in knowledge sharing**

Collaboration agreements often contain provisions related to sharing concerns about labour conditions. Notably, these collaboration agreements include mechanisms for informing other controlling authorities when specific issues fall under their jurisdiction. For instance, during the pandemic, certain workplace conditions were under the purview of the sanitary inspection. Then, PIP and sanitary inspection cooperated on exchanging information. Furthermore, institutions can access and review data and statistics from other organisations, including PIP. This access to information can potentially influence their operational strategies.

In this section, however, particular emphasis is placed on knowledge sharing events, which PIP has prominently highlighted on its website and in its annual reports and has been acknowledged by its partners. The primary objective of these events is to facilitate ongoing discussions regarding the prevailing conditions and emerging OSH issues, with a secondary focus on influencing the discourse surrounding OSH in Poland. The emphasis is on maintaining solid connections and fostering dialogue rather than solely promoting OSH compliance.

Due to the numerous events, specific examples will be presented to illustrate such events.

- **International conferences**

One of the most notable international knowledge sharing conferences in recent years was the 'Labour Inspection and Challenges of the Future'. PIP organised this conference on 27-18 October 2022 at the State Labour Inspection Training Centre in Wrocław. The event brought together representatives from Labour Inspectorates of EU Member States, along with representatives from prominent organisations such as the International Association of Labour Inspection (IALI), the International Social Security Association (ISSA), the International Labour Organisation (ILO), the Senior Labour Inspectors Committee (SLIC) and EU-OSHA. The conference programme featured lectures divided into two thematic blocks: experiences of national labour inspections in the context of current and future

challenges in the world of work, and recommendations and support from international organisations and institutions (PIP, 2022b).<sup>53</sup>

Also, in 2019, an international conference on 'Opportunities and Challenges for the World of Labour 4.0' was organised at the PIP Training Centre in Wrocław. The conference brought together representatives from SLIC, IALI, EU-OSHA and the ILO, and heads and experts of Labour Inspectorates from 17 EU countries. Presentations and speeches by both national and international experts were delivered during two thematic sessions. The first session addressed issues related to the impact of modern technologies on occupational safety, while the second session focused on human aspects in the evolving work environment.

Additionally, PIP has actively participated in other significant international events, including the 'XXII World Congress on Safety and Health at Work in 2021' and the European Economic Forum in 2022 (PIP, 2022c). While this list is not exhaustive, it underscores PIP's commitment to engaging in international forums and knowledge sharing initiatives.

- **National conferences**

PIP has been actively organising and co-organising national conferences focusing on OSH. Unlike promotional events discussed in the previous section, these conferences aim to gather professionals to discuss emerging risks and new challenges in the changing work environment. They are not connected to any particular project. Table 8 provides an overview of some of these activities for the years 2022, 2021 and 2019 as examples.

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<sup>53</sup> See: <https://www.pip.gov.pl/aktualnosci/konferencja-pip-o-obecnym-i-przyszlych-wyzwaniach-dla-inspekcji-pracy?tmpl=pdf>

**Table 8: National conferences organised and co-organised by the State Labour Inspection**

Name of the conference	Organisers
2022	
New Technologies in Construction - Occupational Safety Threats.	District Labour Inspectorate in Wrocław and the Faculty of Civil and Water Engineering at Wrocław University of Science and Technology.  Partners: Lower Silesian District Chamber of Civil Engineers and Lower Silesian District Chamber of Architects of the Republic of Poland.
Building Safely and Modernly	District Labour Inspectorate in Zielona Góra, Faculty of Civil Engineering, Architecture, and Environmental Engineering at the University of Zielona Góra, Lubuskie Chamber of Construction and Lubuskie Regional Chamber of Civil Engineers.  Partners: State Fire Service Provincial Command in Gorzów Wielkopolski, City of Zielona Góra, Office of Technical Inspection Regional Office in Poznań and Budimex SA.
People with Disabilities in the Work Environment - Challenge or Opportunity	PIP and ZUS.
The Business Significance of Investments in Occupational Safety and Health	PIP and Employers of Poland (Pracodawcy RP).
2021	
COVID-19 pandemic new challenges in the working environment	District Labour Inspectorate in Kielce and the Higher School of Economics, Law and Medical Sciences in Kielce.
Science and practice in the service of the worker	District Labour Inspectorate in Poznań and the Faculty of Law and Administration Adam Mickiewicz University in Poznań.
2019	
Safe and legal employment of foreign nationals in agriculture	PIP, Border Guard Post, Agricultural Social Insurance Fund in Kielce, District Labour Office.
Podkarpacie for business	PIP, the Rzeszów Branch of the ZUS and the Tax Administration Chamber in Rzeszów.
New quality of labour relations. Counteracting negative phenomena in the work environment and the culture of cooperation	District Labour Inspectorate in Kielce, the "Budowlani" Trade Union and other partners.

Source: Ecorys & NIOM, based on PIP Annual Activity Reports

These conferences follow a similar pattern to the promotional activities, highlighting the role of District Labour Inspectorates working on a more local level and a diverse range of partners involved in these events, including businesses and higher education institutions.

#### ▪ Participation in international and national OSH bodies

PIP actively participates in various **international meetings related to labour inspection and OSH**. To date, these engagements encompassed various activities and collaborations that stemmed from permanent participation in international OSH bodies and international contacts. For example:

**In 2019**, as in subsequent years, PIP continued its active involvement in international labour inspection activities. PIP participated in two plenary sessions of the SLIC and continued its commitment to SLIC's working groups. Additionally, PIP representatives attended Administrative Cooperation Groups (ADCO) meetings related to lifting equipment and the Pressure Equipment Directive. PIP was also present at plenary sessions of the European Platform addressing undeclared work. Furthermore, PIP engaged in meetings with the Labour Inspectorates from Visegrad group countries, fostering regional cooperation.

Bilateral cooperation initiatives were also prominent during this period. The Lithuanian Labour Inspectorate invited PIP to provide training to strengthen ties between the two organisations. The Chief Labour Inspectorate also hosted meetings with Moldovan delegations and German Confederation of Trade Unions representatives, reinforcing international partnerships and knowledge sharing.

**In 2021**,<sup>54</sup> amidst the pandemic, PIP actively engaged in various international and European meetings and collaborations to advance labour inspection and promote OSH. These initiatives served as a testament to PIP's commitment to strengthening OSH standards and practices. Notable events and engagements in 2021 included PIP's participation in two plenary sessions and working group meetings of the SLIC. Additionally, discussions on further cooperation took place during a meeting at the Chief Labour Inspectorate with the European Labour Authority (ELA). PIP representatives also contributed to the plenary sessions of the European Platform tackling undeclared work. At the same time, the Chief Labour Inspector took part in the General Assembly of the IALI.

**In 2022**, the Chief Labour Inspector, as the Polish member of SLIC, as well as the alternate member of SLIC. The commitment to SLIC's working groups continued as well. PIP experts were also involved in ADCO meetings. PIP was also engaged in the ELA Working Group on Inspections meetings, where PIP is a permanent member. As part of bilateral contacts, during a visit by the delegation of the Faire Mobilität (Fair Mobility) organisation from Germany, discussions were held on counselling and support issues for workers from central and eastern Europe. PIP was also a part of an expert mission to support the development of OSH frameworks in Montenegro.

Besides its active participation in international meetings, PIP places great importance on its involvement in **domestic meetings at the national level**. While these meetings also play a role in shaping new policies related to labour laws and occupational safety, their primary function lies in serving as platforms for exchanging mutual insights and expertise on these matters, providing the information needed to design such policies. PIP is a regular participant in meetings at the national level, including those organised by parliamentary committees, subcommittees, the Labour Protection Council (Rada Ochrony Pracy) and the Social Dialogue Council (Rada Dialogu Społecznego).

PIP's representatives participate in **parliamentary committee and subcommittee** meetings annually, addressing topics like social policy and state control. They provide insights into operational procedures, discuss labour market issues (e.g. illegal employment) and collaborate on implementing legal solutions from EU directives.

The **Labour Protection Council** meets monthly at the Sejm of Poland, presenting PIP's results and discussing emerging work forms, new risks and high-accident sectors. They propose regulations to enhance occupational safety.

The **Social Dialogue Council** meets several times yearly to facilitate labour-related dialogues. It includes specialised teams focusing on challenges like changes to the Labour Code and labour market conditions. These discussions inform policy decisions in labour inspection and OSH.

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<sup>54</sup> Year 2020 is omitted here, as the specific pandemic year does not reflect the usual state of PIP's international cooperations.

## 5.2 Cooperation among OSH actors

It is worth highlighting the numerous cooperative initiatives similar to the abovementioned collaborative efforts involving some of Poland's most important OSH actors (introduced in section 2.6). These collaborations are often ad hoc and organised for specific promotional campaigns and initiatives, making it challenging to provide a comprehensive overview due to their varied nature and scale. These cooperative efforts include partnerships between OSH institutions, organisations and business partners and contribute to supporting compliance and to developing a safety culture at workplace level.

- For instance, in 2020, the CIOP-PIB conducted a social campaign titled 'Aktywni w pracy' (Active at Work), focusing on promoting physical activity among workers. Campaign partners organised and executed 58 activities aligned with the campaign's goals. PGE Dystrybucja S.A. and Kimball Electronics Poland Sp. carried out these activities. The National Association of OSH Service Employees (Opole Branch), and the Social Welfare Home in Szczyrzyce, collectively involved approximately 134,000 participants (CIOP-PIB, 2020a).
- From 2020 to 2022, an EU-wide information campaign titled 'Healthy and Safe Workplace. Lift Safely' was conducted and managed locally by the CIOP-PIB; this campaign aimed to raise awareness about work-related musculoskeletal disorders. The Polish edition of the campaign was under the honorary patronage of ZUS (CIOP-PIB, 2020b).
- Another notable initiative is the 'BHP Team Championship' competition, organised by the Safe at Work Coalition. SEKA S.A., a company specialising in outsourcing OSH and fire protection services, currently serves as the competition's patron, with its representative acting as the chair of the competition committee. The competition also enjoys the patronage of major state institutions like the CIOP-PIB, PIP and ZUS, along with NGOs, including the All-Poland Association of Occupational Safety and Health Service Employees, Employers of Poland and Confederation Lewiatan. The 2024 competition's media patrons include Atest Ochrona Pracy, Behapowcy.com, Promotor BHP magazine and Portal BHP.<sup>55</sup>

### 5.2.1 Cross-institutional cooperation: NIOM, CIOP-PIB, ZUS

This section presents the cross-institutional collaboration between NIOM, CIOP-PIB and ZUS. Bilateral cooperation is presented below, providing information on the scope and type of the collaborations.

#### CIOP-BIP-NIOM collaboration

The CIOP-BIP collaborates with NIOM in executing the multi-annual Government Programme for Improvement of Safety and Working Conditions, which is overseen by the Minister of Family, Labour, and Social Policy. The CIOP-PIB serves as the Programme Coordinator. Additionally, the CIOP-BIP and NIOM collaborate with the Polish Society of Industrial Hygienists (PTHP), which operates within NIOM.

#### ZUS-NIOM collaboration

ZUS leverages specialised studies prepared by NIOM and disseminates information on accident prevention developed by NIOM upon request. These materials encompass informative resources such as leaflets on preventing voice disorders of occupational origin and occupational skin diseases, brochures addressing carpal tunnel syndrome and safe practices for working with computer monitors. The dissemination of these materials takes place during accident prevention training sessions organised at ZUS branches, with the active involvement of NIOM and Provincial Occupational Medicine Centres.

#### ZUS-CIOP-BIP collaboration

ZUS engages in collaborative efforts with the CIOP-PIB primarily through implementing the Co-Funding Programme. Following occupational accident regulations, ZUS submits applications for project co-funding to the CIOP-PIB, facilitating substantive assessment based on contractual agreements. This assessment entails evaluating the specificity, measurability, realism and temporality of specified project

<sup>55</sup> To learn more about the initiative, see *Polish initiatives to support OSH experts: supporting occupational safety and health compliance (Case PL6)*, 2025, available at <https://osha.europa.eu/en/publications/polish-initiatives-support-osh-experts-supporting-occupational-safety-and-health-compliance-case-pl6>

goals and assessing the adequacy of proposed OSH activities relative to existing workplace risk factors. The CIOP-PIB also conducts project monitoring throughout implementation, post-project evaluations and sustainability assessments. Additionally, ZUS commissions scientific research on accident prevention topics from the CIOP-PIB, focusing on areas such as preventing contact dermatitis and hand injuries in specific industries, assessing the impact of workplace stress, and developing tools for identifying employment reintegration opportunities post-workplace accidents.

In the subsequent sections, the other collaborations of these institutions are discussed.

### 5.2.2 NIOM

NIOM is committed to partnering with other scientific units and professional organisations working in the field of occupational and environmental health, such as:

- NGOs, e.g. the Polish Society of Occupational Medicine, Polish Society of Industrial Hygienists;
- healthcare institutions to ensure the delivery of high-quality research, innovation and education in OSH;
- employers' organisations and societies of safety and health specialists;
- the Polish Academy of Sciences;
- universities;
- research institutes; and
- scientific and professional associations.

Examples of NIOM cooperations include:

- **The Polish Society of Occupational Medicine (PTMP)** aims to disseminate scientific achievements in occupational medicine and the health effects of harmful environments and to communicate progress in these fields. It contributes to the organisation of occupational health care and establishes programmes and methods of getting specialised and continuing education and post-diploma training in occupational medicine. It also carries out activities aimed at activating prevention activities to reduce the adverse health effects of occupational exposure and improve the quality of preventive healthcare. The [website](#) offers numerous guidelines dedicated to occupational medicine specialists, for example, recommendations for preventive examinations, specific inhalation challenge tests, and guidelines for preventive care of students or information on training dedicated to the OHS. The PTMP co-edits the journal *Occupational Medicine* and the *International Journal of Occupational Medicine and Environmental Health*. Importantly, in this context, PTMP interacts with other scientific societies, state bodies, local authorities, employers' and workers' organisations, trade unions and other associations considering occupational health. PTMP is a member of the Conference of Presidents of Medical Societies and the European Union of Medical Specialists.
- The **Polish Society of Industrial Hygienists (PTHP)** is related to NIOM. It invites representatives of labour and sanitary inspections, the CIOP-PIB, the Bureau for Chemical Substances, the Polish Centre for Accreditation, pharmaceutical, chemical and cosmetic companies and associations, for example, for OSH workers, to conduct training covering the latest topics in the field of broadly defined occupational hygiene. The PTHP plays a significant role in enhancing the knowledge and skills of professionals involved in occupational health and safety through these collaborative efforts.
- NIOM has forged collaborations with several institutions to advance workplace health initiatives, for instance, a partnership with the **Employers of Poland**. This partnership focuses on educational, promotional and knowledge dissemination activities to support employee health. The joint activities aim at strengthening and extending workers' fitness for work, health and wellbeing.

### 5.2.3 CIOP-PIB

Apart from the cooperations described in section 5.2.1, *Cross-institutional cooperation: NIOM, CIOP-PIB, ZUS*, the CIOP-PIB has also signed agreements with the following institutions:

- [Ogólnopolskie Stowarzyszenie Pracowników Służby BHP](#) (All-Poland Association of Occupational Health and Safety Workers): This agreement focuses on the certification of competencies of specialists and lecturers in OSH.
- [Fundacja Zapobieganie Wypadkom Drogowym](#) (Accident Prevention Foundation): This agreement aims to cooperate in research and development activities related to road safety and to promote and support innovative activities in transportation.
- [Koalicja Bezpieczni w Pracy](#) (Safe at Work Coalition): The CIOP-PIB has a framework agreement with several companies within the Safe at Work Coalition, focusing on scientific, research and development, educational and promotional activities in the field of worker safety and ergonomics.
- [Akademia Pożarnicza](#) (Fire University): An agreement was signed with this organisation to collaborate on research and development, implementation and promotional-dissemination activities related to worker safety and ergonomics.
- [Okręgowa Izba Lekarska w Warszawie](#) (Regional Chamber of Physicians in Warsaw): The CIOP-PIB has an agreement with the Regional Chamber of Physicians in Warsaw to assess the working conditions of doctors and dentists, with a focus on topics such as mobbing in healthcare and excessive workload of doctors with administrative tasks.

### 5.2.4 ZUS

Another important cooperation of ZUS within Poland's OSH system is its initiatives undertaken with the Higher Mining Authority (WUG). These efforts include organising training sessions, workshops and seminars and developing, printing and distributing informational materials such as brochures, leaflets and training films. ZUS also disseminates information about mining hazards.

Published materials cover topics like best practices for using half-masks in underground mining, safety in blasting operations, health and safety principles for electrical equipment, roof collapse hazards, hearing protection, welding safety, hazardous dust threats and combating methane hazards. Training films address electricity-related accidents, seismic hazards and recurring errors in mining disaster investigations.

Additionally, ZUS and the WUG have organised training sessions and seminars on methane and fire hazard mitigation, conducting operations in seismic and collapse-prone conditions, basic work requirements in mining plants, transport system safety and best practices for human transport using belt conveyors.

## 5.3 Cooperation between the State Labour Inspection and CIOP-PIB and ZUS

To address the multifaceted challenges of workplace safety and health, PIP has established strategic partnerships with both ZUS and the CIOP-PIB, each targeting different aspects of occupational risk management. The cooperation between PIP and ZUS focuses on joint preventive actions, data exchange and dissemination of safety information to improve workplace conditions and enforce labour laws. Meanwhile, the PIP and CIOP-PIB partnership is centred on collaborative research, promoting scientific findings and organising educational initiatives to enhance OSH.

On 10 June 2021 in Warsaw, **PIP and the CIOP-PIB** concluded a cooperation agreement to conduct joint research projects and information initiatives in the field of OSH. As part of the agreement, both institutions intended to promote and implement the results of scientific research, including the 'Improvement of Safety and Working Conditions' programme. Cooperation includes submitting, preparing and implementing research and developing projects on OSH and ergonomics. The agreement provides for exchanging experience and information on research and activities promoting occupational safety and organising public campaigns, seminars, workshops and conferences.

Cooperation between ZUS and PIP is based on an agreement signed on 5 November 2010. This collaboration aims to undertake joint initiatives and preventive actions to combat illegal employment, contribute to preventing workplace accidents and health hazards, and reduce occupational risk levels in



work processes. The agreement encompasses cooperation between PIP and ZUS at both central and local levels, involving District Labour Inspectorates and ZUS branch directors.

ZUS and PIP also work together to eliminate irregularities in determining the causes and circumstances of workplace accidents and verifying occupational hazards. These efforts primarily aim to discipline employers and ensure employee labour law protection. As part of the agreement, ZUS and PIP exchange information on irregularities detected during their inspections. A significant portion of informational materials is published in cooperation with PIP under the agreement's provisions. For instance, a guide titled 'In the First Job' was created for young workers entering the labour market, detailing basic employee rights and obligations, employer responsibilities, workplace hazards, risk assessment, and safety and hygiene controls. This guide commissioned by ZUS is also disseminated in cooperation with PIP. Examples of informational materials shared by PIP and distributed under ZUS and PIP collaboration include: brochures such as 'My First Job' and 'Construction. STOP Accidents!'<sup>56</sup> and 'Safe Work on Construction Sites'; stress management guides for employers and employees; instruction cards; and leaflets. Instruction cards cover circular saw operation, excavation, masonry, rebar, manual transport and power tool use. Leaflets address topics like working hours, wages, employment contracts, types of employment, leave, slips and trips, and the 'ABC of Occupational Safety' book.

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<sup>56</sup> To learn more about the 'Construction. STOP Accidents!', see *Polish sector prevention and inspection programmes: supporting occupational safety and health compliance (Case PL5)*, 2025, available at: <https://osha.europa.eu/en/publications/polish-sector-prevention-and-inspection-programmes-supporting-occupational-safety-and-health-compliance-case-pl5>

## 6 Challenges in labour inspection and OSH and OHS prevention services

This chapter presents challenges faced by the labour inspection and OHS and OSH experts in their day-to-day activities, as identified within this study's framework. The chapter focuses on the challenges reported in the interviews and identified in the desk review while recognising the broad scope of other possible challenges.

Section 6.1, *Dominance of SMEs in the Polish economy structure*, discusses how labour inspection and prevention services navigate their activities, considering the specific needs of SMEs. Given the large number of these companies, inspecting each business is not feasible; labour inspection focuses on promotion activities to support compliance among these companies. Regarding preventive services, the section discusses how the issue of service accessibility may pose a barrier for those enterprises. Additionally, both the labour inspection and OSH and OHS prevention services are facing some challenges regarding limited human resources; these issues are discussed in section 6.2, *Challenges related to human resources*. While the reasons for such a challenge differ, the problem remains similar for both services. Labour inspection is affected by the process of broadening their responsibilities, while preventive service experiences shortages in occupational doctors and increased demand for OSH experts' services.

Further, section 6.3, *Influence of the COVID-19 pandemic on labour inspection and prevention services*, describes the approach and challenges related to the COVID-19 pandemic response and how both services were affected. Equally, other emerging issues continually challenge labour inspection and prevention, as presented in section 6.4, *New world of work: remote and hybrid work, platform work, robotisation and algorithms*. This section describes how inspection and preventive service adapt their approaches to the evolving issues of remote and hybrid work, platform work and robotisation. Further, section 6.5, *High prevalence of psychosocial risks*, discusses issues of psychosocial risks at the workplace and presents the approaches to how this topic is integrated into inspection and prevention practices.

Finally, section 6.6, *Changes to the structure of the employees: older workers and migrant workers*, discusses how changing workforce structure creates challenges for inspection and prevention to ensure OSH compliance in the current situation of increased migrant employment.

### 6.1 Dominance of SMEs in the Polish economy structure

Chapter 2, *OSH landscape*, discusses the characteristics of the Polish labour market, particularly the strong dominance of SMEs in the Polish economy. This strong dominance poses several challenges to labour inspection and OSH and OHS prevention services. PIP is fully aware of the limitations posed by its current human and financial resources, so rather than attempting to inspect every SME, PIP invests in educational and proactive measures to encourage adherence to labour and OSH regulations.<sup>57</sup> As a result, and over the years, preventive activities to support compliance have become more important. Further, PIP implements some activities specifically targeting SMEs, such as the example presented in Box 9.

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<sup>57</sup> Interview with the PIP representatives.

**Box 9: Example of PIP initiative targeting SMEs**

**Get a PIP Diploma! (Zdobądź dyplom PIP!)**

The 'Get a PIP Diploma' programme is an initiative addressed to employers from various sectors, employing up to 20 employees. Its main objective is to support employers in improving health and safety conditions at work following the labour law in force. Employers can participate in free training on labour law and protection during the programme and receive advice from specialists to help eliminate occupational risks and irregularities. Once employers complete their training and translate their knowledge into practice, labour inspectors conduct follow-up inspections; a positive outcome is awarded with the PIP Diploma (a negative one ends up in instructions for changes, and after adjustment, the diploma is awarded). The programme was launched in 2000, and between 2000 and 2023 around 9,000 employers completed the training and received the diploma (around 370 employers per year).

The PIP approach to penalties, described in section 3.5, *Penalties and activity of the State Labour Inspection*, is also affected by the economy's structure. The PIP approach prioritises proportionate punitive measures to enterprises' financial capacities. Since SMEs do not tend to have significant financial revenues, low fines are imposed on misbehaving enterprises. As mentioned by PIP, such an approach, while justified by the structure of the Polish economy, may entail that these penalties are neither deterrent nor burdensome, failing to fulfil their function (PIP, 2022).

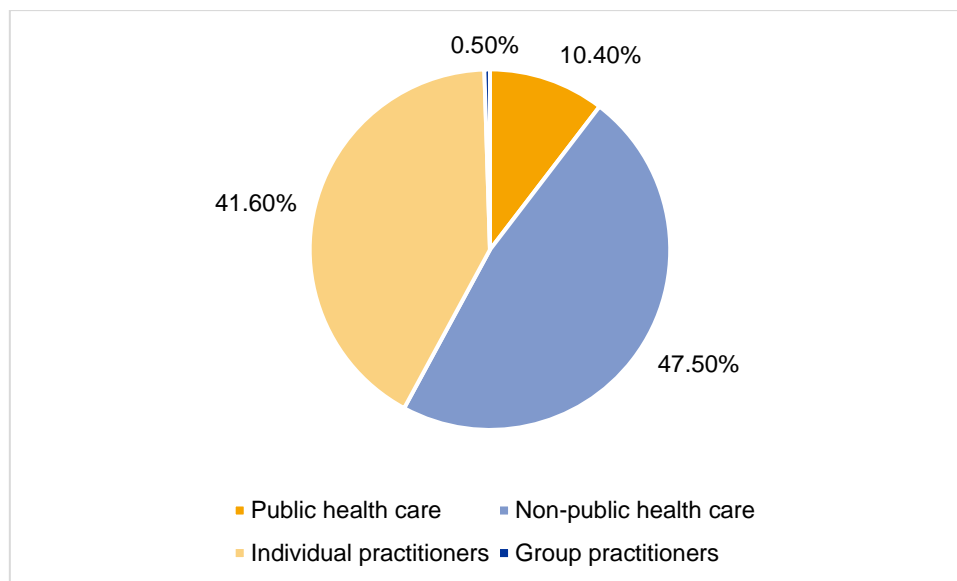
Equally, the economy's structure affects research and knowledge on OSH and prevention in general. Indications suggest that the more accurate situation regarding OSH compliance may lag despite positive statistical trends, as flagged in section 3.1, *Insights on quantitative data gathered around the activities of labour inspection*. For example, while data from PIP are reliable and highly valuable, they cannot fully capture the real state of affairs due to limited resources, the scale of inspections and the capacity to investigate situations in SMEs. Similarly, data from Statistics Poland often do not align with other sources, indicating problems in identifying and registering workplace accidents and diseases. Additionally, sampling does not always include the group of small enterprises (from 1-9 employees), which would be highly valuable for understanding the scope of the OSH challenges by a significant part of Polish enterprises. The importance of having access to reliable data (in this case regarding OSH and SMEs) is also important because (as already mentioned in this report) the PIP activity/approach (and strategic plans) is heavily data-driven.

When it comes to OSH and OHS prevention services and SMEs, in companies with up to 50 employees, as presented in *Box 5: Legal requirements for establishing external and internal OSH services at the workplace*, OSH activities may be handled by staff or business owners who completed OSH training. Often, these enterprises rely on such training rather than employing more OSH-qualified internal or external staff. These can frequently lead to, among other outcomes, inadequate (poor-quality) risk assessments and inadequate referrals for occupational medical examinations (because of a lack of in-depth knowledge of workplace hazards).<sup>58</sup>

While the price of mandatory occupational medical examinations for employees has not risen dramatically, it remains a barrier for some employers. The pandemic and the ensuing economic crisis have highlighted and exacerbated the problems smaller businesses face, with some being forced to close down. Additionally, the high cost of occupational medicine services in private clinics may burden small companies financially. Indeed, data from Statistics Poland indicate that private occupational medicine establishments are a significant part of all occupational medicine services, as only 10.4% of occupational medicine establishments are fully public (and free-of-charge) services, as presented in Figure 23.

<sup>58</sup> Interview with an OSH sector representative.

Figure 23: Structure of occupational medicine units in 2022



Source: Ecorys & NIOM, based on Statistics Poland (2023a)

## 6.2 Challenges related to human resources

Already in 2015, there was a vocal debate regarding the heavy workload impacting the quality of inspections. Indeed, a heavy workload, a broad scope of responsibility and non-competitive remuneration have resulted in a decrease of 30-40-year-old labour inspectors, who are crucial to the continuity of future activities (Ćwieluch, 2015). While this concern was raised in 2015, considering the increasing competencies of PIP (without allocating additional human and financial resources proportionally) may suggest that ensuring the continuity of highly qualified staff may remain a challenge. Furthermore, although labour inspectors hold public officer status similar to police, border guards, prosecutors and judges, they are not always perceived as desirable and attractive career paths. Notably, labour inspectors need to undergo rigorous training, for example, within the Training Centre of the State Labour Inspection that prepares individuals for the role of labour inspector through apprenticeship programmes while organising specialised and competency-based training for existing employees. Therefore, solutions towards encouraging more individuals to pursue careers as labour inspectors while ensuring appropriate workload can contribute to the overall effectiveness of PIP by supplying it with the required expertise (to be able to face the challenges posed by new and emerging risks and the chances associated with the new world of work) and talent.

PIP's responsibilities have expanded and are being extended. According to a PIP representative,<sup>59</sup> this increased scope of responsibilities is not accompanied by a commensurate allocation of additional resources in terms of personnel or expertise. Consequently, PIP had to collaborate with other authorities to share knowledge and expertise. It is worth noting, as underscored by a PIP representative, that the responsibilities of their institution continue to expand (for example, with, as of late, the introduction of control of post-retirement pensions):

*Over the last quarter of a century, with a marked increase in the last few years, the State Labour Inspection has added more than 30 new tasks, requiring additional workloads. This has happened with an increase in inspectors from 1,300 to just 1,500! Labour inspectors are already carrying out more than 40 statutory tasks (PIP, 2023a).*

Human resources issues regarding OSH and OHS prevention services are also reported. Pre-1989 and, to some extent, still in the early 1990s and 2000s, the model for OHS services was different, with occupational doctors directly employed in the enterprises and providing support in OSH and occupational medicine. This changed during the economic transformation in the 1990s, which forced

<sup>59</sup> Interview with a PIP representative.

most enterprises to downsize their personnel and downsize or outsource OSH services. This change contributed to the departure from the model of in-house occupational doctors, who had an in-depth understanding of the hazards of the working environment, working conditions and challenges in given enterprises. Consequently, the role of occupational doctors changed, and is now primarily focused on medical examinations, which could have contributed to fewer doctors choosing to specialise in occupational medicine. Indeed, data confirms a general decline in doctors, possibly due to the less comprehensive nature of the occupational physician's role. Equally, as discussed in Chapter 4, *OSH and OHS prevention services*, OSH experts are also challenged by human resources issues, especially considering the projected increase in demand for their services.

Further, as described in section 4.2, *Activity of OHS services*, regarding health surveillance and occupational medical examinations, both OSH experts (from internal or external prevention services) and occupational doctors play a key role, especially in smaller enterprises. Indeed, *Box 5: Legal requirements for establishing external and internal OSH services at the workplace*, indicates that, in companies with up to 50 employees, OSH activities may be handled by staff or owners who have completed OSH training. Therefore, OSH experts interviewed for this study noted<sup>60</sup> that in smaller companies, the quality of the referrals for the occupational medical examination themselves may be affected.<sup>61</sup>

## 6.3 Influence of the COVID-19 pandemic on labour inspection and prevention services

### 6.3.1 State Labour Inspection's response to the COVID-19 pandemic

During the first year of the pandemic, the activities of labour inspectors were modified in response to the escalating social and economic restrictions implemented by the Polish government to prevent the spread of the SARS-CoV-2 virus. These modifications included significant reductions in inspection activities during the most stringent lockdown measures. During the lockdown, inspectors were asked to work from home and focus only on investigating the causes and circumstances of workplace accidents and responding to situations involving an immediate threat to the life or health of employees (PIP, 2021).

During the pandemic, PIP had the authority and responsibility to assess the risks related to occupational exposure to environmental factors in the workplace, inform employees about these risks and enforce necessary preventive measures, including the use of personal protective equipment, to reduce the risk of exposure to the SARS-CoV-2 virus. The remaining issues, resulting from the declared state of the epidemic, fell under the jurisdiction of the Chief Sanitary Inspectorate (GIS). Labour inspectors were to inform the relevant district and provincial sanitary inspectors of such irregularities. In 2020, 462 such notifications were submitted (PIP, 2021).

The inspections carried out in 2020 aimed to verify the implementation of obligations imposed on employing entities in the context of preventing the spread of the coronavirus. During the execution of planned inspections, labour inspectors examined compliance with regulations to reduce exposure to the SARS-CoV-2 virus in workplaces. They also assessed the fulfilment of the obligation to provide employees of the inspected facilities with information about OSH risks and the protective and preventive measures taken. Irregularities related to non-compliance with the obligations arising from the regulations aimed at limiting exposure to the SARS-CoV-2 virus were found in approximately 43% of the inspected establishments in 2020 and 12% in 2021 (PIP, 2021, 2022).

Significantly, throughout the pandemic period (but not in the lockdown), every inspection carried out by PIP was conducted, at least to some extent, physically on-site rather than remotely via online methods. This decision was necessitated by the need to accurately assess the tangible and practical conditions within the workplace, a task deemed unfeasible through remote inspection procedures.<sup>62</sup>

In 2021, a notable shift in the inspection approach was introduced, allowing for a hybrid inspection methodology. Under this approach, inspectors continued to conduct on-site visits to the workplace;

<sup>60</sup> Interview with a representative of the OSH sector.

<sup>61</sup> Ibid.

<sup>62</sup> Interview with the PIP representatives.

however, the duration of their physical presence was substantially minimised. The critical alteration entailed analysing all relevant documentation and information outside of the workplace environment.

Further, during the pandemic, PIP carried out preventive activities that focused on ensuring safety at schools. The most significant preventive action carried out by PIP during the first year of the pandemic was **'Bezpiecznie w szkole'** (Safety at School). With the planned return of children to schools in September 2020, PIP launched it to popularise legal requirements and best practices for preventing and reducing biological hazards in schools and educational institutions (PIP, 2020). As part of this programme, PIP conducted individual online training sessions in schools, collaborating with the school management. These sessions covered issues related to the proper assessment and updating of occupational risk in response to new — viral — risk factors, correct use of protective measures and pandemic-specific safety measures. This was supplemented by distributing thematic posters illustrating good practices and 'anti-COVID' solutions, which could be displayed in schools.

Further, PIP launched an online information initiative called **'Labour Law and OSH During the Pandemic'**, co-organised by the District Labour Inspectorate in Bydgoszcz. As part of this project, employers could ask labour inspectors questions via email. PIP also prepared video materials addressing the most pressing issues (FAQs), which are available on the District Labour Inspectorates' websites. Further, in 2021, 265 training sessions were conducted, reaching over 5,800 participants. District Labour Inspectorates representatives attended 580 events to popularise best practices for protecting workers during the COVID-19 pandemic. During these gatherings, employers, employees and OSH representatives benefited from free advice and consultations with PIP experts.

Despite these activities, in September 2020, Employers of Poland (Pracodawcy RP) published an article indicating issues with interpreting the provisions and regulations regarding the possibility of measuring employees' temperature, conducting coronavirus tests and enforcing safe behaviours. Their article pointed out PIP's insufficient guidance in ensuring pandemic-related compliance at the workplaces and its impact on the results of labour inspection. They critiqued the absence of clear interpretations, explicit guidelines and standards for organising work, leaving employers responsible for ensuring a safe working environment, which was then subject to inspection (Employers of Poland, 2020). Further, in October 2020, an article in the *Wyborcza* newspaper pointed out some issues in organising inspections due to the clash in competencies between PIP and the Chief Sanitary Inspectorate. Still, specific tasks, like ensuring the availability of hand sanitisers in stores, fell under the responsibility of the GIS, so these inspections were considered inconclusive, and issues were referred to the GIS (Rozwadowska, 2020). Labour inspectors focused on small retail stores' compliance with pandemic regulations to keep up with the target number of inspections.

### **6.3.2 OSH and OHS prevention services and the COVID-19 pandemic**

With the announcement of the pandemic, the OSH and OHS prevention services had an important responsibility that had to be carried out quickly — new safety procedures needed to be developed for the coronavirus threat. Regulations regarding occupational safety during the pandemic were necessary and needed to be easy to understand and implement. However, industry stakeholders pointed out that these regulations were not introduced with enough advance notice. As a result, when the pandemic intensified, the required regulatory framework was not yet fully in place.

The COVID-19 pandemic has thrust OSH prevention services in companies to the forefront, emphasising their critical role in minimising infection risks within organisations. This shift has led to an intensified workload for OSH experts and a significant increase in their responsibility for employee safety and health (Koalicja Bezpieczni w Pracy, 2021). During the pandemic, OSH experts were key in ensuring workplace safety. They provided reliable information to employees and management about the disease, its symptoms, and preventive measures such as respiratory etiquette, hand washing and self-isolation when sick. OSH experts supported employers in assessing risks by identifying hazards, evaluating associated risks, implementing preventive measures and continuously monitoring these efforts. They also assisted in developing and reviewing plans for prevention, containment, mitigation and recovery (ILO & CIOP-PIB, 2020). Yet, one significant challenge for OSH experts was addressing the diverse work situations that required specific guidance. These included healthcare and crisis response workers, those performing essential tasks (e.g. food supply, retail, utilities, communication, transportation,

delivery), unorganised workers (e.g. in the informal economy, freelancers, domestic workers), and those in alternative work arrangements such as working from home.

Notably, the COVID-19 pandemic, despite many challenges, may have significantly — albeit temporarily — improved workplace preparedness to comply with hygiene and preventive health practices. Thanks to sanitary interventions, many establishments have implemented disinfection points and instructions on wearing masks and washing hands, which remains a sustainable prevention element. A Koalicja Bezpieczni w Pracy survey revealed that 94% of employers anticipate a positive impact of the pandemic on the quality of OSH standards overall. This optimistic outlook is shared across companies of all sizes, suggesting a widespread expectation of improved safety protocols as a lasting effect of the pandemic (Koalicja Bezpieczni w Pracy, 2021).

While the pandemic may have positively impacted raising awareness and preparing workplaces to deal with health risks, it also revealed gaps in OSH training and preventive screening, especially in smaller enterprises. The same survey showed that only about 44% of employees were trained in the new OSH rules implemented due to the COVID-19 pandemic. Additionally, only 41% of employees reported that internal communication on OSH issues within their company had intensified during this period. The lack of training and information dissemination likely resulted in employees not fully adhering to the new safety protocols, not out of reluctance or ignorance but simply due to a lack of knowledge about the updated guidelines. This issue was further complicated by situations where employers couldn't provide the necessary training, possibly due to inadequate conditions or resources (Koalicja Bezpieczni w Pracy, 2021).

However, the anticipated improvement — as showcased by the Koalicja Bezpieczni w Pracy survey results — did not materialise to the full extent as expected, and the improved OSH conditions appeared to not be a permanent feature, revealing a gap between expectations and actual outcomes in workplace safety practices. During the pandemic, significant efforts were made to maintain safe working conditions, leading to the implementation of additional protective measures. However, once the immediate danger subsided, some employers reverted to old practices, disregarding lessons learned and neglecting prevention measures.<sup>63</sup> Additionally, the COVID-19 pandemic has further affected the financial situation of many companies. The increase in the minimum wage and the cost of energy, water and renting premises has increased the cost of business. Many companies, especially smaller ones, struggle financially, affecting their ability to invest in OSH.<sup>64</sup>

Equally, the OHS were impacted by the COVID-19 pandemic-related provisions. For example, employees with valid occupational medical examinations could extend the validity of their periodical examination certificates for the whole pandemic state period and by 180 days afterwards (for types of occupational medical examinations, see section 4.2, *OHS services activity*). Consequently, almost all occupational medicine services fell by 20% compared to pre-pandemic years. While the regular approach to in-person occupational examinations was restored in the subsequent post-lockdown years, the period without these examinations contributed to the so-called public health debt. This reduction in examinations decreased the chances of detecting previously unrecognised civilisation diseases, such as hypertension and diabetes, illustrating one aspect of the broader public health debt that has affected the entire healthcare system post-pandemic. Indeed, there are some indications that overall post-pandemic occupational health worsened, as during and post-pandemic, the number of cases of suspected occupational diseases increased — mainly due to COVID-19 infections. Additionally, occupational doctors' role increased during the pandemic since only mandatory health check-ups were performed in person during and soon after the lockdown (Marcinkiewicz, 2022).

The COVID-19 pandemic also affected the organisational aspects of the OHS and occupational doctors. While there are no specific data for occupational doctors, in 2020, 66 doctors of all specialisations passed away. A further 20,000 were diagnosed with COVID-19, and over 70,000 were quarantined. Since 2020, the number of sick days taken by doctors has increased by around 30%. As for occupational doctors specifically, the number of occupational doctors decreased in 2020, contributing to the regional differences in access to occupational doctors and increasing occupational doctors' workload (Marcinkiewicz, 2022). Impacts of the COVID-19 pandemic varied among different OHS establishments,

<sup>63</sup> Interview with a representative of the OSH sector.

<sup>64</sup> Interview with a representative of the employer organisation.

with some being more resilient to adverse pandemic effects on organisations and staff. For example, one of the Regional Occupational Medicine Centres (see section 2.4.1, *The current model of the OHS*) in Gdańsk introduced several measures such as weekly reorganisation or doctors' schedules to minimise non-essential contact with patients, delivery of pre-visit in-depth telephone screenings to shorten the time of the visit or rotating the doctors having an in-person visit to minimise exposure (Wisniewska et al., 2020).

## 6.4 New world of work: remote and hybrid work, platform work, robotisation and algorithms

The following explores the dynamic of new work modes and arrangements in Poland, focusing on remote and hybrid work, platform work, and, to a lesser extent, robotisation and algorithms. These 'new world of work' challenges are closely tied to regulatory gaps; legal provisions are not developed at the same pace as a dynamically changing work environment. A common thread among these regulations is a mismatch between legislation and the practical aspects of conducting inspections. For example, there are some gaps in regulations addressing the platform economy, and the introduction of remote work regulations has been delayed. As discussed by PIP representatives, these regulations lag behind the realities of the work environment, and there is a considerable gap between identifying these new challenges and enacting national legislation. This impediment continues to hinder the ability to inspect and enforce proper working conditions in these arrangements, as there is no legal basis for such inspections. Consequently, while PIP acknowledges the OSH challenges in these sectors, it cannot enforce proper and lawful conduct.

Further, certain gaps existed in situations with a pressing urge for effective legislative solutions, such as OSH compliance during the pandemic. For example, unclear procedures regarding how employers can enforce OSH compliance during the pandemic, including whether they have the legal authority to mandate COVID-19 testing for employees, have given rise to a dissonance between the obligations imposed on employers and the inspection scope (see section 6.3.1, *State Labour Inspection's response to the COVID-19 pandemic*). Without clear interpretation, comprehensiveness and cross-referencing of regulations, the scope of inspections has become somewhat ambiguous. Therefore, this section discusses the regulatory provisions introduced for remote work (relevant to remote and hybrid work) and challenges and approaches to the regulatory provision in the case of platform work and algorithmic management.

### 6.4.1 Challenges related to remote and hybrid work

At the beginning of the pandemic, in the second quarter of 2020, 1,493,000 people regularly performed remote work, which accounted for 9.2% of all employed individuals. Further, between 2020 and 2022, the proportion of the workforce in remote working arrangements fluctuated and varied. Most current data indicate that in the second quarter of 2023, around 1,201,000 people, or 7.1% of all employed individuals, usually or occasionally performed their professional duties remotely (Bankier.pl, 2023).

The primary focus of discussions and concerns regarding OSH in Poland within the context of remote work centres on two key aspects: the responsibilities of the employers and developing a practical approach to controlling OSH compliance in remote settings. Box 10 summarises the most important provisions related to remote work.



#### Box 10: Remote work provisions in the Labour Code

**Act of 1 December 2022, amending the Labour Code and related laws** defines remote work as the performance of work either fully or partially at a location chosen by the employee and approved by the employer, encompassing both remote and hybrid work set-ups.

Employers can assign remote work during emergencies or when the workplace cannot provide safe conditions due to force majeure. Certain groups, such as pregnant employees or those caring for family members with disabilities, have specific rights to request remote work. Employers must provide necessary tools, such as monitors, cover related costs (such as electricity and Internet connection), offer training and support, and ensure compliance with OSH regulations.

The amended Labour Code mandates OSH compliance for remote workers, including periodic training and risk assessments. Remote work involving highly hazardous tasks is restricted, and employers must conduct risk assessments and provide safety guidelines. As of 17 November 2023, recent updates have adapted regulations to modern technological solutions for workstations equipped with display screen equipment.

Employers have the right to conduct remote work checks for OSH and information security compliance, ensuring these checks respect employee privacy. Standard procedures apply for investigating accidents during remote work, with exceptions allowing on-site inspections as agreed upon or waived if the accident's circumstances are clear.

The feasibility and methods of controlling OSH compliance at remote work locations, typically employees' homes, raised questions about the extent of control employers can exercise over remote work environments and the implementation of safety measures within private residences. Striking the right balance between ensuring compliance and respecting employees' privacy has proved to be a key challenge. Box 11 showcases the issues concerning sobriety checks implemented in post-pandemic changes to the Labour Code.

#### Box 11: Remote work impact on OSH – the example of sobriety checks

The introduction of the Minister of Health's Regulation on 20 February 2023 regarding **sobriety checks for employees** brought about various complexities. While the Labour Code permits sobriety checks by the police and allows employers to conduct preventive sobriety checks at the work site independently, questions arise regarding their applicability to remote workers.

The Labour Code explicitly addresses **sobriety checks** in Articles 22(1c) to 22(1h), focusing on checks conducted within the workplace. Notably, the remote work regulations outlined in Article 67(28) of the Labour Code **do not include provisions for ad hoc checks**. Moreover, employers' inspection of remote workers **necessitates the employee's consent**. This raises a fundamental question: whether to apply **remote work provisions**, including obtaining employee consent for checks, or enforce the **provisions concerning sobriety checks** in a remote work context.

Despite the simultaneous progression of amendments to the Labour Code addressing remote work and sobriety checks, the changes were not specifically tailored to address sobriety checks for remote workers. Consequently, uncertainties persist, as these legislative adjustments were not originally intended to encompass sobriety checks in remote work scenarios, as stated by a representative of a social partner (Confederation Lewiatan; Leśniak, 2023).

One of the primary OSH concerns with remote work (both in remote-only and hybrid modes) is the ergonomics of home workplaces. Unlike traditional office environments, home set-ups often lack the ergonomic equipment and furniture designed to prevent musculoskeletal disorders. However, in 2020, a study on OSH and remote work indicated that 53% of respondents perceived their work-at-home setting as ergonomic. However, only 29% have dedicated space only for work in their homes, while the rest shared this space with other family members or used it for different purposes after work. While the

study covered the perspectives from an early pandemic, it already flagged some challenging issues (Dobrzynska & Szczypielska, 2020).

The responsibility for ensuring a safe remote workplace remains with the employer, even though they may not have direct access to the employee's home office. Determining the employer's liability and the ability of accident teams to verify working conditions pose significant challenges in the event of an accident at home. Employers are obliged to conduct occupational risk assessments specific to remote work. They often rely on employees' declarations that their remote workstations comply with health and safety requirements, sometimes verified through visual means like video conferencing. However, these methods do not entirely address the issue of effectively monitoring and ensuring remote workplace safety. At the same time, solutions towards the closer investigation of the work-at-home setting could violate workers' right to privacy at home. Box 10 provides an example of the recent provision allowing employers to monitor employee homes in specific situations. However, it is challenging to investigate yet its functioning and observe its impact on the inspection and prevention nexus in remote and hybrid settings. Indeed, employees and employers surveyed for the 2023 study on safety and work indicated that they were still familiarising themselves with the changes and introducing the required solutions (Koalicja Bezpieczni w Pracy, 2023).

#### 6.4.2 Platform/gig economy

The platform economy, also known as the gig economy or sharing economy, is a modern economic system in which **online platforms facilitate transactions between service providers and consumers**. Examples of platform economy businesses in Poland include ride-sharing services like Uber and Bolt, home-sharing platforms like Airbnb, and food/grocery delivery services like Uber Eats and Glovo. In 2021, it was estimated that approximately **3,190,786 people in Poland** were engaged in various platform work, encompassing both on-location and online digital labour platforms (European Commission, 2021).

The absence of specific legal frameworks tailored to platform workers creates ambiguity regarding their employment status. While conventional labour legislation, such as **Article 22 of the Labour Code**, aims to determine the appropriate form of employment based on factual circumstances, platform work introduces a layer of complexity due to the diverse approaches employed by digital platform operators.

Theoretically, existing legislation, including **Article 304 of the Labour Code**, mandates employers and non-employer entrepreneurs to provide safe and hygienic working conditions for individuals engaged in work outside the traditional employment relationship. This obligation extends to self-employed individuals as well. However, practical enforcement of these obligations often encounters difficulties due to the tripartite nature of platform work arrangements (provider-platform-consumer). The challenge lies in identifying the entity that assumes the employer's responsibility for ensuring safe and hygienic working conditions (PIP, 2022a).

In practice, the company operating the digital platform typically lacks a direct contractual relationship with the workers providing services through the platform. This complicates the assignment of responsibility for complying with OSH standards. The absence of a clear employer-employee relationship can lead to uncertainties regarding who bears the obligations related to safe and hygienic working conditions, creating challenges for enforcement and accountability (PIP, 2022a).

The issues outlined regarding platform work also become apparent during inspections conducted by PIP. Most individuals engage in platform work based on civil law contracts (see *Box 7: Coverage of health and safety regulations according to the employment type based on the Labour Code*), with occasional instances of employment contracts. Irregularities identified during inspections most frequently relate to the **illegal delegation of work and improper payment of wages**. Other violations commonly involve the failure to issue employment certificates, the absence of work time records, failure to report to social insurance, and the illegal delegation of work in Poland under conditions not specified in the statement of entrustment (requiring the acquisition of new work permits). The most significant inspection challenges arise in cases where **work has not been delegated to performers based on service or employment contracts**. Instead, the sole agreement is often a lease agreement for a vehicle. In such situations, determining the entity delegating the work is difficult because performers receive orders for passengers or delivery solely through applications. In practice, the companies

providing the application have **no contractual relationship with performers regarding the delegation of work**.

Similarly, companies renting equipment for task execution (e.g. phones, bicycles, cars) do not consider themselves employers delegating work; instead, the platform is a digital entity, often based outside of Poland or even the EU, making inspections challenging. In other cases, establishing the entity delegating work would require lengthy legal proceedings, which platform workers typically do not pursue, focusing solely on financial settlements. For these reasons, in the years 2020-2021, no cases of challenging civil law contracts or filing lawsuits to establish an employment relationship were recorded by labour inspectors (PIP, 2022).

In the statements provided by a PIP representative, it is evident that both remote work and platform work fall into the category of new work arrangements that have demanded and continue to require a suitable legislative framework. While such a framework exists for remote work, there is a significant gap in the case of platform work.<sup>65</sup>

*“The greatest challenge with the development of new technologies is the limited and yet inadequate competency of authorities responsible for certain matters, which means that the law adapts very slowly. In the case of remote work, we waited for three years”.* — PIP representative

In platform work scenarios, the traditional concept of an ‘employer’ becomes blurred. Even the vehicle used to provide services is often the private property of the service provider registered on the platform. This raises the fundamental question of who or what PIP should be responsible for controlling in such instances. Are they to oversee the private car owner? The current legal landscape lacks the necessary regulations and articles to address these specific challenges, leaving a substantial regulatory void.<sup>66</sup> Many of these problems are likely to be solved with the implementation of the Directive of the European Parliament and of the Council on improving working conditions in platform work.

### **6.4.3 Robotisation, algorithms and algorithmic management**

In addition to its core focus areas, PIP recognises the emerging risks posed by two critical workplace hazards: robotisation and the use of algorithms (PIP, 2022a). Although these risks are yet not widespread in the market, their significance is expected to grow as technology advances. On average, in 2021, there were 63 robots per 10,000 employees in the Polish manufacturing industry (+11 compared to 2020). In contrast, the global average for countries monitored by the International Federation of Robotics was 141 robots; in Europe, the average was 129. In 2021, production facilities operating in Poland added 3,348 new robots. As a result, the number of active units in the domestic production sector increased by 18% compared to the previous year, reaching 20,036 robots (WNP.pl, 2023).

The extent of algorithm utilisation within the workplace in Poland remains largely unknown. In the context of Polish labour conditions, algorithm usage predominantly refers to the parameters, regulations and directives that underpin algorithms or artificial intelligence systems that can impact decision-making processes that, in turn, may have repercussions on various aspects of employment, including working conditions, accessibility and job retention (Business Insider, 2022).

The issue of robotisation and the use of algorithms is a subject that PIP addresses, primarily in the context of future challenges. For instance, in 2022, a meeting of the Labour Protection Council adopted a position on legislative proposals *de lege ferenda* presented by the Chief Labour Inspector. The topics discussed by the Labour Protection Council included ‘New forms of work, including the gig economy, robotisation, algorithmisation, and their impact on working conditions and the work-life balance’ (PIP, 2022d). Additionally, in October 2022, PIP organised an international conference titled ‘Labour Inspection and Future Challenges’ (PIP, 2022e). During this event, the Chief Labour Inspector addressed issues related to automation, robotisation and algorithmisation in work processes.

The issue of algorithm utilisation was raised in 2022 when a **legislative project was proposed** (amendments to the Trade Unions Act) to grant trade unions access to workplace procedures involving algorithms. The change aimed to allow trade unions to assess algorithms’ impact on working conditions,

<sup>65</sup> Interview with the PIP representatives.

<sup>66</sup> Ibid.

including OSH. The Commission for Digitisation, Innovation, and Modern Technologies prepared the project, specifically the Standing Subcommittee on Legal Regulations Concerning Digital Algorithms (Leśniak, 2022). **PIP supported the idea** of the project, and the Deputy Director of the Legal Department expressed: “*We welcome the fact that work has been initiated on changes related to digital algorithms. Extensive platform work discussions have also occurred within the Labour Protection Council. Of course, we support the proposed solution*” (Asystent BHP, 2022). However, the final project received criticism, including from PIP. According to the Chief Labour Inspector, ‘the regulation in the project only partially addresses the issues related to new forms of work, which can raise doubts, especially in the absence of specific legal solutions regarding artificial intelligence or the lack of clarification of the terms, parameters, rules, and instructions on which algorithms are based’ as used in the project. She argued that this could lead to numerous uncertainties in practice (Leśniak, 2022). Social partners expressed similar opinions and also noted that the project uses several undefined terms in existing regulations without considering the complexity of the subject matter (Confederation Lewiatan) and that the practical implementation of these changes could raise many doubts (Employers of Poland; Leśniak, 2022). However, the government refrained from commenting on the project, citing ongoing work on an EU directive, which will have implications for Polish legislation. Consequently, work on the project was postponed.

## 6.5 High prevalence of psychosocial risks

Based on the existing literature on the topic, the prevalence of psychosocial risk factors in Poland is high (Mościcka-Teske & Potocka, 2016; Merecz et al., 2019). Statistics Poland indicated in a study that the three most prevalent psychosocial risk factors in 2020 were time pressure, the need to interact with challenging stakeholders and job insecurity (Statistics Poland, 2020).

Findings from a 2023 report on wellbeing indicate that 55% of all surveyed employers have procedures in place that mitigate psychosocial risks and stress and support wellbeing (Koalicja Bezpieczni w Pracy, 2023). However, data from ZUS indicate that in 2022, sickness absence due to mental and behavioural disorders amounted to a total of 23.8 million sick days, accounting for 10% of the total number of days of absence due to all conditions (Koalicja Bezpieczni w Pracy, 2023). It does not provide measurable information on occupational mental and behavioural disorders since not all mental health absences were work-related. However, it indicates that psychosocial risks and mental health are important issues in preserving employees’ health.

Therefore, the psychosocial risk issues are relevant to the labour inspection activities. In terms of improving knowledge on the impact psychosocial risks may have on the occurrence of workplace accidents, PIP launched in 2022 a pilot study assessing the link between psychosocial risks and occupational accidents. During their post-accident inspections, labour inspectors conducted 91 surveys with victims, participants, witnesses or people responsible for OSH in the company. Fifteen per cent of respondents indicated that there were usually circumstances at work before an accident happened that stressed them out, such as: ‘lack of the required tools necessary to perform the work’, ‘breakdown of line maintenance on the day of the accident’, ‘difficult conditions to perform the tasks’, ‘hurried work due to issues with products/ components/ materials on the production line’, ‘conflicts with customers’ and ‘work being done in one place by people from different countries’. Twenty-five per cent indicated the impact of stress in personal life on accidents, and 28% indicated that overall, they see their work as stressful, especially considering the pace and workload (PIP, 2023).

Psychosocial risks are also included in the inspection services, with labour inspectors checking, for example, the coverage of psychosocial risks in the risk assessment. Indeed, in 2023, changes to the Labour Code included remote work issues (see *Box 10: Remote work provisions in the Labour Code*) concerning the psychosocial risks. Since then, employers have been obliged to conduct risk assessments specific to remote work, including components dedicated to psychosocial risks. Following this change, in 2023, labour inspectors conducted 325 inspections dedicated to remote work, and 17 out of 325 enterprises did not include psychosocial risks in remote work risk assessment. Equally, inspections not targeting remote work indicated that psychosocial risks were one of the issues overlooked in the risk assessments carried out in the inspected enterprises (PIP, 2024).

Additionally, PIP develops several preventive activities focusing on psychosocial risks. Since 2006, PIP has provided targeted promotional activities called ‘Addressing the negative effects of stress in the

workplace'. This annual initiative is dedicated to proactively mitigating psychosocial factors' impact within work environments.<sup>67</sup> Given that the programme's inaugural edition commenced 18 years ago, the programme went through several changes. The first version of the programme operated from **2006 to 2009**, focusing on **delivering specialised training sessions** tailored for both employers and employees, coupled with comprehensive assessments of stress-inducing job characteristics within companies. These assessments informed the implementation of preventive measures aimed at addressing workplace stressors.

The **2011** edition of the programme extended and focused its reach to encompass **corporate entities**, including **financial institutions** such as banks. In **2012**, activities were continued with a focus on education, commerce, public administration and industry, this time as an information campaign on 'Stress and other psychosocial factors related to work', which was part of a pan-European project of the SLIC.<sup>68</sup> District inspectorates continued training, and publications, press articles and radio broadcasts were also produced.

In **2013**, the programme began to **enter partnerships** with trade unions and social stakeholders. Notable collaborating organisations included the All Poland Alliance of Trade Unions (OPZZ), the Society for Anti-Discrimination Education and the Government Plenipotentiary for Equal Treatment. In **2015**, the programme launched a **dedicated website** at [www.streswpracy.pl](http://www.streswpracy.pl), a platform that continues to serve its purpose today. The website offers an assessment tool explaining different stress factors at work and potential preventive actions, enabling users to identify workplace stressors and gauge their current levels of occupational stress. Furthermore, 2015 saw the inception of the 'Stress at Work? Find a Solution' two-year **information and promotional campaign** that was subsequently spotlighted on some of Poland's most prominent online portals such as Onet.pl, Wp.pl and TVN24.pl. Promotional activities included radio spots and print publications, increasing and enhancing the reach and impact of the campaign.

Further, in 2016, the programme developed promotional materials (online and CDs). Additionally, there was a noticeable increase in interest in preventing bullying and discrimination, indicating progress in employers' attitudes and familiarity with the subject. In **2017**, a newly developed Psychosocial Risk Scale was prepared by NIOM. In the framework of the programme, PIP used this tool to evaluate seventy-five companies and 3,000 employees. In **2020**, a questionnaire for assessing the **quality of interpersonal relationships** in the workplace was created as part of the programme's development. There was a heightened focus on improving employee wellbeing, fostering a positive work atmosphere and enhancing overall job satisfaction. In **2022**, at the regional level, some District Labour Inspectorates commenced additional programme promotion through their **social media channels** (e.g. Twitter, Facebook) (PIP, 2017-2020).

Similarly, psychosocial risks are relevant to the activities of OSH experts and the OHS. The 2023 report on wellbeing conducted by the Safe at Work Coalition indicated that coverage of psychosocial risks is not always included in OSH experts' activity. For instance, only 11% of respondents received a referral to a psychologist as part of their occupational medical examination referral (see section 5.2, *Cooperation among OSH actors*). Only 28% discussed psychosocial risk during their introductory OSH training, which included discussions on issues like working conditions (54%), exposure to physical risks such as noise (49%) and depression (18%) (Koalicja Bezpieczni w Pracy, 2023).

Further, coverage of psychosocial risks during occupational medical examinations may vary. The methodological guidelines for examinations (see *Box 8: Methodological guidelines for conducting preventive medical examinations of employees*) indicate psychosocial risks in the category of other hazards, which are subjected to additional tests, including further medical examination, lipogram and ECG every 2-5 years. Additional examination may be assigned to the professionals, who experience in their workplace exposure to the following risks:

- risks of a constant high flow of information and readiness to respond;
- risks arising from work in positions of responsibility and decision-making;

<sup>67</sup> More information is available at: <https://www.pip.gov.pl/nasza-oferta/dla-pracodawcow/przeciwdzialanie-negatywnym-skutkom-stresu-w-miejscu-pracy?highlight=WyJzemtvgVuaWEiXQ==>

<sup>68</sup> More information about SLIC is available at: <https://ec.europa.eu/social/main.jsp?catId=148&intPagelId=685>

- risks arising from endangering life;
- risks arising from monotonous work; and
- risks related to work organisation (work under time pressure, uneven workload, other).

As discussed in section 5.2, *Activity of OSH services*, the scope of the occupational medical examination depends on the content of the referrals. These rely on the occupational risk assessments for each employee and, therefore, depend on the scope and the quality of these assessments (carried out by internal or external prevention services/OSH experts). Overall, including psychosocial hazards in the risk assessment depends on including the above-mentioned risks in the referrals of each employee.

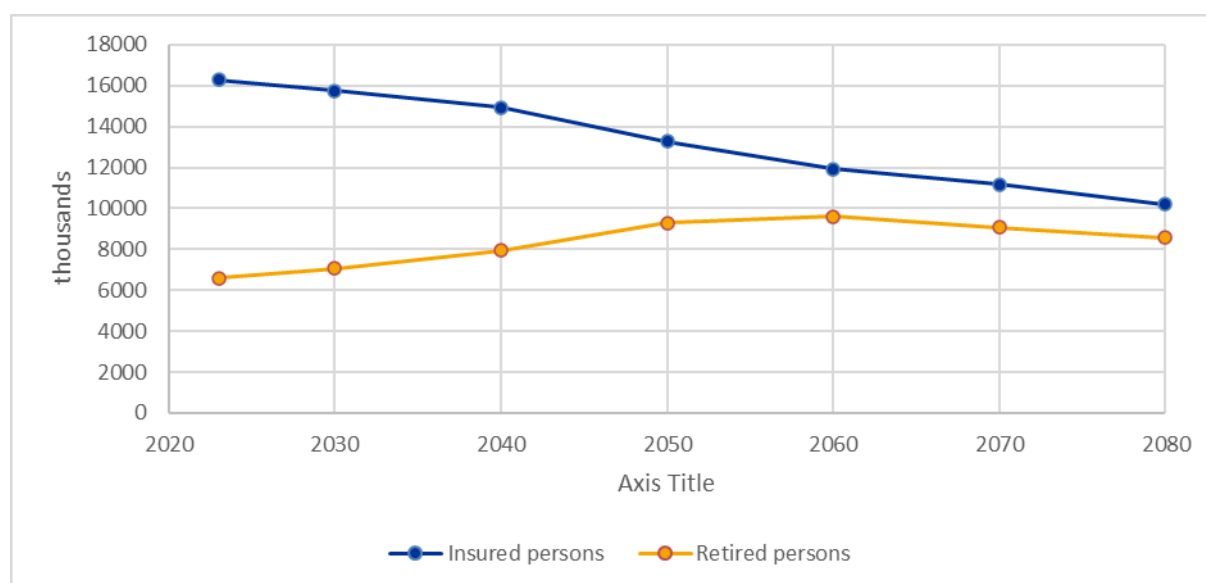
## 6.6 Changes to the structure of the workforce: older workers and migrant workers

The following section discusses the challenges associated with an ageing workforce and an increase in the migrant workforce.

### 6.6.1 Older workforce

Poland faces significant challenges concerning its ageing workforce, particularly regarding OSH. With one of the lowest employment rates for people over 50 in the EU, nearly 70% of individuals in this age group are not employed, in stark contrast to much lower rates in countries like Sweden (30%), Denmark (40%) and Finland (just under 50%). As the Polish population is getting older, the proportion of individuals aged 50 and above is expected to increase significantly, making it imperative to address this demographic's employment and health needs.

Figure 24: The forecasted number of insured and retired persons in Poland



Source: Ecorys & NIOM, own calculations based on Forecast of the Revenues and Expenses of Pension Fund until 2080

Long-term health problems and chronic diseases significantly impact the ageing workforce. In 2020, approximately 36% of Poland's population reported long-term health issues. The prevalence of chronic diseases increases with age, affecting 19% of individuals aged 30-44, 33% of those aged 45-59 and 60% of those aged 60-74. Nearly one in four people suffer from two or more chronic diseases. Major risk factors include being overweight and obese, smoking, excessive alcohol consumption and high-stress levels (Statistics Poland, 2020). These health issues can lead to increased labour costs, higher sick leave rates and reduced productivity, highlighting the need for effective OSH interventions.

Maintaining and extending the ability of older employees to work involves several key actions, primarily aimed at improving health status and promoting health-positive behaviours. Workplaces provide a unique opportunity to implement educational and promotional activities that must be long-term, multi-faceted and tailored to employee needs. Creating a health-friendly work environment is crucial, involving

adjustments in work conditions and organisation to accommodate older workers and those with chronic illnesses.

The OHS play a key role in supporting a healthy lifestyle and active ageing. Mandatory preventive examinations offer a unique opportunity for occupational health physicians to identify workers over 50 who risk losing their jobs due to health issues and detect other health problems. For many workers who consider themselves 'healthy', the occupational physician may be the only regular healthcare contact, emphasising the importance of the OHS in implementing comprehensive health-promoting activities.

As presented in Figure 24, the issue of an older workforce is crucial, considering the challenge to sustaining the social security system. Keeping older workers in the labour market and ensuring their health and safety will likely challenge OSH preventive services.

The challenges associated with the ageing workforce are gaining increasing attention. For example, the ninth edition of the 'Work Safety in Poland' report by the Safe at Work Coalition highlights employers' perspectives on employees aged 50+ and their experiences in the labour market (Koalicja Bezpieczni w Pracy, 2023).

At NIOM, a comprehensive scheme has been developed under the National Health Programme to prevent early exclusion from the labour market. This model focuses on counselling and early interventions for age-related health problems that may prevent older employees from continuing in their current positions or professions.

The model's mission is to shift the approach of employees, employers and occupational health professionals towards the professional activity of older individuals. The model supports ageing workers through comprehensive activities, including developing guidelines for counselling systems and early interventions for age-related health issues. It leverages the preventive care system to disseminate knowledge and increase health awareness among employers and employees.

This approach also includes a continuous educational campaign for employees, emphasising the importance of maintaining professional activity for health, economic and social benefits. It provides knowledge about age-related changes, which helps employees understand the reasons for improved work capacity and to plan professional duties accordingly. Detailed information on contemporary health threats should encourage health-promoting attitudes and participation in employer-organised activities.

Moreover, the programme offers specialised services, like health and age management activities tailored to employees' needs. This includes in-depth analyses to identify threats, assess risks for employees aged 50+ and propose solutions. It also supports maintaining professional activity through counselling and early detection of increased risks of losing work capacity. Interventions are proposed in cooperation with the employer, focusing on possible modifications in occupational exposure or work positions for employees facing age-related health issues.

## **6.6.2 Migrant workforce**

The safety and integration of migrant workers, including those from Ukraine, due to the 2022 conflict presents new challenges for workplaces in Poland. Migrant workers from diverse cultures and countries introduce communication and understanding of health and safety standards issues. As of March 2024, there were overall 1,011,600 foreign and migrant workers, which accounted for 6.6% of the overall workforce in Poland. Sixty per cent of all foreign and migrant workers were citizens of Ukraine (Statistics Poland, 2024b).

The increase in refugees from Ukraine challenges the OSH system in Poland, necessitating language and cultural adaptations, mental health support and legal compliance. Poland has implemented measures to support refugees, including equal access to medical services and positive societal sentiment. However, concerns over mental health and infectious diseases persist, emphasising the need for comprehensive health-promoting activities and compliance with local vaccination protocols.

Ensuring compliance with employment and OSH legislation for refugees and migrant workers is crucial. This includes adapting to the specific employment conditions of migrants. Migrant workers, particularly from Ukraine, necessitate a focus on their safety and integration. Integrating workers from different cultures poses challenges in communication and understanding of health and safety standards.

Employers must adapt their services to the health status of migrants, which includes tailored OSH training and communication methods to overcome language and cultural barriers.

While the Polish state quickly became interested in Ukrainian refugee workers, relatively few initiatives have supported their OSH. Among the few notable efforts, two initiatives stand out for their impact and comprehensiveness.

The first significant initiative is the amendment of the Act on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in the Territory of That Country, which facilitates the ability of Ukrainian citizens to legally work as farmer's helpers under a harvest assistance contract. This amendment allows Ukrainian farmer's helpers to extend the performance of work on the basis of a harvest assistance contract until the end of their legal stay in Poland, and it extends the range of agricultural activities that they can carry out to all types of work related to agricultural activity within the meaning of the Act on Social Insurance of Farmers. Farmers employing Ukrainian helpers under a harvest assistance contract must notify the KRUS about these arrangements to ensure proper insurance coverage (Biznes.gov.pl, 2023). This includes accident, sickness, maternity and health care insurance. The KRUS has prepared extensive materials for Ukrainian workers to help them understand and observe health and safety rules. These materials cover various topics, including proper ergonomics at work, the safe use of agricultural machinery and the overall impact of such equipment on the safety of the working environment. Additionally, the KRUS has provided comprehensive Ukrainian information about the principles of insurance for farmer's assistants, encompassing coverage for accidents, illnesses, maternity-related issues and medical insurance (KRUS, 2023).

Another noteworthy initiative, supported by the World Health Organisation, involves NIOM in aiding Ukrainian workers' transition to the Polish labour market while safeguarding their OSH rights. This project, titled 'Ukrainian Workers on the Polish Labour Market', includes preventive screenings and the preparation of basic information in Ukrainian about preventive care for employees in Poland. This initiative is designed to help Ukrainian workers understand their rights and the available health and safety resources, ensuring they can work safely and healthily in their new environment.<sup>69</sup>

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<sup>69</sup> To learn more about this initiative, see *Ukrainian refugee and migrants workers: supporting occupational safety and health compliance (Case PL3)*, 2025, available at: <https://osha.europa.eu/en/publications/ukrainian-refugee-and-migrant-workers-supporting-occupational-safety-and-health-compliance-case-pl3>



## 7 Conclusions and key findings

### 7.1 Activities carried out by the State Labour Inspection

Labour inspection activity in Poland combines both enforcement and prevention activities. Unlike some EU counterparts that focus predominantly on enforcement, the Polish model integrates inspection activities with preventive action, making the effectiveness of their operations a reflection of this dual approach. Notably, within these activities, PIP cooperates with a broad range of OSH actors such as public institutions, sectoral organisations, trade unions and employers. In that way, the PIP approach leans heavily towards a co-enforcement model, fostering cooperation with a broad spectrum of partners and involving them in several activities. Presented below are some of the considered key highlights of the activity of the State Labour Inspection:

- **Data-driven approach informing strategic decisions.** PIP provides comprehensive statistics on the wide scope of their activities, which are publicly available within the Annual Activity Report. To a great extent, this research benefited from access to these data, allowing nuanced and informed insight into the complexities of labour inspection. At the same time, PIP utilises data gathered internally and externally to monitor their activity and formulate strategic directions or design specific programmes such as 'Budowa. STOP Wypadkom!' (Construction. STOP Accidents!), as described in section 3.6, *Horizontal activities*. At the same time, there are some limitations to the data available to PIP, as discussed in the report (such as the coverage of SMEs). Thus, there is a need to ensure continuous efforts to improve the data quality to have better knowledge of the situation so PIP's data-driven approach is built on a more robust basis.
- **Approach to labour inspection could be characterised as a co-enforcement model.** While the PIP role is rooted in the classical labour inspection, over the years, PIP activity has leaned towards the co-enforcement model. This is prevalent through combined inspection and prevention activities, prioritising the creation of safer workplaces through education followed by enforcement.

As described in Chapter 3, *The activity of the State Labour Inspection*, the core of PIP activities includes handling complaints, delivering inspections and conducting post-accident inspection and accident prevention.

At the same time, PIP core activities also cover horizontal activities (see section 3.6, *Horizontal activities*), such as sector-specific programmes covering selected sectors, like woodworking; programmes targeting specific types of companies (see *Box 9: Example of PIP initiative targeting SMEs*); activities supporting targeted vulnerable groups, such as young people entering the workforce; and a broad spectrum of training, workshops and promotional activities supporting OSH prevention.

- **Broad cooperation with diversified groups of stakeholders**, as presented in section 5.1, *Cooperations of the State Labour Inspection*, facilitates PIP involvement in a broad scope of activities and initiatives. The synergies between PIP and other institutions can be categorised into four primary domains:
  - **Cooperation in inspections**, as in the case of risky inspections, when PIP cooperates with the police and board guard to ensure labour inspectors' safety and compliance with the law beyond labour-related issues.
  - **Cooperation in expertise exchanges**, as is the case of PIP's cooperation with the UOKiK and UDT on the machinery and products used in the inspected enterprises.
  - **Cooperation in promotion** — as was the case of the 'Legitna praca' (Legitimate Work) promotional initiative targeting younger workers, mainly those aged 18-24 are at a higher risk of experiencing severe workplace accidents. The 'Legitna praca' initiative was rooted in the online promotional initiatives and cooperation with broad stakeholders: District Labour Inspectorates, universities, ZUS and the Voluntary Labour Corps.

- **Cooperation in knowledge/data sharing** — such as PIP's participation in (or organisation of) national and international conferences or cooperation with international and national OSH bodies.

This study also identifies and presents some challenges labour inspection activity faces (further described in Chapter 6, *Challenges in labour inspection and OSH and OHS prevention services*). Some of the key challenges, as identified throughout the entire report, include:

- **Approach to penalties.** Interviews with PIP representatives revealed a consensus on the insufficiency of financial penalties, especially for repeat offenders, and a limited capacity to employ other enforcement strategies, such as worksite closures, as practised in other countries. In general, labour inspectors opt for minimal penalties and focus on positive reinforcement when needed. Notably, as presented in section 3.5, *Penalties and activity of the State Labour Inspection*, PIP proposes a broad scope of changes to the penalties. These proposals prioritise penalties proportionate to businesses' capabilities, resulting in higher penalties for companies with higher turnover or in cases of severe violations. At the same time, these proposals include non-financial measures. For example, there could be a broader scope of decisions that labour inspectors can take up or introduce elements to facilitate inspectors' work, such as mobile devices with real-time access to relevant databases.
- **Need to address broad scope of challenges, in the dynamically changing world of work.** This issue could be observed in the complaints structure, with most complaints falling into the 'old' challenges category, dominated by remuneration and employment relationship issues. Equally, organising labour inspection activities faces prevalent challenges of tailoring action to the economy dominated by SMEs. At the same time, labour inspection is facing new and emerging challenges (as discussed in Chapter 6 in response to, for example, the COVID-19 pandemic or the high prevalence of psychosocial risks. These challenges are deepened by existing regulatory gaps and the need for a quick response to tackle the challenges of the new world of work (remote and hybrid modes of work, platform work, robotisation and algorithms).
- **Increasing PIP competencies and insufficient financial and human resources.** While PIP strives to fulfil its duties, this resource limitation often makes it challenging to conduct all activities effectively, which requires prioritisation of issues and topics that could be tackled. Further, PIP activities are also subject to regional dynamics, both in conducting the controls and delivering the preventive and promotional activities — its services' consistency and quality can vary. District Labour Inspectorates might differ in approach, resources and local challenges, contributing to inconsistent perceptions.

At the beginning of June 2024, upcoming reforms and launching a cross-institutional team on the State Labour Inspection reform were announced (Topolska, 2024). The team is expected to work on improving penalties (the ability to link penalty value with company revenue) and human resources (increasing financial resources and recruiting new labour inspectors). At the same time, the scope of potential changes includes simplifying inspection procedures to reduce administrative burden related to the inspections, including an additional provision to ensure labour inspectors' safety while at the company premises or creating more units focusing on very specialised tasks, such as introducing the unit dedicated explicitly to inspection on the legality of employment. Since the refined approach has been very recent, it is difficult to predict the tangible reforms that may happen. Still, they will probably contribute to addressing some of the challenges mentioned above (Topolska, 2024).

## 7.2 OSH and OHS prevention services activities

Two separate actors in Poland cover prevention services: OSH (internal or external) prevention services and OHS. OSH (internal or external) experts provide their OSH expertise and support to the companies. Occupational doctors are responsible for delivering occupational health examinations and monitoring employees' occupational health.

### 7.2.1 OSH prevention services/experts

For many years, Polish companies were staffed by OSH experts responsible for ensuring compliance with regulations and employee safety. However, in recent years, many companies have opted to outsource OSH services, outsourcing these tasks to external OSH experts. This shift is primarily due to financial savings and the flexibility to use external OSH services when required (CIOP-PIB, 2020; SEKA, 2018).

The OSH prevention service can be a separate unit/position within the company whose tasks are to organise prevention activities to protect the workers from occupational hazards, improve OSH conditions and advise the employer. OSH experts can work as internal staff (dedicated to OSH or in other positions, yet appointed to manage OSH) or external experts contracted for specific tasks. OSH experts play a key role in ensuring safe and healthy working conditions. However, in Polish, the name of this service is Occupational Safety and Hygiene (Bezpieczeństwo i higiena pracy – BHP), which to some extent reflects its limited engagement in health issues.

Overall, more studies and data are needed to provide a more robust assessment and a general overview of the role and activities of the OSH prevention services/experts. Indeed, there is a lack of nationwide statistical and economic data on the activity carried out by OSH prevention services, and the existing qualitative sources are fragmented. Further, there is a variety of OSH prevention services, including OSH experts (internal or external), several nationwide sectoral organisations gather OSH experts with different focuses and capacities and finally, the CIOP-PIB, being a crucial institution supporting OSH experts, especially in education and upskilling.

Notably, some interesting data and information about the profile, activities and challenges faced by internal and external prevention services have been gathered in a study by the CIOP-PIB in 2020 (Dobrzyńska, 2020). Overall, key findings on the OSH experts/OSH prevention services include the following aspects:

- **There could be around 5,600 external OSH entities** (individual external OSH experts and companies providing external OSH services) and between 26,000 and 32,000 employees working in internal (in-house) prevention services. The demand for external OSH prevention services is anticipated to grow soon.
- **There is a trend towards privatisation and market-driven solutions** in OSH management regarding OSH prevention services.
- **The scope of external and internal OSH experts differs in practice.** While the general scope of activities revolves around carrying out the risk assessment and delivering OSH training, there are some differences in the work dynamics between internal and external OSH experts. Internal OSH experts focus on mandatory OSH compliance. In contrast, external OSH experts tend to be contracted for more specialised tasks (see *Table 6: Reported tasks performed by internal and external OSH service providers*).
- **An ongoing debate on OSH experts with generalist profiles versus more specialised OSH expertise.** There is an ongoing discussion about the direction of the qualifications development of the OSH experts. On the one hand, some indicate that OSH experts shall develop more specific knowledge tailored to specific sectors, such as construction, or particular topics, such as handling chemicals in the workplace. On the other hand, others indicate that OSH experts should develop comprehensive OSH knowledge and, most importantly, tangible experience in working with enterprises.
- **An ongoing debate on the OSH experts' qualifications** and the scope of services they provide. This is coupled with the lack of a systemic approach to monitoring the quality of the education of OSH experts and their qualifications and services (for the minimal requirements of OSH experts' education, see *Box 6: Legal requirements on the level of education and professional experience of OSH experts*). The 2020 study mentioned above included a survey of 500 OSH experts (Dobrzyńska, 2020), indicating that most respondents, especially among external OSH experts, had higher education certificates. Indeed, 49.8% of external OSH experts and 32% of internal OSH experts completed higher education, specifically focusing on OSH.

- **Drivers and obstacles to OSH experts' jobs.** Surveyed OSH experts indicated, among others, the following challenges hampering their professional activity: the lack of awareness regarding OSH importance among employees and employers and the challenge of building a safety culture at the company level. Conversely, professionals find satisfaction in the industry's opportunities for personal and professional development, meaningful interpersonal interactions and engaging project work.

## 7.2.2 Occupational health services

The main task of the OHS revolves around the delivery of occupational medical examinations. Occupational medical examinations apply to every employee, regardless of position or type of work. They do not apply to the entire workforce since the obligation includes only employees with regular employment relationships. Therefore, they exclude employees on civil law contracts and other atypical employment forms. Notably, companies must issue a referral to the examinations. These referrals should be based on the occupational risk assessment for selected employees, indicating OSH risks present in the workplace. Based on the referrals, OHS doctors conduct the medical examinations. **Therefore, the quality of the risk assessment in the company is closely linked to the quality of the occupational medical examination.** In general, there are three types of medical examinations:

- Pre-employment examinations are compulsory at the stage of employment and for employees transferred to new positions, especially those related to exposure to harmful agents.
- Periodic examinations are carried out regularly during employment, per the doctor's instructions.
- Control prophylactic examinations are required after an absence of more than 30 days due to illness, regardless of the cause.

Overall, the key findings of the OHS indicate the following aspects of OHS activity:

- **Occupational medical examination and their preventive role.** While occupational medical examinations have a defined scope (see *Box 8: Methodological guidelines for conducting preventive medical examinations of employees*), there is also potential for introducing additional preventive examinations. However, as described in section 4.2.1, *Scope of occupational medical examinations and potential for preventive role*, occupational doctors do not fully utilise this opportunity, focusing on mandatory procedures.
- **Regional differences in OHS access.** Access to the OHS differs depending on the region and size of urban or rural centres. Indeed, large urban centres have better access to occupational doctors, leaving smaller cities and rural areas disadvantaged, as described in section 4.2.2, *Regional disparities in access to the OHS*.
- **Occupational medical examinations in agriculture.** While in principle, occupational medical examinations are mandatory for all employees, the situation becomes more complicated when employment is on a different basis than in a traditional employment relationship, as in the case of agriculture. Farmers often do not fall within regular employment relationships, so undergoing occupational preventive examinations by individual farmers is voluntary, and the farmers themselves bear the examination costs. This is the reason for the low interest in this form of preventive care in the agriculture sector (see section 4.2.3, *OHS and agriculture*).

Overall, while the OSH experts and the OHS are separate parts of the OSH system, they are the foundation of the enterprise-level prevention system in Poland. The system provides a clear division of competencies. It assigns different actors (OSH experts at the company level and occupational doctors for occupational medical examinations) who cover different areas for OSH. The main cooperation area of these two is as referees for the occupational medical examinations (OSH experts send the employee with a referral explaining the occupational risks in a given company, and the occupational doctor performs a medical examination based on this referral). Apart from this area of cooperation, these two types of services work separately, allowing for the specialisation of services and competencies in their respective areas.

The study shows that the role of OSH professionals is crucial in most companies in Poland. Despite this, the OSH industry tends to be undervalued, as highlighted in the eighth edition of the Safe at Work

Coalition report. The study 'Work Safety in Poland 2021: The Role and Image of OSH Services' revealed that only 10% of employees and 8% of employers appreciated the work of OSH services more than before the pandemic. This indicates a significant problem, especially given that three out of four OSH professionals did not receive adequate wage adjustments despite increased workloads. The report also emphasised a critical challenge for the OSH sector: the lack of understanding of the importance of worker safety issues. Despite the pandemic, 51% of survey participants<sup>70</sup> cited employees' lack of appreciation for safety issues as a significant challenge. In comparison, 48% noted a similar lack of understanding among supervisors, employers or service providers. Interestingly, only 16% of respondents found the impact on company operations and revenues to be the most engaging aspect of their work, and 20% valued the sense of 'having an influence' their role provided.

### **7.2.3 Joint challenges for inspection and OSH and OHS prevention services**

Overall, labour inspection and OSH and OHS prevention services are confronted with common challenges, described in Chapter 6, *Labour inspection and OSH and OHS prevention services towards challenges*. Indeed, they face the challenge of designing and carrying out their activities in an economy dominated by SMEs; inspection is challenged to develop inspection and prevention programmes that reach micro and small companies: OHS and OSH experts face challenges to develop approaches that do not financially burden SMEs. Equally, the economy's structure impacts workers, as people working in small and medium companies may not benefit from the same level of OSH protection or coverage, as these companies tend to have smaller resources assigned to OSH issues. To reach smaller companies, labour inspection tends to lean towards the co-enforcement level, focusing on positive re-enforcement, education and cooperation with a broad range of stakeholders.

Similarly, both the PIP and OSH and OHS prevention services are also facing some challenges regarding their human resources, and while the reasons are different, the problem remains similar. The State Labour Inspection faces organising human resources in light of the expanding competencies and responsibilities, impacting inspectors' workload and hampering attracting talented workforce to join PIP. OSH experts may face increased demand for their services, which would also entail ensuring the proper direction of the qualifications and the OHS are challenged by the declining number of occupational doctors, caused, among other reasons, by the departure from the model of in-house occupational doctors, who had an in-depth understanding of the hazards of the working environment, working conditions and challenges in given enterprises.

Finally, the PIP and OSH and OHS prevention services also face similar challenges when confronted in their day-to-day work with the changes related to the new world of work. The COVID-19 pandemic response indicated that both needed to develop approaches and activities addressing dynamically changing needs, impacting the organisational aspects, including the health and safety of their employees. Further, emerging challenges such as platform work, remote and hybrid work, and robotisation and the use of algorithms create additional areas to ensure workplace OSH compliance. These challenges push OSH and OHS specialists to become fully informed and competent to deal with these emerging challenges, allowing them to apply this knowledge in practice, for example, for OSH specialists to identify risks associated with the new forms of work and incorporate them in the risk assessment or for occupational doctors to understand health outcomes related to new forms of work. Equally, labour inspection must operate within a dynamically changing work environment and navigate inspection around these issues, facing regulatory gaps since the regulatory approach is yet to be fully developed.

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<sup>70</sup> The CATI survey was conducted with a group of 240 OSH specialists and managers.

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