

REPORT ON THE NATIONAL LABOUR INSPECTORATE'S ACTIVITY IN 2012

(Executive summary for ILO)

The National Labour Inspectorate is an authority established to **supervise and inspect the observance of labour law**, in particular occupational safety and health regulations and rules, as well as regulations on legality of employment and other paid work in the scope specified in the Act of 13 April 2007 on the National Labour Inspectorate (Journal of Laws of 2012, item 404, 769 and 1544).

The National Labour Inspectorate **reports to the Polish Parliament**. Supervision over the National Labour Inspectorate in the scope specified in the NLI's Act is exercised by the **Labour Protection Council**, appointed by the Speaker of Parliament.

The National Labour Inspectorate is managed by the Chief Labour Inspector (appointed by the Speaker of Parliament), who is assisted by the deputies.

The Chief Labour Inspector is a member of the EU Senior Labour Inspectors' Committee (SLIC).

"Annual Report on the NLI's activity" is submitted to the SLIC's Secretariat each year.

The Speaker of Parliament has issued the NLI's statute, which specifies its internal organisation, seats and areas covered by the competence of each District Labour Inspectorate.

The NLI's organisational structure comprises: the Chief Labour Inspectorate, 16 District Labour Inspectorates, 42 sub-district offices, and the NLI's Training Centre named after prof. Jan Rosner in Wrocław.

There are the Chief Labour Inspector's permanent opinion-giving and advisory bodies, such as:

- the Chief Labour Inspectorate's Top Management Board;
- the Chief Labour Inspector's Legal Commission,
- the Chief Labour Inspector's Commission for Occupational Safety and Health in Agriculture,
- the Chief Labour Inspector's Council for Work Safety in Construction.

District Labour Inspectors manage activities of respective District Labour Inspectorates and supervise the work of labour inspectors.

The National Labour Inspectorate's tasks comprise, in particular:

- **supervising and inspecting compliance with labour law**, including regulations and rules of occupational safety and health, regulations on employment relationships, remuneration for work and other benefits resulting from employment relationships, working time, leaves, employee rights related to parenthood, employment of juveniles and disabled persons;
- inspecting **legality of employment**, other paid work and conducted economic activity;
- inspecting legality of employment, other paid work and work performed by **foreigners**;

- inspecting **registers of employees performing work in specific conditions** or work of specific nature;
- inspecting **products** placed on the market from the point of view of their compliance with OSH requirements, specified in separate provisions;
- taking action to prevent and eliminate hazards in the working environment, in particular:
 - examining circumstances and causes of **work accidents** and occupational diseases and inspecting the application of measures which are to prevent accidents and occupational diseases,
 - **initiating research work** focused on observance of labour law, in particular work safety and health regulations,
 - initiating actions for labour protection in **private farming**,
 - providing **guidance** and information concerning labour law and work safety,
 - undertaking preventive and promotional activities to ensure compliance with labour law;
- **cooperating with environmental protection authorities** in inspecting employers' compliance with provisions on the prevention of environmental hazards;
- inspecting observance of work safety and health requirements specified in the *Act of 22 June 2001 on genetically modified organisms*;
- **issuing opinions on draft legal acts** related to labour law;
- exercising the right to bring a **lawsuit**, and – with the interested person's consent – participating in proceedings in a labour court in cases for establishment of an employment relationship;
- **cooperating with EU Member States' authorities** responsible for supervision of terms and conditions of employment of workers;
- **pursuing offences** against employee rights specified in the Labour Code and other acts as well as participating in legal proceedings regarding such offences in the role of a public prosecutor.

In line with the *Act on the NLI*, the Labour Inspectorate's supervision in the area of OSH and legality of employment covers not only employers, but also entrepreneurs not being employers and other entities for which work is performed by natural persons, including those who conduct economic activity on their own account, regardless of the basis for carrying out work.

NLI's inspections also cover:

- entities offering employment services, personnel consultancy, vocational advice and temporary employment in the meaning of art. 18.1 of the *Act of 20 April 2004 on the promotion of employment and labour market institutions* – with regard to observance of the duty specified in art. 10.1 point 3d and 3e of the *Act on the National Labour Inspectorate*;
- entities directing persons to obtain practical skills, in particular during apprenticeship for graduates, vocational practical training or traineeship not being employment or other paid work – with regard to issues mentioned in art. 19d and 85.2 of the *Act of 20 April 2004 on the promotion of employment and labour market institutions*.

During implementation of tasks, the Labour Inspectorate **cooperates** with trade unions, employers' organizations, self-government bodies of workforce in companies, workers' councils, social labour inspection, public employment services in the meaning of provisions on the promotion of employment and labour market institutions, and with public administration authorities, especially regulatory authorities responsible for working conditions, the Police, Border Guard, Customs Service, fiscal offices, the Social Insurance Institution, and local self-government authorities.

In 2012, NLI's inspection and preventive activity was carried out **in accordance with the annual and long-term work plan**, elaborated on the basis of: analysis of the outcome of previous activity, comments and recommendations of the Labour Protection Council and parliamentary committees (especially the Committee for State Supervision), as well as proposals presented by trade unions, employers' organizations, ministries and central offices, authorities for supervision and inspection of working conditions, scientific and research institutes.

In 2012, the National Labour Inspectorate fulfilled all tasks included in the work plan.

In the reporting year, NLI's inspectors carried out **89.9 thousand inspections** of over **68.9 thousand** employers and other entities engaging **3.6 million** individuals.

In connection with identified infringements of **occupational safety and health** provisions, labour inspectors issued over **310 thousand decisions**.

District Labour Inspectors issued **24 decisions ordering to stop activity** or a specific type of activity. The majority of those decisions (16) were related to enterprises engaging up to 49 employees, including 14 decisions issued for businesses with up to 9 workers. Most of those companies (16) were private.

It should be emphasised that the National Labour Inspectorate is very cautious in using the legal instrument in the form of a decision ordering to stop activity, because although such decisions are aimed at protecting employees' health and safety, they most often result in the liquidation of work posts, and in consequence in the loss of jobs. Therefore, issuance of a decision ordering to stop activity is the last resort in situations when other legal measures have been ineffective.

In addition to decisions concerning work safety, in 2012 labour inspectors issued almost **10.1 thousand decisions ordering to pay** remuneration or other employment-related benefits. The decisions concerned **the total amount of 230.1 million PLN due to 158.8 thousand employees**.

The *Act of 19 December 2008 on bridging pensions* imposed the duty on the NLI, as of 1 January 2010, to inspect **registers of employees performing work in special conditions** or of special nature, to issue decisions ordering to include an employee in such a register, to remove an employee's name from the register or to correct an entry made in the register. In 2012, acting within the limits of their powers, NLI's inspectors issued **1155 decisions** on such matters. In 59 cases labour inspectors ordered to include employees in such registers, in 132 cases they ordered to remove employees' data from such registers, in 463 cases they issued decisions refusing to include employees in such registers, and in 501 cases they decided to discontinue proceedings.

Moreover, labour inspectors addressed over **60.8 thousand improvement notices** to inspected employers, with **310.8 thousand instructions** to remove the identified irregularities.

Additionally, NLI's inspectors are also empowered to issue verbal instructions for inspected employers concerning irregularities which can be eliminated still during an inspection visit or immediately after its completion. In 2012, labour inspectors issued almost **9.2 thousand verbal instructions**, mainly with regard to matters related to employment relationships, working time and amounts due to employees.

In the course of inspections, NLI's inspectors identified **88.6 thousand offences** against rights of persons performing paid work. Consequently, labour inspectors imposed fines (on 18 906 perpetrators) in the form of **punishment tickets**, applied **disciplining measures** (15 261) or submitted **motions to courts asking to punish the offenders** (3 843).

According to data as of 15 March 2013, having considered motions submitted by NLI's inspectors in 2012, the courts punished 3317 perpetrators with a fine and 65 perpetrators with a rebuke. The courts found the perpetrators guilty of committing infringements in 66 cases, yet they resigned from penalising them, and 51 persons were acquitted. The overall amount of fines imposed by **courts** was over **7.2 million PLN**. On the other hand, in 2012 punishment tickets imposed by **labour inspectors** totalled over **22.5 million PLN**.

In the reporting year, labour inspectors lodged 987 notifications of the suspicion of crimes with the **prosecutors' offices**. 204 proceedings have been initiated and they are still on-going; in 120 cases the prosecutors refused to initiate proceedings, 294 proceedings were discontinued; 177 indictments were sent to courts (data as of 15 March 2013).

Having examined indictments submitted by prosecutors' offices, the courts found 21 defendants guilty of deeds of which they were accused: 13 defendants were penalised with fines, 7 defendants with suspended imprisonment penalty, and 1 defendant with a restriction of liberty. Moreover, 16 perpetrators were found guilty, yet the courts conditionally discontinued penal proceedings (data as of 15 March 2013).

As a result of carried out inspections, NLI's inspectors brought **81 lawsuits** in competent courts concerning **establishment of an employment relationship for 89 persons**. 54 of those persons were engaged on the basis of contracts of commission, 16 others had specific-task contracts and 19 persons worked without any contract at all. In 7 cases labour inspectors, having obtained consent of the claimants, became involved in on-going court proceedings.

In 2012, the National Labour Inspectorate received almost **44.3 thousand complaints**, in which the complainants raised 95.4 thousand issues requiring intervention of the inspectorate. In connection with lodged complaints, labour inspectors carried out almost 28.2 thousand inspections (which makes over 31% of all inspections conducted in the reporting year). In the case of 10.9 thousand complaints, evidence gathered during inspection visits did not allow to verify charges made by complainants (e.g. due to disputable nature of benefits); therefore, settlement of such disputes between parties was only within the competence of courts. 61% out of the remaining complaints were found by labour inspectors to be justified or partially justified.

In the reporting year, the National Labour Inspectorate received:

- **115 motions to register company collective labour agreements** and 1404 motions to register additional clauses;
- **518 motions to issue permits** to perform work or other paid activities by a child below 16 years of age;
- **2008 motions** asking for **a consent to have only electrical lighting in workrooms used for permanent work or to locate workrooms below the ground level of the surrounding area**.

In 2012, labour inspectors inspected **238 ships** in connection with received requests to issue NLI's statements permitting for use of those ships in terms of work safety and health.

Following inspections, the NLI issued statements permitting to use 232 ships, and with regard to 6 ships the statements included decisions not allowing to use them (status as of 15 March 2013).

During **7 965 inspections** of employers – payers of contributions for accident insurance, labour inspectors verified correctness of information included in ZUS IWA forms which the Social Insurance Institution (ZUS) takes into account **to establish individual accident insurance premiums for entities** that registered at least 10 workers with the social insurance system.

Labour inspectors verified data included in ZUS IWA forms concerning the number of insured workers registered for accident insurance purposes, the total number of victims of work accidents (including fatal and serious ones), the number of workers engaged in hazardous conditions, the type of activity, other identifying and address data.

In total, the NLI identified **311 cases that incorrect data was reported to ZUS** in 259 ZUS IWA forms. Information on irregularities as well as correct data were forwarded to organisational units of ZUS.

In 2012, labour inspectors took avail of the possibility to ask ZUS **to raise accident insurance contributions** with regard to 121 employers. Submission of such requests resulted from the fact that glaring infringements of OSH provisions had been identified in those enterprises during two subsequent visits.

Labour inspectors and NLI's specialists provided over **1 232 thousand pieces of advice free of charge** to employees, employers and other concerned entities. This included almost 981 thousand pieces of advice on legal matters and over 251 thousand pieces of advice on technical matters.

Moreover, in the reporting year, labour inspectors:

- **investigated circumstances and causes of 1 826 work accidents** in which 2130 persons were injured, including 724 seriously injured individuals and 332 fatal victims;
- carried out 23.4 thousand inspections during which they examined **the legality of employment and other paid work of Polish citizens.**

The Labour Inspectorate verified the legality of employment of over 176 thousand persons, including over 37.4 thousand of those performing work on the basis of civil law contracts or self-employed individuals.

In 16% of inspected entities such forms of illegal employment were identified which are most harmful from the point of view of protecting employee rights – that is to say employment without a written confirmation of the type of the employment contract and its terms, and failure to register a person employed or performing other paid work with a social insurance scheme. Such irregularities concerned **6.6%** of individuals covered by inspections, that is almost **11.7 thousand workers**;

- conducted over 2.1 thousand **inspections of legality of employment and other paid work of foreigners.** Those inspections covered 1 984 entities entrusting work to 12.4 thousand foreigners. **Illegal performance of work by foreigners was identified in 218 entities, i.e. almost 11% of those inspected.**

Statistical data on the results of inspectors' work is an important indicator showing the scale of incompliance with labour law in inspected enterprises, but at the same time it is a measure of the effectiveness of inspection activities.

Due to a large number of infringements of provisions on the **payment of salaries to workers**, for many years the NLI has monitored this socially important area of labour law. In

line with the *Act on the NLI*, besides issuing an instruction in an improvement notice or a verbal instruction, a labour inspector is empowered to issue an immediately enforceable order to pay salaries in situations when an employer is in breach of the fundamental employee right to receive salary or other benefits due on the basis of an employment relationship.

In 2012, labour inspectors enforced the payment of **102 million PLN** in total to 118.8 thousand employees.

Simultaneously, the National Labour Inspectorate enforced the payment of amounts due to state funds. For example, following NLI's intervention, employers paid the total amount of 4 million PLN of outstanding contributions to the **Labour Fund** for 35.3 thousand employees. Moreover, 6.8 million PLN was paid as outstanding contributions to **social insurance** for 10.2 thousand employees.

The issue of **working time** is the subject of NLI's systematic inspections because breaches of legal provisions in that area are related to infringing provisions on salaries and other employment-related benefits, and in many sectors they also influence the level of work safety. In 2012, many irregularities related to **overtime work** were eliminated – they referred to the total number of **6.6 thousand** employees. Inspectors enforced compliance with the duty to establish **working time registers** for **22.6 thousand** employees, and with regard to **67 thousand** workers records in the working time registers were corrected, which many a time resulted in the payment of dues that the workers had been deprived of groundlessly.

Employers also eliminated irregularities related to **legality of employment**. Inspectors enforced, among others, issuance of written confirmations of the existence of employment relationships for **5.4 thousand** persons who were parties to civil law contracts and for **3.7 thousand** persons working without any contract at all. Various irregularities in the area of legality of employment and observance of the *Act on the promotion of employment and labour market institutions* were eliminated with regard to **107 thousand** workers in total.

Moreover, the contents of **employment contracts** concluded with **24.6 thousand** employees were corrected.

When describing the outcome of NLI's inspections focused on **work safety** issues, it should be particularly underlined that professionally conducted activities of labour inspectors resulted in the elimination of **immediate risks** to the safety and health of **66.2 thousand employees** in inspected enterprises.

Labour inspectors enforced compliance with specific duties stipulated in work safety and health provisions, among others in the following areas:

- examinations and measurements of **factors harmful to health** in the working environment (with regard to **42.1 thousand** workers);
- occupational **risk assessment** (with regard to **269.9 thousand** employees in total);
- **medical examinations** (with regard to **49.5 thousand** employees);
- **training** in occupational safety and health (with regard to **82.8 thousand** employees).

In the course of inspection activities, labour inspectors **verify whether employers complied with previously issued legal measures**. For example, in 2012 they checked implementation of 101.5 thousand decisions and 132.2 thousand instructions in improvement notices and they determined that **95%** and **90%** of them respectively had been implemented. This confirms **high effectiveness** of NLI's inspection and supervisory activities.

Preventive actions, including promotion of labour protection, carried out with the participation of social partners, trade unions, employers' organisations, local self-government institutions and social organisations are – besides inspection and supervisory tasks – an equally important area of NLI's work. The following are worthy of mention:

1. Communication and promotional programme in construction

Due to a large number of accidents and numerous irregularities related to work organisation, identified during inspections, improvement of working conditions in the construction sector is one of the priorities of NLI's preventive actions. The cause of many accidents is incorrect or arbitrary behaviour of workers arising, among others, from neglecting hazards, insufficient knowledge, and lack of good habits. Therefore, **in cooperation with employers and many partners**, in 2012 the NLI carried out a communication and promotional project to develop permanent safety-oriented habits, such as observance of safety procedures, use of collective and personal protective equipment. The message was targeted at construction workers and one-person companies performing construction work tasks (finishing and repair of buildings).

To reach the largest possible number of construction sector employees, the mass-media were used to broadcast spots with the slogan **"Respect life! Professionals work safely"**. They showed tragic results of neglecting hazards and improper work organisation. Paid communiqués were also broadcast by radio stations and displayed on Internet websites. The campaign message was also present on many construction sites on large-size banners and posters addressed to workers.

According to surveys, carried out by the Public Opinion Surveying Centre TNS, of the effectiveness of the National Labour Inspectorate's communication campaign in the mass media, 44% of construction workers confirmed that they had come across the campaign message (25% of workers had seen banners on construction sites and 24% others had watched the TV spot). In that group, **37% of respondents declared that under the influence of the campaign message they intended to change their behaviour in a workplace.**

The communication campaign was supported by **many partners**, first and foremost by: the Social Insurance Institution, the Polish Association of Construction Engineers and Technicians, "Budowlani" Trade Union, and by the largest construction companies – signatories to the Construction Safety Agreement.

Small enterprises (engaging up to 49 persons) could take avail of **the programme for the improvement of working conditions titled "Promotion of OSH standards" – facilitating adjustment of the company to existing provisions; 2 300 employers participated in training sessions introducing them to the programme.** The participants received guides and checklists that help with self-inspection of safety on construction sites. 258 enterprises cooperated with the NLI and became involved in the programme implementation. Out of that number, 118 had positive results in verifying inspections.

144 large construction investments were covered by direct monitoring by labour inspectors. Supervision of large investments related to construction of motorways is especially worth mentioning; this included the construction of: part of A4 motorway in Subcarpathian Province, A1 and A2 motorways in Łódź Province, a protective breakwater for the external harbour in Świnoujście, underground railway station in Łódź Fabryczna, and Lublin Airport in Świdnik. In cooperation with general contractors, the NLI organised meetings devoted to planning safe performance of work and selecting collective and personal protective equipment.

The NLI prepared **publications** for the construction sector focused on issues of safe manual transport on construction sites and safety during repair and demolition tasks, as well as a series of posters “Do not be a victim. Do your job professionally”, presenting construction workers who are professionally prepared for the job of a carpenter, paver, roofer, reinforced concrete maker, bricklayer-plasterer, and sanitary installations fitter. The publications supplemented the series which now comprises over 30 different titles. **The total number of copies** of publications distributed to employers and employees in 2012 was almost **100 thousand**. The publications were also downloaded from our website: www.pip.gov.pl, and the campaign website: www.bezupadku.pl.

In cooperation with the signatories to the Construction Safety Agreement, **the project aimed at improving the quality of initial and periodic training** for construction workers was continued. Reliable and clear educational materials were provided; these included training presentations, publications and cards on safe performance of work for individual types of activities. Educational materials were supplemented by an instruction film.

2. Communication and promotional programme “Working time and road accidents”

Inspections of provisions concerning working time of professional drivers were supported by the communication and promotional programme “Working time and road accidents”. Labour inspectors conducted various activities to encourage managers of **transportation and shipping enterprises and public transport companies in cities** to review working conditions. These included e.g. disseminating knowledge of the circumstances and causes of accidents in road traffic, and making everyone concerned aware of legal and economic consequences of accidents in the light of breaching provisions on drivers’ working time. **Special attention was paid to management of psychosocial risk factors and proper organisation of work in line with legal provisions.** Account was taken of problems related to organising work of persons who drive vehicles as part of their professional duties, yet they are not engaged in the post of drivers (the so-called fleet drivers). According to data from accident statistical cards, such workers fall victim of work accidents while driving vehicles on public roads over 2 times more often than professional drivers.

37 training meetings were organised for employers and their representatives; they were attended by 1122 persons.

Within the framework of the campaign, the NLI provided information and advice at open-air stands and fairs, but also during inspections in transport companies. **More than 6.7 thousand copies of publications devoted to various aspects of organising safe work of drivers were distributed to participants of meetings, training sessions and courses.**

During implementation of communication activities, the National Labour Inspectorate cooperated, among others, with the Social Insurance Institution, the Police, Provincial Road Transport Inspectorates, international transport associations, road haulage associations, road transport enterprises, and social partners.

3. Communication and preventive programme concerning adjustment of plastic processing machines to the minimum OSH requirements

Communication and training activities covered the total number of 1450 entities, which used plastic processing machines. 730 persons participated in 41 training meetings and workshops for users of machines and they received information booklets on the adjustment of machines to the minimum requirements, as well as checklists which may help with independent assessment of compliance with OSH requirements.

Additionally, preventive initiatives covered 343 entities, which received questionnaires on self-inspection and preventive activities. In the reporting year, the programme participants carried out self-inspection of 1983 machines. Out of that number, 907 did not meet the minimum requirements, 822 machines were adjusted, and 59 were withdrawn from use because of too high costs of repair or overhaul.

4. Work safety management – accident prevention

Enterprises where the largest number of work accidents had been recorded, were selected for a preventive programme aimed at eliminating accident hazards by implementing components of work safety management, including provisions on occupational risk assessment and examination of circumstances and causes of work accidents.

Representatives of 1874 enterprises attended communication and training meetings devoted to work safety management. Labour inspectors described examples of accidents, analysing their circumstances and causes in the context of preventing recurrence of similar incidents in the future.

5. Communication campaign “Stress and other psychosocial factors related to work”

In the reporting year, the National Labour Inspectorate continued activities devoted to counteracting negative effects of stress and other psychosocial factors at work.

The communication campaign covered such sectors of economy as: education, retail trade, public administration and industry. In voluntary and anonymous surveys of stress levels, such survey tool was used which facilitated determination of: stress level in enterprises, frequency of stress symptoms in employees, and identification of stress sources in the examined working environment. On the basis of such assessments of stress level, preventive and corrective measures were implemented in surveyed enterprises.

Communication activities were implemented by all District Labour Inspectorates. **4474 representatives of employers and employees took part in 143 training meetings.** The participants received NLI’s publications, which are continuously very popular, on issues of work-related stress. Problems related to bullying are permanently among training topics. In reply to reported needs, the NLI prepared publications on counteracting negative phenomena in that area: **“Bullying. Employer’s guide”** and **“Bullying. Employee’s guide”**.

The NLI’s campaign in 2012 was part of a **pan-European project of the Senior Labour Inspectors’ Committee** focused on the prevention of psychosocial hazards.

6. Communication and promotional programme “Labour protection in private farming”

The most important of NLI’s activities related to labour protection in private farming include: provision of technical advice, promotion of safety and education during visitations to farms and meetings with farmers and inhabitants of villages.

In the reporting year, NLI’s employees visited places of field work and private farms.

Total number of visitations, including:	6 220
Visitations to private farms, including:	1 272
visitations to farms that participate in the “Safe farm” competition	976
visitations to farms where practical learning of farming work takes place	51

visitations related to work accidents	69
Visitations to fields during harvesting work	2 639
Visitations to fields during other types of work	1 213
Number of working individuals covered by visitations	9 991

During visitations, NLI's employees **reviewed the technical condition of agricultural machines, devices and tools**, including almost 4.3 thousand tractors, 3.7 thousand agricultural trailers, 1.5 thousand combine harvesters and 4.3 thousand other agricultural machines and equipment (e.g. circular and chain saws, presses, manure spreaders, mowers, sprayers, seed sowing machines).

The National Labour Inspectorate also carried out educational and popularising initiatives to raise awareness of work-related hazards and accident risks. They were implemented **in cooperation with many partners**, first and foremost with: the Farmers' Social Insurance Fund, farming advisory centres, farming chambers, church-related organisations, heads of villages, school superintendents, schools and universities, Ministry of Agriculture and Rural Development, Agency for the Restructuring and Modernisation of Agriculture, local self-government authorities. The forum for information exchange and cooperation have been provincial and county commissions for work safety and health in farming.

The NLI arranged 125 **competitions**, in which approx. **3.7 thousand farmers** took part. **14.6 thousand children and young persons from rural areas** enrolled for 233 knowledge competitions and contests on OSH. Moreover, 150 artistic competitions were organised for **14.4 thousand of the youngest inhabitants of villages**.

976 private farms took part in the **"Safe Farm"** competition. Winners were selected at provincial and national levels.

The National Labour Inspectorate's educational activity for inhabitants of villages covered persons of all age groups. During various mass events for farmers, the Labour Inspectorate organised **167 information and promotional stands**, which were visited, according to estimates, by almost 52 thousand persons. Labour inspectors provided **3.5 thousand pieces of advice** on technical aspects of work safety, legal aspects, including the issue of engaging juveniles at work, as well as safe life and stay of children and adults on farms.

344 **OSH training** meetings were organised for almost **8.5 thousand private farmers**, **117 lectures** were given for **3.1 thousand students of agricultural schools** and **504 talks** were organised for **22.2 thousand children** from primary schools and gymnasiums in villages.

Caring for safety of the youngest, NLI's inspectors also gave 143 **informal talks (for 6 186 children** in total) in periods free from school, at scouting camps, summer and winter holiday camps.

7. Educational programme "Safety culture"

The objective of educational programme "Safety culture", targeted at students of post-gymnasium schools and universities, is to prepare them properly for safe performance of work and to disseminate basic knowledge of labour law. In 2012, **VI edition of the programme** was carried out **in cooperation** with the Central Institute for Labour Protection – National Research Institute, educational boards, schools and universities.

In the school year 2011/2012, **345 post-gymnasium schools** all across Poland enrolled for the programme (the largest number from Subcarpathian, Opole and Łódź Provinces), and **903 teachers** got involved in it. Classes run by those teachers were attended by over **45 thousand students** of post-gymnasium schools.

At universities, the programme was implemented in the form of lectures and seminars, which were attended by 3 022 persons in total.

In years 2006-2012, over **230 thousand** students of post-gymnasium schools and universities attended classes devoted to labour protection topics, held within the framework of the programme.

Moreover, in 2012 a **social communication campaign titled “A safe start”** was implemented with the objective to make students of schools and universities interested in acquiring basic knowledge of labour law and work safety rules.

8. Preventive programme for micro-companies “Obtain NLI’s diploma”

The Labour Inspectorate continued the programme “Obtain NLI’s diploma”, which serves to improve working conditions in the smallest companies.

In the reporting year, preventive, communication and educational activities covered 1 687 employers, and **1 187** of them **enrolled for the programme to improve working conditions**, based on self-inspection according to NLI’s specialist questionnaire and implementation of changes to adjust the conditions to labour law provisions. After audit inspections conducted by labour inspectors, **523 employers obtained NLI’s diplomas**.

In years 2008-2012, 5 359 employers enrolled for the programme, and 2 008 of them obtained NLI’s diplomas.

In the reporting year, to verify observance of labour law, the Labour Inspectorate inspected 185 employers who in years 2008-2009 obtained NLI’s diplomas. Only in 15% of those companies, labour inspectors imposed fines in connection with identified irregularities. Inspection results give grounds to conclude that **majority of enterprises which were the programme winners achieved a permanent improvement of work safety and observance of labour law**.

9. Communication campaign “Know your rights at work”

In 2012, the National Labour Inspectorate implemented the II stage of the communication campaign **“Know your rights at work”**. Its objective is to promote knowledge of labour law and culture of legal compliance in labour relations, to make employers aware of the regulatory influence of labour law on higher standard of work and life, improved interpersonal relations and higher effectiveness of company activities.

The project was supported by many partners, among others by: the Government Plenipotentiary for Equal Treatment, the Ombudsman, the Polish Organisation of Employers of the Disabled, All-Poland Alliance of Trade Unions, Independent Self-Governing Trade Union “Solidarity”, Trade Unions Forum, Polish Craft Association, Voluntary Labour Corps, as well as mass media sponsors: Radio PIN, TVP INFO, Gazeta Praca.pl, periodicals “Atest. Ochrona Pracy”, “Przyjaciel przy Pracy” “Promotor BHP”, “Praca i Zdrowie”, and STRÖER company.

To direct popularisation activities to the largest possible number of target recipients, the NLI organised a communication campaign in the mass media under the slogan **“Labour law is a**

standard. Achieve success in compliance with provisions". In the reporting year, radio and TV spots were broadcast in October and November – in total there were 4.5 thousand broadcasts on TV and 120 on the radio. Additionally, inspired by the labour inspectorate, journalists published 150 press articles and produced 200 radio and TV programmes (also for regional and local stations) concerning the most important issues of labour law and legality of employment. The campaign message was also supported by known and respected public persons, who were the campaign ambassadors and persuaded people to contribute to legal observance in labour relations.

As results from surveys conducted after completion of the campaign in the mass media, **the TV campaign reached over 70% of the target group** – working population aged between 18 and 65 years.

A **series of training meetings and seminars** titled "How to popularise labour law in my circles; benefits of compliance with labour law" was prepared for the campaign partners. Important participants of training meetings and seminars were almost 2 thousand social labour inspectors, for whom 79 training events were organised.

Educational activities covered persons preparing to enter the labour market and job-seekers. They were provided with basic information on legal employment, including specific terms of employment based on labour law and employment based on civil law contracts. In cooperation with labour offices, training meetings were organised for persons looking for a job. 96 information meetings for almost 7 thousand individuals were held at vocational schools and universities.

During two years, over 33 thousand individuals participated in almost 600 campaign events, such as training sessions, meetings and other forms of education.

In connection with communication activities, in the reporting year new publications were developed, for example: "Forms of employment", "Temporary work", "Employment services", "New employee. Employer's duties". At present, the publication series "Know your rights at work" includes 14 titles (brochures and leaflets). During 2 years of the campaign period, the print run of publications devoted to issues of labour law was over 350 thousand copies (additionally, 220 thousand copies of NLI's publications were financed from EU funds within the framework of a partner project carried out together with the All-Poland Alliance of Trade Unions). All campaign publications have been placed on the NLI's website: www.pip.gov.pl as well as the campaign website" www.prawawpracy.pl.

10. Competitions, the Chief Labour Inspector's awards, participation in fairs, publishing and training activity

Competitions organised by the National Labour Inspectorate are aimed at showing and promoting examples of the best organisational and technical solutions in the area of work safety and health, promoting knowledge of the law and culture of law-observance in labour relations.

Each year, enterprises that achieved distinguished standards of work safety and health, compete for an honourable title in the competition "Employer – organiser of safe work". 197 enterprises enrolled for the competition (77 small, 75 medium-sized and 45 large ones). Out of that number, **9 employers were granted the statuette "Mecum Tutissimus Ibis"** by the Chief Labour Inspector.

Similar principles govern the competition for the construction sector titled "Build safely", organised at the level of District Labour Inspectorates. In total, 100 participants enrolled for it.

The NLI organised the “**Competition for juvenile workers**” (in cooperation with the Polish Craft Association) and a competition for the title of the “**Most active company social labour inspector**” – in cooperation with trade unions.

In 2012, the Chief Labour Inspector distinguished 9 persons – representing scientific circles, trade unions, government administration – with **Halina Krahelska’s award** for commendable achievements in the field of prevention of work-related hazards and popularisation of labour law. 20 representatives of all-Poland and regional newspapers, radio and TV stations were distinguished with awards for journalists for achievements in popularising labour protection issues.

In 2012, the Chief Labour Inspector also granted 21 medals for “Merits related to Labour Protection”, mainly to social labour inspectors.

NLI’s participation in sector **fairs and shows** serves the promotion of work safety standards and popularisation of knowledge of labour law. The most popular events include International Construction Fairs “BUDMA 2012” and International Fair of Work Safety, Fire-Fighting and Rescue Equipment “SAWO 2012”. During those fairs, the Labour Inspectorate organised a conference “Work safety in construction. The role and responsibility of supervising staff”, and an international seminar “Occupational risk assessment related to psychosocial factors and work accidents”.

In the reporting year, the National Labour Inspectorate prepared **49 publications**. The overall print run of leaflets, brochures and posters was **518.4 thousand copies**. The publications have always supported implementation of inspection and preventive tasks; they are a compendium of knowledge of legal protection of labour and the requirements of work safety and health. The NLI continued series of publications for branches with the highest level of hazards (construction and agriculture) and initiated a series focused on prevention aimed at protecting eyesight, hearing and respiratory tract of workers.

The number of persons visiting NLI’s websites is on the rise. In the reporting year, there was a record number of over 2.1 million visits and additionally 1 million visits to the Public Information Bulletin (PIB) website. On www.pip.gov.pl, the users most frequently looked for the Labour Code, legal comments and NLI’s publications; on PIB website they looked for information on legal advice over the phone and places of personal consultations.

Like in the previous years, **educational activity for social partners** was implemented both at the central and regional levels. **6 central training sessions** were organised for **201 social labour inspectors** – representatives of Independent Self-Governing Trade Union “Solidarity”, All-Poland Alliance of Trade Unions, “Budowlani Trade Union”, Association of Polish Teachers.

The National Labour Inspectorate also conducted training for employers’ organisations. **44 training events were attended by the total of 1404 representatives** of those organisations.

In cooperation with **self-government institutions** and **territorial structures of government administration**, training events were organised, among others, for staff of offices, students, OSH services, associations, Voluntary Labour Corps and Polish Scouting Organisation. The overall number of 12 699 persons attended 327 such training events.

Training to broaden and deepen the knowledge and skills necessary for appropriate and effective performance of the Labour Inspectorate's tasks is a priority area of the NLI's human resources management.

Training is carried out in the form of a preparatory course for candidates for labour inspectors, aimed at preparing them theoretically and practically for conducting inspection and supervisory activities, and in the form of professional upgrading training, covering various forms of continual training and professional specialization programmes.

In the reporting year **training courses for candidates for labour inspectors** were conducted in line with curriculum and organizational objectives, as specified in *the Internal Regulation 50/09 of the Chief Labour Inspector of 13 August 2009 on establishing the scope and mode of conducting a training course for candidates for labour inspectors*.

The courses held at the NLI's Training Centre were attended by a total of 112 candidates for labour inspectors, who participated in 4 training courses (no. 65, 66, 67, and 68). Following the completion of the course, powers of a labour inspector were bestowed upon 54 persons (courses no. 65 and 66 initiated in 2011). Participants of the 67th and 68th course will take their final examinations in 2013.

The second form of education, i.e. **professional specialization**, is carried out by NLI's employees' participation in training events scheduled in the central plan (for representatives of individual organizational units of the NLI) and by participation in external training events (offered by external training providers) as well as specialist symposia, conferences and workshops.

The schedule of **central training events** for 2012 comprised topics related to the NLI's activity programme and topics that were dubbed as priority topics by the management of the NLI's organizational units. Specialist training for named employees of the NLI was continued including courses for labour inspectors aspiring to receive a specialist title in 2012. A title list of possible theses was drawn up for candidates who enrolled at courses for a specialist title (14 different fields of specialization existing in the authority).

129 central training events were held in 2012.

Amongst the specialist courses (central ones) 14 events provided the opportunity to obtain a **specialist title**. Additionally, employees aspiring to obtain a specialist title in one of the 9 fields developed their knowledge by way of a cued self-study. In the reporting period, upon passing final examinations, 73 persons obtained the title of a specialist or chief specialist.

Internal training conducted by organizational units of the NLI include issues such as: working time, legality of employment, protection of classified data, administrative proceedings, legal measures provided for in the *Act on the NLI*, investigation of work-related accidents, OSH in construction, requirements for machinery and equipment, governance controls, public procurement, liability for infringing upon public finances discipline, and liability of the State Treasury for damages caused by state officials, chancellery instructions, archiving, the rules and mode of submitting archived materials to the state archive.

Some 2200 employees of the National Labour Inspectorate were covered by internal training and training provided by individual organizational units of the labour inspectorate authority (in cooperation with other units, institutions and authorities). Moreover, 539 employees from all organizational units of the NLI attended **external training events, symposia, conferences, workshops and tutorial meetings**.

Just like in the previous years **the Training Centre of the National Labour Inspectorate named after Professor Jan Rosner in Wrocław** executed its own tasks laid out in the curricula of training courses for candidates for labour inspectors, specialist training for the NLI's employees and training events for social partners. Moreover, while executing its tasks related to popularizing knowledge and information and providing advice on labour law issues, the Training Centre in the reporting year held 38 training events for external partners which were attended by 1100 persons (employers, employees of OSH services, surveyors for OSH and ergonomics, employees of HR and personnel departments, and social labour inspectors).

The National Labour Inspectorate performs systematic work to ensure support of the authority's activity with **IT tools**. Owing to limited funds allotted to the NLI in the budget previous purchases of the IT equipment were only able to satisfy the most essential needs.

It should be mentioned that in 2010 work was commenced to build a uniform network-system-server structure which would form the basis for implementation of further IT-related projects. In the reporting year a tender was concluded for **construction of an extensive network for the NLI**. The construction of a new extensive network NLI WAN will be completed in 2013. Its structure is based upon 64 interconnected safety lines with the use of ciphered VPN routes (to ensure safe internet connection).

In the run-up to further developments in the IT project and to implementation of instructions contained in relevant regulations – the NLI has adopted a certain timeframe concerning IT-related actions to support the authority in execution of its statutory tasks.

The above issues have been specified officially in the *Plan for IT capacity building for the NLI in 2011-2013*, which includes among others:

- Building the NLI's vortal based on content management system (CMS) with the division into internet and intranet portals;
- Replacement of obsolete email system.

In 2012 a decision was taken to initiate two tendering processes for public procurement of: email system and the building of vortal. The first tendering process was concluded in 2012 and in the same year a **new email system** was implemented in the NLI.

The **Vortal** will constitute a modern tool for communication with both the external (the internet) and in-house addressees (intranet). It is worth noting that also hearing and visually impaired persons will be able to make use of the abundant contents of the NLI's website.

The tender for building of the Vortal was not concluded due to discrepancies between the bids and the specification of essential requirements of the tender – hence the tendering process was invalidated. A new tendering process was put out in December 2012.

Additionally, objectives were developed for building of an **integrated management support system** (a comprehensive financial and accounting system).

It should also be emphasized that continuous care for the safety and infallibility of the infrastructure and IT systems is a prerequisite for IT capacity building process within the NLI. This is best demonstrated by systematically improved **safety of data** being processed in IT systems. To this end specialist training events were organized for the NLI employees including, among others, the operation, configuration and problem-solving of Windows 2008 servers and training on data safety.

A new antivirus system purchased in 2012 is also conducive to the improvement of data safety.

In 2012 the National Labour Inspectorate fulfilled its obligations arising from Poland's membership in the European Union also in the scope of implementing the **European health and safety at work strategy for the period 2007-2012** with account taken of "Common principles for labour inspection in the area of health and safety at work" which were developed by the Committee of Senior Labour Inspectors and the so-called Lisbon strategy.

At the same time bilateral cooperation with foreign partners was conducted both at the central and regional level.

Cooperation with international institutions

✓ **The Committee of Senior Labour Inspectors**

The Committee of Senior Labour Inspectors (SLIC), which affiliates the heads of labour inspectorates across EU/EEA, constitutes a forum for discussion, exchange of experience and decision making in terms of **joint EU initiatives for the improvement of labour protection**.

Membership in the Committee of Senior Labour Inspectors entails the participation of the NLI management representatives in plenary meetings twice a year in countries which preside over the EU Council in a given year – in 2012 these were Denmark and Cyprus.

In May a delegation from the NLI attended the **62nd meeting of the SLIC Committee** in Copenhagen. The Thematic Day was held under the slogan "How do we ensure the biggest impact of our activities on H&S at work – using the resources that are available?". The conference was devoted to the exchange of experience and good practice concerning optimum use of available resources and enhanced effectiveness of EU labour inspectorates' actions at the time of economic crisis. Moreover, at the SLIC plenary meeting in Copenhagen the Committee made a decision to establish a new Working Group for the **Review of SLIC Activities**, whose task is to: evaluate the labour inspectors exchange programme; review annual national reports' template and consider ways of improving SLIC's noticeability in the public domain. **Poland volunteered to join the Group.**

The **63rd plenary of the SLIC** Committee and the Thematic Day titled "Workplace ergonomics" were held in Nicosia (Cyprus) in the second half of 2012. The meeting was attended by the Chief Labour Inspector. The Committee adopted its plan of work for 2013 - 2015. Some of the priorities comprised in the plan refer to raising awareness of OSH issues, optimization of workplace visits, and improving the evaluation of performance of labour inspectorates.

Additionally, in the reporting year representatives of the National Labour Inspectorate were involved in the work of the following **SLIC Working Groups**:

- ✓ Cross-border Enforcement of OSH Regulations,
- ✓ OSH Strategy for 2013-2030,
- ✓ Enforcement of EU legislation, and
- ✓ Machinery Directive (MACHEX).

In the reporting year the national coordinator of the **European Knowledge Sharing Site (CIRCA KSS)** took part in a training event in Luxembourg. Besides the issues connected with practical functioning of KSS, the agenda of the meeting also covered the rules of using the new internet platform of the European Commission operating under the name CIRCABC and availed of for the purpose of exchanging information between European labour inspectorates and for sharing *good practice* and problem solving.

A representative of the Chief Labour Inspectorate took part in a preparatory meeting of the **SLIC Working Group for Evaluation of the Spanish Labour and Social Insurance Inspectorate**, which was held in Luxembourg. She subsequently took part in a study visit of the Evaluation Team, whose task was to make a periodic evaluation of the labour inspection system in Spain in the context of “**Common principles for labour inspection in relation to health and safety in the workplace**” adopted by SLIC and their implementation by the Spanish labour inspection services.

In the reporting year representatives of the NLI participated in standing, central-level initiatives of technical nature in the framework of administrative cooperation, i.e. meetings of **Working Groups and Administrative Cooperation Groups (ADCO)** for Personal Protective Equipment Directive (89/686/EEC), Machinery Directive (2006/42/EC), Simple Pressure Vessels Directive (87/404/EEC) and Pressure Equipment Directive (97/23/EC).

Like in the previous years, the labour inspectorate took part in the **programme of exchanges between labour inspectorates** carried out by the Committee of Senior Labour Inspectors and financed from the European Commission resources. In 2012 three exchange visits were pulled off between labour inspectorates from Denmark, France and the Czech Republic.

In order to further explore the idea of sharing **good practice** with inspection services in other countries in the framework of **legality of employment** but also to improve administrative cooperation between Member States with regard to implementation of the Directive 96/71/EC – a representative of the NLI continued working on the **Committee of National Experts for the Posting of Workers**. Moreover, NLI’s experts attended a training event regarding the posting of workers module within the *Internal Market Information Exchange System (IMI)*, which was held in Brussels.

The leading topic of the XVI meeting of the **International Network of Training Institutes on Labour Relations (RIIFT from French)** was the “Role of training institutions in promoting the rules of equity at work and social justice”. In the course of the meeting in Tunis, a delegation from the Training Centre of the National Labour Inspectorate, affiliated with the RIIFT network, made a presentation on the activity of our institution and the training activity of the Centre (OS PIP).

The NLI also continued bilateral cooperation with inspectorates of individual Member States of EU/EEA.

The predominant objective of the National Labour Inspectorate’s activity is to achieve a lasting improvement of compliance with the labour law. Therefore, it is vitally important to shape appropriate attitudes towards **safe lifestyle** in the society, and to react in a consistent manner to all cases of infringements upon the existing legislative norms. The National Labour Inspectorate’s undertakings of informative and educative nature are continually gaining significance as are the initiatives aimed to directly encourage employers to review their working environment conditions and improve legal compliance. These are carried out in cooperation with numerous social partners – employers’ organizations, trade unions, institutions and associations concerned with labour protection issues; through the agency of general contractors, supply chains (e.g. suppliers, subcontractors, end users) and with the use of mass media. **Communication campaigns** conducted in this manner make it possible to raise awareness of labour law provisions and shape work safety culture in a far more extensive and effective way. Mass media communication encourages one to become familiarized with information on the training offer and programmes for improvement of working conditions; to make use of available checklists, richly illustrated guides containing examples of *good practice*, dissertations on

labour law provisions along with case studies and court rulings. The labour inspectorate makes every effort to make its guidance and training publications on selected labour law issues as useful and practical as possible. **Every year the number of employers willing to take advantage of the NLI's assistance is growing.** As survey results show, the programmes for improvement of working conditions are appraised positively by the target groups and they often lead to a lasting improved protection of man in the working conditions.

In the context of problems presented in the Report – besides conclusions contained in its consecutive chapters – one should find the following recommendations as particularly worthwhile:

- To continue **inspection and supervisory activity** in workplaces, branches and economic sectors where the risk of losing one's life or health is still the highest and where the scale of pathology in labour relations is the largest;
- To use **various methods of influence** and available legal instruments with respect to inspected entities, in line with the following criteria: determined risk category, (based on the number of persons injured in workplace accidents, including fatal and serious accidents), the scale of employment and the duration of economic activity of a certain type;
- To enhance **cooperation with other public services**, especially with the Social Insurance Institution and fiscal authorities, in order to increase the efficiency and effectiveness of fighting **illegal employment** phenomenon and entrusting any other illegal type of paid work;
- To perfect the **programmes for prevention**:
 - aimed at prevention of accidents in the workplace, including among others, raising awareness of outcomes of analyses based on investigations of circumstances and causes of workplace accidents,
 - facilitating the adjustment of workplaces (for the interested employers) to labour law requirements with the assistance of the NLI;
- To continue and expand **communication and promotional campaigns** aimed at:
 - prevention of the most commonplace occupational hazards (like the hazard of falls from heights, noise, musculoskeletal disorders, psychosocial hazards, and stress in the workplace),
 - shaping desirable attitudes towards lawfulness in labour relations,
 - promoting the idea of legal employment amongst employers, also through instilling a belief that owing to effectiveness of actions taken by competent services as well as inescapability of punishment, illegal employment practices are uneconomical;
- To develop **toolkits to assist employers in proper preparation of workers to work** (especially during workstation specific training) which will be targeted at small employers and sectors typified by high intensity of hazards;
- To continue the implementation of **educational programme for students of post-gymnasium schools and university students** in cooperation with the Ministry of National Education, boards of education, schools and universities, in order to teach young people the basic knowledge of labour law;
- To further develop **cooperation with the mass media** which is of key importance for the promotion of labour protection as they provide timely information which assists the NLI in fast interventions with regard to infringements and, on the other hand, (as shown by survey results) they serve as the basic source of information in terms of labour law provisions both for employers and workers;
- While carrying out day-to-day inspection activity, also in the framework of **cooperation with social partners** – trade unions, and employers' organizations - to pay special attention to the issue of **involvement of workers**, including their employees, in actions for the improvement of safety and working conditions in companies;

- To support employers in introducing **systemic solutions in the OSH area**, to ensure the use of the most efficient measures for prevention of workplace accidents and occupational diseases.

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Annex 5 - Persons injured in work-related accidents per sectors of national economy (according to Central Statistical Office (GUS) data)

Annex 6 - Economic entities operating in Poland in 2012, according to the Polish Classification of Activity (PKD, equivalent of NACE)

Acts of law regulating the powers of the NLI's inspectors

No.	Title of the act	Published at:
1	Act of 13 April 2007 on the National Labour Inspectorate	Journal of Laws of 2012, item 404, with amendments
2	Act of 26 June 1974 - Labour Code	Journal of Laws of 1998, No. 21, item 94, with amendments
3	Act of 17 November 1964 - Code of civil proceedings	Journal of Laws No. 43, item 296, with amendments
4	Act of 6 June 1997 - Code of criminal proceedings	Journal of Laws No. 89, item 555, with amendments
5	Act of 24 August 2001 - Code of proceedings in misdemeanour cases	Journal of Laws of 2013, item 395
6	Act of 16 April 2004 on working time of drivers	Journal of Laws of 2012, item 1155
7	Act of 15 April 2011 on health care activity	Journal of Laws of 2013, item 217
8	Act of 19 December 2008 on bridging pensions	Journal of Laws No. 237, item 1656, with amendments
9	Act of 5 April 2002 on European works councils	Journal of Laws of 2012, item 1146
10	Act of 4 March 2005 on the European grouping of economic interests and a European company	Journal of Laws No. 62, item 551, with amendments
11	Act of 17 April 2006 on informing and consulting employees	Journal of Laws No. 79, item 550, with amendments
12	Act of 7 October 1999 on the Polish language	Journal of Laws of 2011, No. 43, item 224, with amendments
13	Act of 21 June 2002 on explosive materials for civil uses	Journal of Laws of 2012, item 1329
14	Act of 22 June 2001 on genetically modified organisms	Journal of Laws of 2007, No. 36, item 233, with amendments
15	Act of 25 October 1991 on organising and conducting cultural activity	Journal of Laws of 2012, item 406
16	Act of 17 June 1966 on enforcement proceedings in administration	Journal of Laws of 2012, item 1015, with amendments
17	Act of 23 May 1991 on sea-going merchant ships	Journal of Laws No. 61, item 258, with amendments
18	Act of 29 November 2000 - Nuclear law	Journal of Laws of 2012, item 264, with amendments
19	Act of 10 April 1997 - Law on energy	Journal of Laws of 2012, item 1059
20	Act of 13 September 2002 on biocidal products	Journal of Laws of 2007, No. 39, item 252, with amendments
21	Act of 20 April 2004 on the promotion of employment and labour market institutions	Journal of Laws of 2008, No. 69, item 415, with amendments
22	Act of 22 July 2006 on transferring money to benefit-payers for increasing salaries	Journal of Laws No. 149, item 1076, with amendments
23	Act of 27 August 1997 on professional and social rehabilitation and employment of the disabled	Journal of Laws of 2011, No. 127, item 721, with amendments
24	Act 23 May 1991 on settling collective disputes	Journal of Laws No. 55, item 236, with amendments
25	Act of 15 June 2012 on the effects of entrusting work to foreigners staying in the territory of Poland contrary to legal provisions	Journal of Laws item 769

26	Act of 24 June 1983 on social labour inspection	Journal of Laws No. 35, item 163, with amendments
27	Act of 22 July 2006 on European cooperatives	Journal of Laws No. 149, item 1077, with amendments
28	Act of 25 February 2011 on chemical substances and their mixtures	Journal of Laws No. 63, item 322, with amendments
29	Act of 2 July 2004 on the freedom of economic activity	Journal of Laws of 2010, No. 220, item 1447, with amendments
30	Act of 30 August 2002 on the conformity assessment system	Journal of Laws of 2010, No. 138, item 935, with amendments
31	Act of 11 August 2001 on special rules of reconstruction, repair and demolition of buildings destroyed or damaged in natural disasters	Journal of Laws No. 84, item 906, with amendments
32	Act of 6 September 2001 on road transport	Journal of Laws of 2012, item 1265, with amendments
33	Act of 30 October 2002 on social insurance in case of work accidents and occupational diseases	Journal of Laws of 2009, No. 167, item 1322, with amendments
34	Act of 25 April 2008 on employees' participation in a company established by cross-border fusion of companies	Journal of Laws No. 86, item 525
35	Act of 22 June 2001 on economic activity related to production and sales of explosives, arms, ammunition, goods and technologies intended for army or the police	Journal of Laws of 2012, item 1017, with amendments
36	Act of 17 October 2003 on underwater works	Journal of Laws No. 199, item 1936, with amendments
37	Act of 4 March 1994 on funds for social benefits in companies	Journal of Laws of 2012, item 592, with amendments
38	Act of 9 July 2003 on the employment of temporary workers	Journal of Laws No. 166, item 1608, with amendments
39	Act of 22 October 2010 amending the Act on health care units	Journal of Laws No. 230, item 1507
40	Act of 23 May 1991 on trade unions	Journal of Laws of 2001, No. 79, item 854, with amendments
41	Act of 21 December 2000 on inland navigation	Journal of Laws of 2006, No. 123, item 857, with amendments

the legal status as of 31 March 2013

A. THE NUMBER OF EMPLOYEES OF THE NATIONAL LABOUR INSPECTORATE IN 2012

Specification	National Labour Inspectorate			
	Total	Number of staff of the Chief Labour Inspectorate	Number of staff of District Labour Inspectorates	Number of staff of NLI's Training Centre in Wrocław
Total, including:	2 758	196	2 503	59
managerial staff, excluding chief accountants	25	22		3
inspectors in managerial positions (District Labour Inspectors and their Deputies)	48		48	
principal labour inspectors – subdistrict managers	42		42	
other inspectors	1 544		1 544	
trainee inspectors	57		57	
specialists not performing inspection activities	465	106	348	11
workers analysing and registering labour inspectors' activities	201	27	164	10
financial services, including chief accountants	85	11	69	5
administrative workers	208	25	175	8
maintenance workers	83	5	56	22

B. THE AGE AND EDUCATION STRUCTURE AND THE EMPLOYMENT RECORD OF THE NLI'S EMPLOYEES

Specification	number of persons	percentage of all employees
AGE		
under 30 years	157	5,7
31-40 years	756	27,4
41-50 years	809	29,3
51-60 years	724	26,3
over 60 years	312	11,3
EDUCATION		
ACADEMIC, including:	2 448	88,7
legal	629	22,8
administrative	251	9,1
technical	1 085	39,3
other faculties	483	17,5
COLLEGE	55	2
SECONDARY	203	7,4
VOCATIONAL	39	1,4
PRIMARY	13	0,5
PERIOD OF WORK IN THE NLI		
shorter than 5 years	772	28
6-10 years	377	13,7
11-15 years	621	22,5
16-20 years	530	19,2
21-25 years	264	9,6
26-30 years	131	4,7
over 30 years	63	2,3

Statistical data on the National Labour Inspectorate's activity in 2012 – inspections and legal measures
(per sectors of the national economy, according to PKD – equivalent of NACE)

Specification	NUMBER OF								
	inspections	decisions				decisions ordering to cease economic activity ²⁾	improvement notices ³⁾	instructions in improvement notices	oral instructions ⁴⁾
		including:							
	total ¹⁾	those ordering to stop work activities	those ordering to transfer a worker to other tasks	those ordering to pay financial benefits					
TOTAL, including:	89 949	320 132	8 089	4 296	10 063	24	60 758	310 768	9 189
1. Agriculture and forestry	1 919	8 242	176	165	100	1	1 329	6 386	205
2. Mining and quarrying	463	2 379	30	17	146	0	297	1 208	58
3. Industrial processing	19 383	96 451	1 564	712	2 989	7	13 429	65 895	2 030
4. Power production ^{a)}	410	1 809	23	14	27	0	260	1 031	37
5. Water supply ^{b)}	1 210	7 094	64	46	68	2	832	4 261	184
6. Construction	18 642	76 815	5 420	2 792	2 291	0	10 361	46 186	1 361
7. Trade and repairs ^{c)}	23 176	75 759	415	299	1 508	4	16 943	91 749	2 477
8. Transport and warehouse management	4 171	7 880	74	56	659	6	3 035	18 078	457
9. Hotels and restaurants ^{d)}	3 576	9 996	47	24	252	1	2 652	16 114	445
10. Information and communication	793	1 378	3	5	171	0	504	2 559	61
11. Finances and insurance ^{e)}	834	931	8	3	84	0	590	2 970	70
12. Real estate management	919	2 731	48	22	102	0	625	3 128	100
13. Professional activity ^{f)}	2 104	4 642	95	47	450	1	1 401	7 200	226
14. Administration services ^{g)}	3 348	4 538	63	48	352	0	2 137	9 576	266
15. Public administration ^{h)}	1 056	1 751	2	7	10	0	604	2 645	134
16. Education	2 852	6 298	11	16	333	0	2 184	10 904	381
17. Health care and social work	2 036	4 113	7	5	292	1	1 530	8 554	270
18. Culture, entertainment and recreation	920	2 525	16	8	66	0	607	3 331	121
19. Other service activities	2 039	4 751	22	8	163	1	1 434	8 984	302
20. Households ⁱ⁾	1	0	0	0	0	0	1	3	0
21. Exterritorial organisations ^{j)}	1	0	0	0	0	0	0	0	0
22. Unspecified activity	96	49	1	2	0	0	3	6	4

^{a)} Production and supply of electricity, gas, water

^{b)} Water supply: sewage, waste, reclamation

^{c)} Retail and wholesale trade; repair of cars including motorcycles

^{d)} Activity related to hotels and restaurants

^{e)} Financial and insurance activity

^{f)} Professional, scientific and technical activity

^{g)} Activity related to administration and support activity

^{h)} Public administration and national defence; obligatory social insurance

ⁱ⁾ Households employing workers, producing goods and providing services for their own needs

^{j)} Exterritorial organisations and teams

¹⁾ total number of decisions issued by labour inspectors by virtue of art.11 point 1, 2, 3, 4, 6, 6a, 7 of the "Act on NLI";

²⁾ number of decisions issued by District Labour Inspectors by virtue of art.11.5 of the "Act on NLI";

³⁾ number of improvement notices issued by labour inspectors by virtue of art.11.8 of the "Act on NLI";

⁴⁾ number of orders issued by labour inspectors by virtue of art.11.8 of the "Act on NLI".

Source: NLI's data

Statistical data on the National Labour Inspectorate's activity in 2012 – inspections and legal measures
(per the number of employees)

Specification	NUMBER OF									
	inspections	decisions					decisions ordering to cease economic activity ²⁾	improvement notices ³⁾	instructions in improvement notices	verbal instructions ⁴⁾
		total ¹⁾	including:							
			those ordering to stop work activities	those ordering to transfer a worker to other tasks	those ordering to pay financial benefits					
TOTAL, including enterprises employing:	89 949	320 132	8 089	4 296	10 063	24	60 758	310 768	9 189	
1. 1 - 9	49 722	170 593	5 098	2 720	3 715	14	32 019	164 832	4 675	
2. 10 - 49	24 682	96 855	2 058	1 104	3 730	2	17 709	94 435	2 980	
3. 50 - 249	10 814	39 309	656	374	1 972	2	7 757	37 659	1 189	
4. 250 and more	4 731	13 375	277	98	646	6	3 273	13 842	345	

¹⁾ total number of decisions issued by labour inspectors by virtue of art. 11 point 1, 2, 3, 4, 6, 6a, 7 of the "Act on NLI";

²⁾ number of decisions issued by District Labour Inspectors by virtue of art. 11.5 of the "Act on NLI";

³⁾ number of improvement notices issued by labour inspectors by virtue of art. 11.8 of the "Act on NLI";

⁴⁾ number of verbal instructions issued by labour inspectors by virtue of art. 11.8 of the "Act on NLI".

Source: NLI data

Statistical data on the National Labour Inspectorate's activity in 2012 – inspections and legal measures
(per the forms of ownership)

Specification	NUMBER OF									
	inspections	decisions					decisions ordering to cease economic activity ²⁾	improvement notices ³⁾	instructions in improvement notices	verbal instructions ⁴⁾
		total ¹⁾	including:							
			those ordering to stop work activities	those ordering to transfer a worker to other tasks	those ordering to pay financial benefits					
	TOTAL, including:	89 949	320 132	8 089	4 296	10 063	24	60 758	310 768	9 189
1.	Total public sector^{a)}, by forms of ownership:	7 458	21 275	157	83	646	8	5 239	25 028	1 013
	1. state	1 802	5 247	73	21	251	6	1 067	4 153	188
	2. self-government	5 364	14 944	65	58	304	2	3 975	20 025	805
	3. mixed	292	1 084	19	4	91	0	197	850	20
2.	Total private sector^{b)}, by forms of ownership:	82 356	298 606	7 923	4 206	9 417	16	55 494	285 654	8 170
	1. national private	74 361	271 773	7 375	3 926	8 120	15	50 224	260 740	7 498
	2. foreign private	4 154	12 861	212	136	404	0	2 845	13 637	359
	3. mixed private	3 841	13 972	336	144	893	1	2 425	11 277	313
3.	Mixed balanced sector^{c)}	10	41	0	0	0	0	5	19	0
4.	Unspecified ownership	125	210	9	7	0	0	20	67	6

^{a)} **public sector** comprises entities owned by the state, territorial authorities, and entities with the majority of the public sector capital;

^{b)} **private sector** comprises economic entities that make national and foreign private property, or property with the majority of private capital;

^{c)} **mixed balanced sector** comprises mixed ownership with an equal share of private and public sector ownership.

1) total number of decisions issued by labour inspectors by virtue of art.11 point 1,2,3,4,6, 6a, 7 of the "Act on NLI";

2) number of decisions issued by District Labour Inspectors by virtue of art. 11.5 of the "Act on NLI";

3) number of improvement notices issued by labour inspectors by virtue of art. 11.8 of the "Act on NLI";

4) number of verbal instructions issued by labour inspectors by virtue of art. 11.8 of the "Act on NLI".

Source: NLI data

**Statistical data on the National Labour Inspectorate's activity in 2012 – offences and crimes
against the rights of persons performing paid work**

(per sectors of the national economy, according to PKD – equivalent of NACE)

Specification		NUMBER OF							
		identified offences				applied legal measures			notifications of crimes sent to prosecutors' offices
		total	including:			imposed punishment tickets	penalty motions filed with courts	applied disciplining measures	
those penalised with punishment tickets	those mentioned in penalty motions to courts		those covered by disciplining measures						
	TOTAL, including:	88 616	49 429	12 758	26 429	18 906	3 843	15 261	987
1.	Agriculture and forestry	1 970	1 261	182	527	424	76	305	18
2.	Mining and quarrying	458	354	21	83	158	9	57	10
3.	Industrial processing	18 468	10 590	2 667	5 211	3 966	773	2 895	190
4.	Power production ^{a)}	230	150	16	64	63	9	45	4
5.	Water supply ^{b)}	990	570	77	343	224	35	182	9
6.	Construction	24 710	15 866	3 262	5 582	6 393	962	3 371	288
7.	Trade and repairs ^{c)}	20 730	10 458	2 567	7 705	3 779	770	4 313	174
8.	Transport and warehouse management	4 785	2 933	830	1 022	1 074	217	613	71
9.	Hotels and restaurants ^{d)}	4 190	1 895	878	1 417	681	259	818	43
10.	Information and communication	770	396	162	212	154	46	126	12
11.	Finances and insurance ^{e)}	624	313	85	226	122	31	135	12
12.	Real estate management	679	337	93	249	134	31	146	12
13.	Professional activity ^{f)}	1 962	946	467	549	390	132	333	42
14.	Administration services ^{g)}	2 397	1 211	552	634	515	189	443	43
15.	Public administration ^{h)}	309	105	41	163	40	13	94	1
16.	Education	1 401	440	188	773	188	68	449	13
17.	Health care and social work	1 373	494	245	634	203	97	380	14
18.	Culture, entertainment and recreation	627	271	72	284	99	25	156	7
19.	Other service activities	1 924	829	346	749	295	95	398	19
20.	Households ⁱ⁾	1	0	0	1	0	0	1	0
21.	Exterritorial organisations ^{j)}	0	0	0	0	0	0	0	0
22.	Unspecified activity	18	10	7	1	4	6	1	5

^{a)} Production and supply of electricity, gas, water

^{b)} Water supply: sewage, waste, reclamation

^{c)} Wholesale and retail trade; repair of cars including motorcycles

^{d)} Activity related to hotels and restaurants

^{e)} Financial and insurance activity

^{f)} Professional, scientific and technical activity

^{g)} Activity related to administration and support activity

^{h)} Public administration and national defence; obligatory social insurance

ⁱ⁾ Households employing workers, producing goods and providing services for their own needs

^{j)} Exterritorial organisations and teams

**Statistical data on the National Labour Inspectorate's activity in 2012 – offences and crimes
against the rights of persons performing paid work**

(per the number of employees)

Specification		NUMBER OF							
		identified offences				applied legal measures			notifications of crimes sent to prosecutors' offices
		total	including:			imposed punishment tickets	penalty motions filed with courts	applied disciplining measures	
those penalised with punishment tickets	those mentioned in penalty motions to courts		those covered by disciplining measures						
	TOTAL, including enterprises employing:	88 616	49 429	12 758	26 429	18 906	3 843	15 261	987
1.	1 - 9	53 136	28 382	8 430	16 324	10 695	2 503	9 172	694
2.	10 - 49	23 490	13 977	2 797	6 716	5 218	830	3 944	178
3.	50 - 249	8 807	5 147	1 179	2 481	2 051	360	1 506	78
4.	250 and more	3 183	1 923	352	908	942	150	639	37

Source: NLI's data

**Statistical data on the National Labour Inspectorate's activity in 2012 – offences and crimes
against the rights of persons performing paid work
(per the forms of ownership)**

Specification		NUMBER OF							
		identified offences				applied legal measures			notifications of crimes sent to prosecutors' offices
		total	including:			number of imposed punishment tickets	penalty motions filed with courts	applied disciplining measures	
those penalised with punishment tickets	those mentioned in motions to courts		those covered by disciplining measures						
	TOTAL, including:	88 616	49 429	12 758	26 429	18 906	3 843	15 261	987
1.	Public sector^{a)} total, including:	3 630	1 411	399	1 820	598	155	1 052	26
	1. state	879	436	143	300	209	41	188	9
	2. self-government	2 563	903	211	1 449	354	99	825	14
	3. mixed	188	72	45	71	35	15	39	3
2.	Private sector^{b)} total, including:	84 921	47 970	12 352	24 599	18 288	3 682	14 203	955
	1. national private	77 907	43 777	11 331	22 799	16 542	3 363	13 039	877
	2. foreign private	3 546	2 134	440	972	902	147	613	34
	3. mixed private	3 468	2 059	581	828	844	172	551	44
3.	Mixed balanced sector^{c)}	3	0	0	3	0	0	1	0
4.	Unspecified ownership	62	48	7	7	20	6	5	6

^{a)} **public sector** comprises entities owned by the state, territorial authorities, and entities with the majority of the public sector capital;

^{b)} **private sector** comprises economic entities that make national and foreign private property, or property with the majority of private capital;

^{c)} **mixed balanced sector** comprises mixed ownership with an equal share of private and public sector ownership.

Source: NLI data

Persons injured in work-related accidents per sectors of the national economy
(according to data of the Central Statistical Office, GUS)

Sectors (sections in the Polish Classification of Activity, PKD*)	Year	Number of victims of work accidents			
		Total	Fatal	Serious	Minor
		in absolute numbers			
TOTAL	2010	94207	446	645	93116
	2011	97222	404	703	96115
	2012	91000	348	602	90050
Agriculture, forestry, hunting and fishing (A)	2010	1494	19	12	1463
	2011	1507	26	19	1462
	2012	1417	21	14	1382
Mining and quarrying (B)	2010	3175	26	24	3125
	2011	2908	29	22	2857
	2012	2687	26	12	2649
Industrial processing (C)	2010	31734	73	238	31423
	2011	33431	85	262	33084
	2012	30243	60	229	29954
Power, gas, steam, hot water production and supply, air supply for air-conditioning systems (D)	2010	1200	8	19	1173
	2011	1082	11	17	1054
	2012	1011	8	10	993
Water supply; waste management and remediation (E)	2010	1948	10	18	1920
	2011	2124	13	19	2092
	2012	2132	12	14	2106
Construction (F)	2010	9098	114	135	8849
	2011	9222	99	144	8979
	2012	8145	82	131	7932
Wholesale and retail sale, vehicle maintenance inclusive of motorcycles (G)	2010	11822	41	56	11725
	2011	11703	36	76	11591
	2012	11423	27	54	11342
Transportation and storage (H)	2010	6548	63	51	6434
	2011	6827	57	57	6713
	2012	6402	60	45	6297
Accommodation and gastronomy activities (I)	2010	1191	2	4	1185
	2011	1376	-	1	1375
	2012	1389	2	2	1385
Information and communication (J)	2010	617	6	4	607
	2011	617	4	2	611
	2012	549	4	5	540
Financial and insurance activities (K)	2010	977	4	2	971
	2011	985	-	4	981
	2012	1010	1	2	1007

Sectors (sections in the Polish Classification of Activity, PKD*)	Year	Number of victims of accidents at work			
		Total	Fatal	Serious	Minor
		in absolute numbers			
Real estate activities (L)	2010	1211	2	5	1204
	2011	1176	1	8	1167
	2012	1112	4	9	1099
Professional, scientific and technical activities (M)	2010	1420	7	7	1406
	2011	1424	1	7	1416
	2012	1267	8	5	1254
Administrative and support activities (N)	2010	3472	17	15	3440
	2011	4141	11	16	4114
	2012	3993	13	16	3964
Public administration and national defense, obligatory social insurance (O)	2010	4284	33	8	4243
	2011	4603	17	18	4568
	2012	4412	5	16	4391
Education (P)	2010	4690	9	18	4663
	2011	4641	4	12	4625
	2012	4724	6	14	4704
Health care and social assistance (Q)	2010	7826	8	19	7799
	2011	8057	6	10	8041
	2012	7699	7	13	7679
Culture, recreation and entertainment (R)	2010	903	2	5	896
	2011	904	2	8	894
	2012	911	1	8	902
Other services (S, T, U)	2010	903	2	5	896
	2011	904	2	8	894
	2012	474	1	3	470

(*) – Polish Classification of Activity (PKD) of 2007, equivalent of NACE

Source: data of the Central Statistical Office (GUS), 2010-2011 – final data, 2012 – non-final data

Economic entities operating in Poland in 2012, according to the Polish
Classification of Activity (PKD, equivalent of NACE)

Specification (PKD sections)	Entities for which work is performed (on the basis of employment contracts, civil law contracts)	Natural persons conducting economic activity, without employees
TOTAL	652 990	875 971
A. Agriculture, forestry and hunting	11 637	10 604
B. Mining and quarrying	1 227	565
C. Manufacturing	84 816	80 237
D. Production of electricity	1 106	768
E. Water supply	4 658	2 275
F. Construction	77 588	122 488
G. Trade, repairs	195 629	222 059
H. Transport and warehousing management	41 325	68 881
I. Hotels and restaurants	23 836	18 901
J. Information and communication	11 974	34 978
K. Finance and insurance	11 392	30 265
L. Real estate management	13 147	17 309
M. Professional activity	48 621	103 106
N. Administration services	15 409	27 590
O. Public administration	7 172	311
P. Education	31 705	20 044
Q. Health care and social work	27 869	60 670
R. Culture, entertainment and recreation	9 497	9 597
S. Other service activities	34 260	45 306
T. Households	2	4
U. Exterritorial organisations	120	13

Source: Specification based on data of the Social Insurance Institution (ZUS) about the number of active payers paying contributions to social insurance and the Labour Fund (as of December 2012).