

## POLISH STATE LABOUR INSPECTION AGREEMENTS: SUPPORTING OCCUPATIONAL SAFETY AND HEALTH COMPLIANCE (CASE PL2)

### 1 Introduction

Promotion of effective occupational safety and health (OSH) practices is a key element of safer and healthier workplaces. Improving arrangements and practices for managing OSH across a whole range of industry sectors and firm sizes — large, medium and small — is stimulated, supported and sustained by a range of institutional actors and processes both internal and external to firms. Scientific research highlights, among others, the critical role that state regulators for OSH, such as labour inspectorates but also prevention services, can play.<sup>1</sup> This case study is part of a research project<sup>2</sup> conducted in Poland to provide further insight into this topic.

The State Labour Inspection (PIP) actively participates in formalised collaborations with diverse entities, spanning both public and private sectors, facilitated through formal partnership agreements. PIP currently has formal agreements with 22 state authorities and institutions, alongside 12 agreements and declarations with social partners and NGOs. These agreements serve as frameworks for coordinated efforts to enhance workplace safety and ensure compliance with labour laws.

### 2 Description of the case

#### 2.1 Aims

The agreements aim primarily to facilitate collaboration with a broad spectrum of entities to enhance OSH compliance and workplace standards. The collaboration mandate is outlined in Article 14.1 of the 2007 Act on the State Labour Inspection, which commits PIP to collaborate with various entities, including trade unions, employers' organisations, public employment services, government bodies and law enforcement agencies.<sup>3</sup> The aim is to provide a structured framework and establish responsibilities between PIP and its partners.

The formal agreements established by the PIP can be categorised into two distinct types: those signed with national authorities and institutions, and those with non-governmental entities.<sup>4</sup> Each agreement category exhibits characteristics tailored to the specific nature of the collaborating parties, reflecting diverse objectives and cooperative frameworks delineated by the respective sectors' mandates and priorities.

#### 2.2 Organisations involved

National authorities, including law enforcement agencies, public service providers at the executive level, and regulatory and oversight bodies, have signed the agreements with PIP (Table 1 lists all the state institutions and national authorities with which PIP signed the agreements). These bodies take responsibility for implementing and enforcing regulations, ensuring public safety and health, and upholding labour and environmental standards. These agreements focus on collaborating with entities operating at a national scale. While PIP often cooperates with local authorities through its district branches (District Labour Inspectorates), it does not sign agreements with them directly, as noted in

<sup>1</sup> EU-OSHA – European Agency for Safety and Health at Work, *Improving compliance with occupational safety and health regulations: an overarching review*, 2021. <https://osha.europa.eu/en/publications/improving-occupational-safety-and-health-changing-world-work-what-works-and-how>

<sup>2</sup> The full report is available at: <https://osha.europa.eu/en/publications/polands-approach-supporting-occupational-safety-and-health-compliance-role-labour-inspectorate-and-prevention-services>

<sup>3</sup> Act of 13 April 2007 on the State Labour Inspection (Dz. U. 2007 Nr 89 poz. 589).

<sup>4</sup> The distinction between agreements considered by PIP as either with state authorities and institutions or with social partners and NGOs is guided by the classification outlined on PIP's website at: <https://www.pip.gov.pl/o-nas/wspolpraca/porozumienia-krajowe>

section 3.<sup>5</sup> Apart from national authorities, agreements with other entities span a diverse yet more limited range of organisations, including trade unions, industry associations, OSH organisations, professional bodies and employer federations (Table 2 lists all the non-state entities with which PIP signed the agreements). These agreements demonstrate a focused approach through collaboration with a specific set of social partners and a limited number of organisations dedicated to OSH.

In both agreement categories, not every entity contributing to the OSH landscape in Poland has a formal agreement. This absence doesn't mean there is no collaboration. Existing agreements provide a framework but do not fully indicate the extent or effectiveness of the cooperation. Detailed collaboration often exceeds these formal agreements, as further detailed in section 3.

## 2.3 What was done, and how?

### 2.3.1 Formal agreements with state institutions and national authorities

The formal agreements are usually 2-5 pages long documents that vary significantly in detail (Table 1 provides a simplified overview of the contents of those agreements). While some are broad overviews expressing the intent to collaborate (e.g. with the Central Anti-Corruption Bureau), others are elaborated documents outlining the scope and specifics of collaboration (e.g. with the Technical Inspection Authority). Typically, these agreements delineate the intention of cooperation at both central and local levels (meaning the collaboration between the Chief Labour Inspector and institution directors on a central level, and between District Labour Inspectorates and regional bodies of the institution on a local level). Additionally, it is common for the agreements to stipulate that they do not entail any mutual financial obligations between the parties. Any financial obligations arising from the agreement's implementation must be covered by the respective parties, ensuring they are responsible for their financial commitments.

In general, the agreements with state institutions entail mutual support geared towards the following:

- **Cooperation in inspections/reporting on irregularities:** Joint inspections are explicitly mentioned in some instances involving bodies such as the police or the Polish border guard. However, the collaboration does not always involve direct joint control activities. In those cases, entities agree to inform each other about identified violations within their respective competence areas, with the objective of the additional authority to conduct the inspection.
- **Cooperation in knowledge sharing:** Knowledge sharing aspects of agreements generally involve exchanging information, including reports, statistics and findings essential for ensuring compliance with labour law. This may encompass data necessary for the PIP to conduct inspections and strategically identify areas requiring greater attention. Additionally, they may entail sharing experiences derived from the parties' activities, information on research projects and their outcomes, and initiatives promoting OSH. Sometimes, these components of agreements also aim to enhance the qualifications of the institutions' employees through participation in accident prevention training activities related to OSH.
- **Cooperation in promotion:** Lastly, the agreed cooperation focused on promotional activities to enhance awareness and understanding of labour laws and OSH regulations. These cooperations could involve organising campaigns, workshops, seminars and conferences involving various stakeholders such as employers, employees, NGOs and other relevant parties. The overall goal is to foster a culture of compliance and responsibility towards ensuring safe and healthy working environments through joint partnerships in those promotional activities.

It is important to acknowledge that, as mentioned earlier, the specifics of these agreements vary significantly. Therefore, the categories presented are based on a general overview and may not accurately reflect a consistent approach among partners.

The table below presents a summary of the agreement contents.

<sup>5</sup> The agreements mention cooperation at the local level through the district branches of both the State Labour Inspection and other institutions, but no separate agreements are specified.

Table 1: PIP's agreements with national authorities

PIP's agreements with national authorities	Date of signing	Cooperation in inspections/ reporting on irregularities	Cooperation in promotion	Cooperation in knowledge sharing
The Central Institute for Labour Protection - National Research Institute (Centralny Instytut Ochrony Pracy – Państwowy Instytut Badawczy (CIOP-PIB))	10.06.2021		x	x
The Central Anti-Corruption Bureau (Centralne Biuro Antykorupcyjne)	31.01.2020	X	x	
Chief Sanitary Inspectorate (Główny Inspektorat Sanitarny)	15.01.2020	X	x	x
The Technical Inspection Authority (Urząd Dozoru Technicznego)	6.09.2019	X	x	x
Road Transport Inspection Office (Urząd Transportu Drogowego)	7.03.2019	X	x	x
The Polish Border Guard (Straż Graniczna)	10.12.2018	X	x	x
The Social Insurance Institution (ZUS) (Zakład Ubezpieczeń Społecznych)	5.11.2010	X	x	x
The National Public Prosecutor (Prokurator Krajowy)	6.11.2017	X		
The State Fund for Rehabilitation of Disabled People (Państwowy Fundusz Rehabilitacji Osób Niepełnosprawnych)	7.05.2013	X		
The State Fire Service (Państwowa Straż Pożarna)	12.03.2013	X	x	x
The Chief Inspectorate of Environmental Protection (Główny Inspektorat Ochrony Środowiska)	12.03.2013	X		x
The Chief Inspectorate of Building Control (Główny Inspektorat Nadzoru Budowlanego)	27.02.2013	X		x
The Higher Mining Authority (Wyższy Urząd Górniczy)	26.02.2013	X	x	x

PIP's agreements with national authorities	Date of signing	Cooperation in inspections/ reporting on irregularities	Cooperation in promotion	Cooperation in knowledge sharing
The Office of Technical Inspection (Urząd Dozoru Technicznego)	26.02.2013	X	x	x
The General Inspector for Personal Data Protection (Generalny Inspektor Ochrony Danych Osobowych)	14.12.2012	X		x
The Railway Transport Office (Urząd Transportu Kolejowego)	30.09.2011		x	x
The Internal Security Agency (Agencja Bezpieczeństwa Wewnętrznego)	27.05.2011	X	x	x
The Office of Competition and Consumer Protection (Urząd Ochrony Konkurencji i Konsumentów)	13.10.2010	X		x
The Supreme Audit Office (Najwyższa Izba Kontroli)	25.04.2005	X		x
The Ministry of Agriculture and Rural Development, the Agricultural Social Fund (KRUS), the National Union of Farmers, Circles and Agricultural Organisations, (...) (Ministerstwo Rolnictwa i Rozwoju Wsi, Kasa Rolniczego Ubezpieczenia Społecznego (KRUS), Krajowy Związek Rolników, Kółek i Organizacji Rolniczych, (...))	6.03.2001		x	
The Police (Policja)	11.12.2000	X		x

Source: Ecorys & NIOM,<sup>6</sup> based on the national agreements<sup>7</sup>

### 2.3.2 Agreements with social partners and NGOs

Equally important are PIP's agreements with social partners and occupational safety associations.<sup>8</sup> These agreements primarily focus on reporting observed irregularities, addressing pertinent labour law matters, and mirroring agreements with state institutions, jointly promoting OSH. However, their focus leans more towards safety-related initiatives. Therefore, some main themes of those agreements include:

- **Inspection and compliance:** Many agreements, such as with the All-Poland Trade Union and the Voluntary Labour Corps, prioritise inspection activities to ensure compliance with

<sup>6</sup> Nofer Institute of Occupational Medicine (Instytut Medycyny Pracy im. prof. dra med. Jerzego Nofera – NIOM).

<sup>7</sup> More information: <https://www.pip.gov.pl/o-nas/wspolpraca/porozumienia-krajowe>

<sup>8</sup> The Voluntary Labour Corps (Ochotnicze Hufce Pracy – OHP) is an organisation funded by the state budget. However, according to the classification on the PIP website, the agreement with the OHP falls into a category other than a national authority. Consequently, in this case study, we will follow PIP's perspective.

employment and OSH regulations, addressing unregistered work, migrant workers and remote work conditions.

- **Information and promotional initiatives:** Several agreements, including those with the Polish Development Fund and the Agreement for Safety in Construction, involve organising promotional events, symposiums and conferences to raise awareness and foster a safety culture among workers and employers.
- **Training and education:** A common theme across the agreements is the emphasis on developing and distributing educational materials and organising training programmes for workers, employers and safety inspectors, as seen in the collaborations with the Polish Craft Association and the Work Protection Association.
- **Youth and education:** Some agreements, such as with the Voluntary Labour Corps and the Association Union 'Mazowiecki LEADER', focus on educational programmes for youth in rural areas and other initiatives to improve OSH in agricultural settings and combat youth marginalisation.
- **Legislative work and policy development:** Exchanging information on workplace hazards and collaborating on reviewing drafts of legal acts related to OSH are also significant aspects, as seen in the cooperation with the National Association of Workers in Occupational Safety and Health Service.

However, as is the case for formal agreements with the state institutions, the details of the agreements discussed are diverse and distinct from one another. Consequently, the categories outlined provide a broad summary and might not perfectly capture each partnership's unique approaches and objectives.

The table below presents a summary of those agreements.

**Table 2: PIP's agreements with social partners and other national organisations**

PIP's agreements with social partners and other national organisations	Summary of the agreement
<p>The All-Poland Trade Union Agreement</p> <p>(Ogólnopolskie Porozumienie Związków Zawodowych)</p>	<p>The agreement specifies cooperation in inspection activities, training, and undertaking informational, promotional and preventive initiatives to improve labour conditions and safety. Both parties acknowledge the need to intensify their cooperation to address employment law violations, with a particular focus on issues such as flexible employment arrangements, unregistered work, migrant and newly hired employees, outsourcing, remote work, wage payments, working hours, legality of employment, and the operation of temporary work services and employment agencies. The cooperation will facilitate the statutory duty of collaboration during inspection activities at the workplaces, which includes sharing information about inspections, analysing feedback and informing about inspection outcomes. The agreement provides for the development and distribution of educational materials for social labour inspectors, advisory support for resolving labour protection problems, and collaboration on training programmes to enhance the skills and knowledge of social labour inspectors and trade union representatives. The parties commit to organising promotional events, developing and distributing informational materials, conducting symposiums and scientific conferences, participating in national and international projects, and undertaking initiatives that adapt prevention methods to changing social and economic conditions. This also includes engaging in informational and training actions for youth in educational institutions.</p>
<p>The Trade Unions Forum</p> <p>(Forum Związków Zawodowych)</p>	
<p>The Independent and Self-Governing Trade Union "Solidarity"</p> <p>(Niezależny Samorządny Związek Zawodowy "Solidarność")</p>	



PIP's agreements with social partners and other national organisations	Summary of the agreement
<p>The Polish Development Fund</p> <p>(Polski Fundusz Rozwoju S.A.)</p>	<p>The agreement between the PIP and the Polish Development Fund (Polski Fundusz Rozwoju S.A. – PFR) outlines a collaborative framework focused on the technical aspects of fulfilling obligations under the Act on Employee Capital Plans (PPK), enacted on 4 October 2018. The key provisions include data sharing and providing PIP with necessary data for inspecting compliance with the PPK-related obligations.</p>
<p>The Agreement for Safety in Construction</p> <p>(Porozumienie dla Bezpieczeństwa w Budownictwie)</p>	<p>The Letter of Intent, signed on 13 May 2019, marks a collaboration between the PIP and the Agreement for Safety in Construction signatories, a coalition of leading general contractors in the construction industry dedicated to enhancing OSH standards. This partnership seeks to elevate safety practices on construction sites, aiming to reduce accident rates and eliminate fatal incidents. Originating from an initiative by the Chief Labour Inspector in 2010, this cooperative effort focuses on accident prevention through a multifaceted strategy. Key initiatives include promoting a safety culture among workers and the public, local cooperation through the inclusion of agreement experts in safety councils, developing OSH materials for workers, sharing knowledge and best practices, and initiating preventive actions across relevant organisations.</p>
<p>The Polish Craft Association</p> <p>(Związek Rzemiosła Polskiego)</p>	<p>The agreement signed on 6 March 2013, establishes a framework for enhancing work safety culture among craft (micro-, small- and medium) enterprises. Key areas of cooperation include adapting prevention methods to current social and economic conditions, exchanging information on workplace hazards and compliance with labour laws, and increasing knowledge among employers and employees in the craft industry. The agreement emphasises the importance of joint informational, promotional and preventive initiatives to raise awareness and foster a safety culture. Activities outlined in the agreement involve the development of educational materials, the organisation of seminars and workshops, and the execution of campaigns and contests to promote safety and health at work. Additionally, it seeks to leverage the media and digital platforms to disseminate information and best practices in labour protection.</p>
<p>The Work Protection Association</p> <p>(Stowarzyszenie Ochrony Pracy)</p>	<p>This partnership includes the mutual exchange and sharing of information on OSH issues, particularly regarding ongoing initiatives and actions being implemented. Key elements of the cooperation involve collaborating on developing annual and long-term action programmes and exchanging thematic reports and assessments on performed and other thematic activities. The parties agree to collaborate on reviewing drafts of legal acts related to occupational safety, inviting representatives from PIP to the association's meetings, and vice versa for conferences and events organised by PIP. Parties also commit to mutually sharing bulletins and newsletters.</p>

PIP's agreements with social partners and other national organisations	Summary of the agreement
<p>The Association Union "Mazowiecki LEADER"</p> <p>(Związek Stowarzyszeń "Mazowiecki LEADER")</p>	<p>The key agreements include a mutual commitment to enhance the effectiveness of activities related to OSH in agriculture through collaborative efforts. Both parties express interest in jointly organising training for their members, representatives and residents within the operational areas. There is a shared intention to cooperate in preparing and implementing projects financed by European funds, with the understanding that separate agreements will govern each party's obligations in these projects. The declaration also emphasises support for youth education programmes in rural areas and other initiatives to improve OSH in agricultural settings. Both parties agree to equip the local action group offices operating in the Mazovia region with informational and educational materials to promote OSH.</p>
<p>Voluntary Labour Corps</p> <p>(Ochotnicze Hufce Pracy)</p>	<p>The agreement sets forth a cooperative framework to enhance the protection of young workers' employment and health within the scope of programmes to combat youth marginalisation and social exclusion. This partnership is grounded in a mutual commitment to exchange information, develop and implement training programmes on labour laws and safety regulations, and create educational materials promoting safe working practices for youth. Central to this agreement is the collaboration on both central and provincial levels, facilitating targeted inspections of employers who hire young workers and fostering a culture of compliance and safety in workplaces affiliated with the Voluntary Labour Corps. Through this agreement, both parties aim to significantly improve young workers' working conditions and safety awareness, ensuring their protection and wellbeing in the workforce.</p>
<p>Polish Confederation of Private Employers</p> <p>(Polska Konfederacja Pracodawców Prywatnych)<sup>9</sup></p>	<p>The agreement establishes a collaborative framework for labour protection, emphasising the importance of adequate employment relation protection, workplace safety and the prevention of occupational hazards. It focuses on adapting preventive methods to evolving conditions, exchanging information on workplace hazards, compliance with labour laws and enhancing employer knowledge of safety regulations. The agreement promotes joint informational and promotional activities, including training support, developing educational materials and organising events to raise safety awareness. It also highlights the necessity of regional cooperation to address local needs in labour protection, thereby fostering a culture of safety across workplaces.</p>
<p>National Association of Workers in Occupational Safety and Health Service</p> <p>(Ogólnopolskie Stowarzyszenie Pracowników Służby Bezpieczeństwa i Higieny Pracy)</p>	<p>The declaration aims to ensure adequate protection in the workplace, recognising the need for collaboration in establishing safe and ergonomic work conditions. This partnership focuses on developing joint initiatives to adapt preventive methods in labour protection to evolving social and economic conditions, exchanging information on workplace hazards, sharing proposals for legislative work in safety and health, and enhancing knowledge among OSH workers. Forms of cooperation include consulting on training materials, participating in seminars, symposiums and conferences, and sharing views in each other's publications to promote safe work practices. Cooperation will occur at the central level, between the heads of each organisation, and the regional level, between branch presidents and district labour inspectors, with periodic reviews of the declaration's implementation. The agreement underscores a commitment to improving workplace safety and health standards through collaborative efforts.</p>

<sup>9</sup> Currently renamed as the Polish Confederation Lewiatan (Konfederacja Lewiatan).

PIP's agreements with social partners and other national organisations	Summary of the agreement
Federation of Scientific and Technical Associations NOT  (Federacja Stowarzyszeń Naukowo-Technicznych NOT)	The agreement was signed to address OSH issues and emphasises cooperation at both central and regional levels. It aims to enhance educational efforts in disseminating safety regulations through training, seminars and the creation of specialised studies, as well as initiating research projects related to workplace safety. Additionally, the agreement includes sharing publications to exchange experiences in safety compliance and recommending its implementation across relevant organisational units. This collaboration seeks to promote a culture of safety and knowledge across various sectors represented by the federation.

Source: Ecorys & NIOM, based on the national agreements<sup>10</sup>

### 2.3.3 Degree of innovation

The agreements between PIP and a variety of organisations and institutions, though not characterised by innovation in the traditional sense, play an important role in enhancing OSH through strengthened partnerships and cooperation. These agreements build upon the obligations outlined in the 2007 Act on the State Labour Inspection, specifically regarding the necessity for collaborative inspection and prevention efforts. They serve as a legal or strategic framework for advancing OSH standards across multiple sectors, essentially formalising intentions and providing actionable collaboration roadmaps. As stated in many preamble sections of agreements with state institutions and national authorities, these agreements are signed with the purpose of executing tasks mandated by law,<sup>11</sup> thereby translating legal provisions into a more tangible and common understanding of cooperation. By formalising these partnerships, the agreements provide a more structured approach for information exchange, educational programme development, and the implementation of preventive strategies to foster safer work environments, extending beyond what is already stipulated in regulations. While the innovative aspect of these agreements may be limited, their significance in promoting cooperation and enhancing OSH practices cannot be overlooked. They exemplify a joint effort to utilise existing legal and organisational frameworks to improve workplace safety outcomes.

## 3 Results

### 3.1 What was achieved?

The discussed agreements establish a legal framework for cooperation and represent a mutual expression of willingness to collaborate. However, it is difficult to quantify the practical implementation of these cooperative efforts, particularly in domains like promotion and knowledge sharing. The nature of cooperation is inseparably tied to the unique needs, duties and interrelationships among the participating entities.<sup>12</sup> These implicit factors, which are not detailed within the agreements themselves, significantly influence the actual execution of collaborative activities. 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.

#### 3.1.1 Cooperation in inspections and knowledge sharing

Within the context of agreements with national authorities, a common theme is the mutual exchange of information about identified irregularities and the conduct of joint inspections. The specific volume and type of shared information on irregularities and other data remain undisclosed. While informing about

<sup>10</sup> More information: <https://www.pip.gov.pl/o-nas/wspolpraca/porozumienia-krajowe>

<sup>11</sup> For example, the preamble in agreement between PIP and the Chief Sanitary Inspector states that the agreement of 15 January 2020 was concluded in order to carry out the tasks specified in the Act of 13 April 2007 on the State Labour Inspection (Journal of Laws of 2019, item 1251) and in the Act of 14 March 1985 on the State Sanitary Inspection (Journal of Laws of 2019, item 59), and in accordance with § 1 para. 1 point 1 and § 2 para. 1 of the regulation of the Prime Minister of 28 December 2007, on the procedure and forms of cooperation of certain authorities with the State Labour Inspection in the field of OSH and the legality of employment (Journal of Laws, item 1870).

<sup>12</sup> Interview with the PIP representatives, December 2023.



irregularities or areas of OSH concern is a common practice, both from the side of the national authorities and other bodies, the effectiveness of the agreements in facilitating the flow of information is a complex and multifaceted issue. The flow of information in those instances can happen on different levels, from formal channels (in the case of national authorities)<sup>13</sup> to sharing concerns through other non-formal channels, such as meetings and conferences.

On the other hand, PIP's Annual Activity Reports detail the frequency of joint inspections. These figures reveal that the highest number of joint inspections is undertaken with partners — the police and the Polish border guard — equipped with the necessary resources to facilitate PIP's efforts in enforcing OSH compliance.<sup>14</sup> Conversely, for other institutions, joint operations are markedly lower, sometimes non-existent.<sup>15</sup> This pattern highlights that while the agreements lay the groundwork for collaboration, the actual extent of such cooperative actions is primarily influenced by the specific needs and responsibilities of the respective authorities.<sup>16</sup>

### 3.1.2 Cooperation in promotion

The efforts to promote workplace safety extend beyond those entities that have a formal agreement in place. Also, there is not necessarily a direct correlation between the number of joint promotional activities conducted by PIP and the organisations with which it has signed formal agreements — the presence of a formal agreement does not automatically lead to an increased number of collaborative efforts. While these agreements provide a more structured framework for collaboration, they are still of a framework nature and, therefore, do not include details concerning specific projects.

Improving workplace safety involves collaboration at many levels, not just with government bodies but also with different safety organisations and schools. Notably, this collaborative model extends to the grassroots level, facilitated by District Labour Inspectorates rather than the central PIP. For example, in 2022, for its flagship campaign for that year — the “Legitna praca” campaign, targeting young employees — PIP collaborated with a diverse range of partners, including Kuyavian-Pomeranian Chamber of Crafts and Entrepreneurship, Craft Branch School in Rzeszów, and the Institute of Safety Engineering and Quality at Poznań University. Additionally, partnerships with organisations like the Voluntary Labour Corps across different regions and the ZUS Branch in Sosnowiec played a significant role in the campaign's outreach efforts — with those partners (on a central level), PIP signed the formal agreements. These collaborations facilitated educational workshops, training sessions and conferences. The district inspectorates facilitated those partnerships rather than on the central level. This example suggests that the partnerships are explored and implemented according to the theme or topic of the promotional activities rather than being guided by formal commitments.

## 3.2 Success factors and challenges

Identifying the success factors and challenges of formal agreements can be complex, as their impact is not easily measurable. These agreements serve a dual purpose. Firstly, they signal a mutual willingness to collaborate beyond the formal obligations outlined in the Labour Code, indicating a desire to deepen the partnership. They also establish a broad framework for cooperation, specifying the areas in which this collaboration will unfold.

However, in practice, the dynamics of these partnerships are more directly influenced by the needs of the parties involved.<sup>17</sup> This implies that more frequent and closer cooperation occurs where there is a mutual dependency on each other's resources and responsibilities. These aspects of collaboration, including the specific areas and extent of compliance enforcement, are often not detailed to this extent in the formal agreements. For example, as described in section 3.1.1, PIP often collaborates with the police and the Polish border guard to leverage their law enforcement resources, which PIP lacks (such as surveillance or border control). Similarly, since Poland's accession to the EU, PIP has collaborated more closely with the Technical Inspection Authority, particularly due to expanded responsibilities

<sup>13</sup> This includes, for example, access to the databases, requiring information from databases, and informing other authorities that the irregularity was found during the inspection, which falls under the responsibilities of other institutions. Those forms are not however mentioned directly in the agreements.

<sup>14</sup> According to PIP's Annual Activity Reports 2018-2022, for this time period PIP conducted most joint inspections with the border guard - 830, Police - 782, Social Insurance Institution - 119, Office of Technical Inspection - 63.

<sup>15</sup> The NGOs were not mentioned in this regard in the Annual Reports, which can be explained by their lack of legal authority to conduct such activities.

<sup>16</sup> Interview with the PIP representatives, December 2023.

<sup>17</sup> Interview with the PIP representatives, December 2023.

stemming from EU New Approach Directives. This collaboration aims, *inter alia*, to utilise the Technical Inspection Authority's engineering expertise, especially in complex cases of control of products used in workplaces, which fall under PIP's responsibility.<sup>18</sup>

A potential obstacle to the effectiveness of these agreements is the lack of accompanying action plans or similar documents, whether multi-year or annual. Such plans could offer a more structured approach to the partnerships, moving beyond expressions of intent and broad areas of cooperation, thereby enhancing the strategic and practical implementation of the agreements.

## 4 Transferability to other EU Member States

The potential for replicating the specific model of cooperation agreements between PIP and various partners in other EU countries is influenced by various factors, including the legal and social frameworks unique to each country.

Given the diversity in the roles and responsibilities assigned to Labour Inspectorates across the EU, the applicability of such agreements may vary. In particular, these agreements often emphasise promotional activities rather than inspection efforts, which may not align with the mandate of all labour inspection bodies within the EU. The extent to which joint inspection efforts are highlighted within the presented agreements is relatively limited. The added value of formalising such agreements may be diminished in jurisdictions where local legislation guides joint inspections and data sharing.

Additionally, the pre-existing relationships between PIP and its social partners can affect the effectiveness and necessity of these agreements. Not all social partners in Poland have formal agreements with PIP, yet various degrees of cooperation still occur. This suggests that formal agreements, while helpful, are not determining successful collaboration. It is also worth mentioning again that the provisions included in agreements do not necessarily translate to the practice of cooperation since they only provide a general overview of the collaborative efforts. To enhance the transferability of such agreements across other EU Member States, it might be beneficial to complement formal agreements with specific action plans or to develop annual action plans even in the absence of other formal agreements to ensure that the intent behind these agreements is translated into concrete, actionable measures.

However, the symbolic significance of these agreements should not be underestimated. By formalising cooperation, they clearly communicate the importance of joint efforts in improving workplace safety and health. This aspect of the agreements — highlighting a commitment to collaboration and unified action — carries substantial potential for implementation in other EU countries. Yet, the effectiveness of replicating such agreements would depend on adapting them to fit each country's specific legal, social and relational contexts.

## References and sources

Act of 13 April 2007 on the State Labour Inspection (Dz. U. 2007 Nr 89 poz. 589).

<https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20070890589/U/D20070589Lj.pdf>

Interview with the State Labour Inspection representatives (Supervision and Control Department and Planning, Analysis and Statistics Department), December 2023.

List and contents of the national agreements signed by the State Labour Inspection with state institutions, national authorities, NGOs, social partners and others. <https://www.pip.gov.pl/o-nas/wspolpraca/porozumienia-krajowe>

Państwowa Inspekcja Pracy (State Labour Inspection). PIP Annual Activity Reports for years 2018-2022 (Sprawozdanie z działalności Państwowej Inspekcji Pracy). <https://www.pip.gov.pl/o-nas/sprawozdania>

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<sup>18</sup> Interview with PIP representatives, 1 December 2023. Here, in particular, the new PIP responsibilities entail inspecting various workplace products, including pressure vessels, personal protective equipment, fuel-burning devices, equipment for potentially explosive atmospheres, lifting equipment and more, aligning with New Approach Directives. Inspections encompass products from both EU and non-EU sources, with labour inspectors evaluating non-EU products, for EU compliance. Despite expanded responsibilities, funding and staffing levels have not seen corresponding increases, hence closer collaboration with the Technical Inspection Authority.

Author: Anna Chowaniec (Ecorys).

Project management: Lorenzo Munar, Dietmar Elsler - European Agency for Safety and Health at Work (EU-OSHA).

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