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# TOPICS

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# STATE LABOUR INSPECTORATE AUDITS – ONLINE

A draft amendment to the State Labour Inspectorate Act introduces the possibility of remote inspections, without the inspector physically being present at the workplace.

## Remote site inspection

The inspector will be able to carry out remote inspections – an assessment of working conditions – in the form of a presentation of workstations, machinery, equipment or technological processes, e.g. via a video call.

The necessary devices are to be provided by the Labour Inspectorate, while the employer will be obliged to appoint a person capable of conducting the presentation in a professional manner.

## Remote hearings

The new provisions also allow for remote hearings – both of the inspected party and of witnesses. The entire process will be recorded (audio and visual), and the minutes will contain only key statements.

## Entire audit online

An audit, or its specific elements, may be conducted remotely, e.g. by email or video call – provided this does not undermine the purpose of the inspection.

The employer's consent will not be required.

## How should the organisation prepare for these changes?

It is worth considering the following steps:

- assessing the organisational and technical readiness for remote inspections,
- developing internal rules for handling inspections, hearings and the transfer of documents in remote form,
- training employees responsible for liaising with the Labour Inspectorate (HR, OHS, compliance),
- organising documentation and adapting it for electronic transfer,
- preparing procedures for contentious or ambiguous situations.

Our experience shows that proper preparation in this area facilitates the inspection process and reduces the risk of formal errors.

Our lawyers already support clients, both at the preparation stage and during inspections, including remotely (by correspondence).



**Dominika Dörre-Kolasa, PhD**  
Attorney-at-law

# AFTER AN INSPECTION, THE STATE LABOUR INSPECTORATE MUST FOLLOW CRIMINAL PROCEDURE

The State Labour Inspectorate inspection ends when the report is signed. However, there may be further consequences as the Inspectorate may issue recommendations or orders. If, however, the inspector believes that an offence has been committed, an entirely different set of rules applies. Explanatory actions are governed by the Code of Procedure in Offence Cases. A person suspected of an offence has the right to a defence.



**Damian Tokarczyk, PhD  
Advocate**

## Different procedure, different rules

Inspectors do not always remember this. Often, after an inspection, they continue to summon employer representatives to “meetings”, like they were entitled to during the inspection. They demand explanations and make notes. Meanwhile, the offence procedure is completely different. In particular, in the case of a person suspected of committing an offence, this has major practical significance.

In offence proceedings, the rule is that individuals are summoned to a hearing in writing. Telephone or email summons are an exception that must be justified by special circumstances. In the summons, the inspector must inform the individual, among other things, of the capacity in which they are being summoned – as a witness or as a suspect.

A person suspected of committing an offence has the right to appoint a defence lawyer. The hearing begins with the presentation of the charge, which must also be recorded in the minutes. The suspect may refuse to provide explanations or answer individual questions. They have the right to receive a copy of their hearing minutes.

## Fines imposed by the State Labour Inspectorate

Inspectors have prosecutorial powers in such proceedings. They can impose fines of up to PLN 2,000 on individuals they consider guilty of an offence. In cases of repeat offences, the fine may amount to PLN 5,000. If the suspect refuses to accept the fine, the inspector submits an application for punishment to the court. An amendment currently under discussion would increase the permissible amount of the fine to PLN 5,000.

The proceedings conclude when the fine is accepted and paid. A paid fine is equivalent to a judgement, i.e. a statement that the offence was committed. If accepted and paid, it is much more difficult to defend against allegations of labour law breaches. Therefore, in cases where the employer does not agree with the inspector's assessment, it is better not to accept the fine.

## How should the organisation prepare?

Inspectors often openly state during inspections that the inspection will end with fines. Sometimes this results from the contents of the inspection report. It is worth preparing for this possibility in advance. It is helpful to identify the circle of individuals who may be suspected, decide whether the involvement of a defence lawyer is necessary and whether the suspect should accept the fine.

# GENERATIONAL DIVERSITY IN THE WORKPLACE

There are currently four generations in the labour market: Baby Boomers (1946–1964), Generation X (1965–1980), Generation Y (Millennials, 1981–1996), Generation Z (born after 1997). This is a consequence of demographic trends.

The needs, values and priorities of each generation differ. For Baby Boomers, job stability is crucial and they tend to be committed and loyal to their employer. Generation X also values stability, but not above all else. Pay, atmosphere, development and flexibility are important. For Generation Y, the most important aspects are pay, flexible working hours, non-financial benefits (e.g. private medical care) and work-life balance. Job stability is a less significant factor. Generation Z values a positive atmosphere, flexibility, a sense of purpose, ethical and social values as well as pay (which need not come from a single source). They are open to new experiences, value non-financial benefits and place job stability at the bottom of their priorities.

This description is, of course, a simplification and none of these groups are homogenous. Care must be taken to avoid harmful stereotypes and prejudices, especially against Generation Z. Nevertheless, understanding the characteristics of each generation is essential. Their traits influence engagement, motivation and career decisions. For example, a representative of Generation Z will not apply to a company known for neglecting the workplace atmosphere or for superficial values, even if pay and benefits are attractive.

A company should recognise, respect and understand these differences, tailor communication and support an inclusive workplace environment. Each generation has a great deal to offer: Generation Z is technologically skilled and innovation-oriented, while older generations bring experience, stability and a sense of security. Managing a multigenerational team is a challenge, but with the right approach, generational diversity delivers significant benefits.



**Zuzanna Rosner**  
Attorney-at-law

## What actions can be taken?

- Assess attitudes
- Check whether there are biases or stereotypes within the team
- Plan workshops and webinars for managers
- Adapt communication
- Support grassroots initiatives (e.g. employee networks)
- Consider initiatives such as mentoring, workshops, sessions with trainers

## NON-NICOTINE E-CIGARETTES BANNED IN THE WORKPLACE

Smokers may face a surprise when they return to work after their holidays. On 5 July 2025, the amended Act on Health Protection against the Consequences of Tobacco Use and Tobacco Products entered into force. In addition to traditional tobacco products and e-cigarettes containing nicotine, smoking nicotine-free e-cigarettes is now also prohibited in workplace premises.



**Monika Czekanowicz**  
Attorney-at-law

The amendment makes life much easier for employers, who had previously pointed out the difficulty of determining whether e-cigarettes used by employees contained nicotine, which allowed some to bypass the ban.

Smoking nicotine-free e-cigarettes in the workplace will only be permitted in designated smoking areas, just like tobacco products and e-cigarettes containing nicotine.

A violation of the smoking ban in workplace premises constitutes a breach of health and safety regulations and justifies the employer imposing a disciplinary penalty, or even terminating the employment contract.



**Anna Boguska**  
Attorney-at-law

## FROM 1 JUNE 2025, EMPLOYERS MUST INFORM FOREIGN WORKERS OF THEIR RIGHT TO JOIN TRADE UNIONS

The information must be provided in writing, in a language that the foreign worker understands.

There is no obligation to indicate specific trade union organisations active at the employer, nor to provide any contact details. A general statement that a foreign worker has the right to join a trade union is sufficient.

This information must also be provided even when no trade unions operate at the employer.

It applies to foreign workers employed after 1 June 2025, as well as those already employed before that date.

It concerns both foreign workers employed under employment contracts and those working under civil law contracts.

The act does not provide any sanctions for non-compliance with this obligation.

Employers should therefore provide appropriate notifications to their foreign employees.



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