

International Seminar on Comparative Labour Law



Protecting Workers from Violence and Harassment in the Workplace

National report - Poland

Adam Mickiewicz University in Poznań



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Supplementary information:

This report was prepared for the International Seminar on Comparative Labour Law, which focused on the issue of ***Protecting Workers from Violence and Harassment in the Workplace*** from a national perspective. The report was prepared by a group of four law students under the supervision and support of two academics from Adam Mickiewicz University - Faculty of Law and Administration – Department of Labour and Social Law.

The seminar was organised by the Adam Mickiewicz University in Poznań and the European Working Group on Labour Law from 24 to 27 March 2026.

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Section I. General Framework, Legal Definitions and the Polish perspective

1. Definitions

Regarding the legal definitions of key concepts connected with violence and harassment in the workplace, Polish legislation mainly provides them in the Labour Code and several other acts. However, many relevant terms are not legally defined, and their meaning is derived from case law and doctrine. The following is a summary of the most relevant terms:

Table 1. Definitions

Mobbing	<ul style="list-style-type: none"> – Legal definition: any act or behaviour relating to an employee or targeted against an employee that involves persistent and long-term bullying or intimidation, resulting in lower self-evaluation by the employee of his professional abilities, with the purpose or effect of humiliating or ridiculing, isolating or eliminating that employee from the team (art. 94³ § 2 of the Labour Code¹); – all the above conditions must be met cumulatively; – the burden of proof lies with the employee; – <i>“The long-term nature of bullying or intimidation of an employee within the meaning of Art. 94³ § 2 must be examined on an individual basis, taking into account the specific circumstances of the case.”²</i> – <i>“The examination and assessment of subjective feelings of a person who believes that their superior is mistreating them cannot constitute grounds for determining liability for mobbing.”³</i>
Workplace violence	<ul style="list-style-type: none"> – no statutory definition; – Depending on the circumstances, courts classify specific behaviours by referring to other legal norms, such as violations of OHS, personal rights, mobbing, and discrimination or even criminal offences. – Examples of workplace violence may include physical assault; sexual assault; threats, long-term harassment, – Scholars also distinguish types of workplace violence: physical, emotional, sexual, and economic violence.⁴
Harassment	<ul style="list-style-type: none"> – Legal definition: any unwanted conduct with the purpose or effect of violating the dignity of an employee and of creating an intimidating, hostile, degrading, humiliating or offensive environment (art. 18^{3a} § 5 LC); – In the case of non-employee category of workers similar definition can be found in art. 3 ETA⁵.
Sexual harassment	<ul style="list-style-type: none"> – Legal definition: any form of unwanted sexual conduct, or conduct that refers to a person’s sex, that has the purpose or effect of violating a person’s dignity, particularly when it creates an intimidating, hostile, degrading, humiliating or offensive environment, including verbal, non-verbal or physical conduct (art. 18^{3a} § 6 LC)
Stalking/persistent harassment	<ul style="list-style-type: none"> – directly regulated under criminal law: persistent conduct that causes another person a justified sense of threat, humiliation, or distress, or significantly violates their

¹ Hereinafter: LC.

² Supreme Court ruling of January 17, 2007, I PK 176/06, OSNP 2008, No. 5-6, item 58.

³ Supreme Court ruling of May 7, 2009, III PK 2/09, OSNP 2011, No. 1-2, item 5.

⁴ M. Gajda, *Przemoc w pracy. Środki ochrony prawnej i metody przeciwdziałania*, Warsaw 202

⁵ Act of December 3, 2010, on the implementation of certain European Union provisions on equal treatment (i.e., Journal of Laws of 2025, item 1452) (Ustawa z dnia 3 grudnia 2010 r. o wdrożeniu niektórych przepisów Unii Europejskiej w zakresie równego traktowania, t.j. Dz. U. z 2025 r. poz. 1452). Hereinafter: ETA.

(pl. 'nękanie')	<p>privacy. In jurisprudence and legal doctrine, this offense is commonly referred to as stalking (art. 190a of the Criminal Code⁶);</p> <ul style="list-style-type: none"> – Approach of labour courts: there is a practice to define persistent harassment/stalking by referring to the concept of mobbing, while emphasizing that harassment is a significantly broader concept. – Commonly, harassment in the workplace is also referred to as bullying.
Retaliation (Reprisals)	<ul style="list-style-type: none"> – No systemic approach in labour law legislation, case law or doctrine; – Equal treatment perspective: art. 18^{3e} § 1 LC: An employee exercising their rights in relation to violations of labour law provisions, including those relating to equal treatment in employment, may not be subject to any adverse treatment or negative consequences, including termination of the employment relationship or termination without notice by the employer. <ul style="list-style-type: none"> o The same applies to 'An employee who has provided any form of support to another employee exercising their rights in relation to a violation of labour law provisions, including those relating to equal treatment in employment. – Perspective of protection of whistleblowers <ul style="list-style-type: none"> o Legal definition of retaliatory measures: any direct or indirect action or omission in a work-related context caused by a report or public disclosure, which infringes or may infringe the rights of the whistleblower, or which causes or may cause them unjustified harm, including the initiation of unfounded proceedings against them (art. 2 p. 2 of the Act on the Protection of Whistleblowers⁷); o Statutory examples of retaliatory measures in the case of whistleblower-employee: refusal to establish an employment relationship; termination or dissolution without notice of an employment relationship; non-renewal of employment; reduction of remuneration for work; suspension of promotion or omission from promotion; omission from the award of work-related benefits other than remuneration or reduction of the amount of such benefits; transfer to a lower position; suspension from performing employee or official duties; transfer of the whistleblower's current duties to another employee; unfavorable change of place of work or work schedule; negative performance evaluation or negative opinion about work; imposition or application of a disciplinary measure, including a financial penalty, or a measure of a similar nature; coercion, intimidation, or exclusion; mobbing; discrimination; unfavorable or unfair treatment; suspension of participation or omission from selection for participation in training courses to improve professional qualifications; unjustified referral for medical examinations, including psychiatric examinations, unless separate provisions provide for the possibility of referring an employee for such examinations; actions aimed at making it difficult to find future employment in a given sector or industry on the basis of an informal or formal sectoral or industry agreement; causing financial loss, including economic loss, or loss of income; causing other non-material damage, including violation of personal rights, in particular the good name of the whistleblower.
Victimization	<ul style="list-style-type: none"> – no statutory definition; – no systemic approach presented in the case law or in doctrine.
Domestic violence (in	<ul style="list-style-type: none"> – no statutory definition in the labour-law context;

⁶ Hereinafter: KK.

⁷ Act of June 14, 2024, on the protection of whistleblowers (Ustawa z dnia 14 czerwca 2024 o ochronie sygnalistów, Dz.U.2024.928). Hereinafter: AWP.

the context of work)	<ul style="list-style-type: none"> – Legal definition in the Act on counteracting domestic violence⁸ (art. 2): <i>any intentional action or omission using physical, psychological, or economic advantage, which violates the rights or personal goods of the victim, including: endangering life, health, or property, violating dignity, bodily integrity or freedom (including sexual freedom), causing physical or mental harm, restricting access to financial resources or work, serious invasion of privacy or causing fear or humiliation (including via electronic communication).</i>
Hate speech	<ul style="list-style-type: none"> – no statutory definition in the labour-law context; – general constitutional principle – freedom of speech; – criminal law perspective⁹: <ul style="list-style-type: none"> o art. 256 KK: the offence of ‘incitement to hatred on the grounds of national, ethnic, racial or religious differences, or on the grounds of lack of religious affiliation’ - penalty of limitation of liberty or the penalty of deprivation of liberty for up to 2 years o art. 257 KK: the public insult of a group of persons or an individual person on the grounds of their - penalty of deprivation of liberty for up to 3 years. – <i>“Hate speech is commonly understood as statements that lie about, ridicule, or demean groups or individuals for reasons wholly or partly beyond their control, as well as for belonging to other natural social groups, whereby natural groups are those that one does not choose—membership in some of them is biologically determined (such as sex or skin colour), while in others it is socially determined, such as ethnic, religious, or linguistic affiliation”¹⁰.</i>
Physical violence	<ul style="list-style-type: none"> – not legally defined as a standalone concept; – can be reconstructed from provisions and interpretations regarding assault, bodily harm, mistreatment, and violation of personal goods.
Cyberviolence	<ul style="list-style-type: none"> – no statutory definition; – may be understood as harassment, intimidation, or humiliation carried out through electronic devices such as computers and smartphones, via the Internet, SMS, or social media; – may constitute the elements of various types of criminal offences under the KK <ul style="list-style-type: none"> o stalking (art. 190a KK): requires persistent harassment, significant violation of privacy, an objectively justified sense of threat¹¹; o criminal threat (Article 190 KK), where such a threat must give rise to a justified fear in the person to whom it is directed that it will be carried out.¹² – Civil law perspective: may constitute an infringement of personal rights such as privacy, good name, or honour. – Mobbing: Conduct commonly understood as cyberviolence may also be treated as mobbing under Article 94³ LC. Examples include persistent ignoring of an employee’s emails, public criticism on internal employee forums, obstructing access to work-related systems, or exclusion from group online communication.

⁸ Act of July 29, 2005 on counteracting domestic violence (Ustawa z dnia 29 lipca 2005 o przeciwdziałaniu przemocy domowej, Dz.U.2024.1673).

⁹ L. Gardocki, *Prawo karne*, Warszawa 2023.

¹⁰ Supreme Court judgment of February 8, 2019, IV KK 38/18, LEX No. 2621830.

¹¹ Supreme Court ruling of December 12, 2013, III KK 417/13, LEX No. 1415121.

¹² L. Gardocki, *Prawo karne*, Wydawnictwo C.H.Beck, Warszawa 2023

2. General overview of how workplace violence and harassment are addressed in the Polish national legal and policy framework

2.1. General remarks

In the Polish legal system, there are certain basic regulations that could be applied in the context of violence and harassment in the workplace. However, it should be noted that there is no act or specific provision designed directly for tackling workplace violence. The provisions listed below are general in nature, meaning they have universal application and can be related to the issue in question. It is important to emphasise that these regulations have a different character, as the issue of violence and harassment in the Polish legal system can be addressed from various legal perspectives, such as labour law, civil law, and criminal law.

2.2. Key legal sources

The most detailed legal act in the field of labour law in Poland is the Labour Code; the system is also supplemented by other statutes. On the other hand, the most relevant act is the Polish Constitution, which establishes the axiological basis for the duties of the state and employers in tackling workplace violence and harassment.

When presenting the legal framework for tackling workplace violence and harassment, the following elements should be highlighted:

Table 2. Key legal sources

Constitution of the Republic of Poland	<ul style="list-style-type: none"> – art. 24: Work shall be protected by the Republic of Poland. The State shall exercise supervision over the conditions of work. – art. 30: The inherent and inalienable dignity of the person shall constitute a source of freedoms and rights of persons and citizens. It shall be inviolable. The respect and protection thereof shall be the obligation of public authorities. – art. 32: <ul style="list-style-type: none"> o All persons shall be equal before the law. All persons shall have the right to equal treatment by public authorities. o No one shall be discriminated against in political, social or economic life for any reason whatsoever. – art. 66(1): Everyone shall have the right to safe and hygienic conditions of work. The methods of implementing this right and the obligations of employers shall be specified by statute.
Labour code	<ul style="list-style-type: none"> – definitions: mobbing; harassment; sexual harassment; – provisions of equal treatment principle: duties; exceptions; claims; compensation and anti-retaliation protection – provisions on OHS: fundamental and specific employer's and employee's duties related to workplace safety; – general duties of an employer: to respect dignity and personal rights; prevent discrimination ensure safe and healthy working conditions; prevent mobbing.
Civil code	<ul style="list-style-type: none"> – supplementary source; – applied mainly in the context of protection of personal interests (e.g. dignity, health, freedom, honour)
ETA	<ul style="list-style-type: none"> – provides protection only for workers not covered by the Labour code; – relevant in the anti-discrimination dimension of workplace abuse; – definitions of harassment and sexual harassment.

	– compensation; shifted burden of proof; protection against retaliation.
Criminal code	– in certain circumstances workplace violence / harassment can trigger criminal liability; – examples: stalking (art. 190a KK); coercion (art. 191 KK); insult (art. 216 KK); battery (art. 217 KK); bodily harm (art. 157 KK).

2.3. Ratification of ILO Convention No. 190 by Poland

Notably, Poland has not ratified ILO Convention No. 190. There are recommendations and ongoing discussions about ratification. To formally adopt the Convention, amendments to Polish legislation are required in order to ensure that it is aligned with the provisions of the Convention. It is imperative to acknowledge the role of the Labour Protection Council (Rada Ochrony Pracy, ROP) in this context. The Council's supervisory functions encompass matters pertaining to compliance with labour law, occupational safety and health, the legality of employment, and the operational effectiveness of the National Labour Inspectorate (PIP). On 15 October 2024, the ROP adopted Resolution No. 9/XII/2024 concerning the reduction of negative psychosocial risks for workers, including mobbing and discrimination. The resolution calls for the initiation of measures to facilitate the ratification of ILO Convention No. 190 and the subsequent incorporation of its instruments into the Polish legislative framework.¹³

¹³ ROP's Resolution No. 9/XII/2024, <https://rop.sejm.gov.pl/resolution/uchwala-nr-9-xii-2024-rady-ochrony-pracy/> (accessed 23.02.2026).

2.4. Planned legislative changes in the Polish legal system regarding workplace violence and harassment

The Ministry of Family, Labour and Social Policy has drafted legislation to amend the Labour Code (and the Code of Civil Procedure) in order to address issues of mobbing, discrimination, and equal treatment. The most significant recent development was the adoption of the draft by the Council of Ministers on 17 February 2026, which was followed by the government's announcement of its intention to present the draft to the Sejm. According to the RCL legislative tracker (UD183), the project remains listed as 'open', with the RM stage already reflected¹⁴.

The reform is presented by the Ministry as a response to the practical problems caused by the current anti-mobbing rules, which have been in force for over 20 years and are considered difficult to apply in practice. The proposed amendments are said to be based on Supreme Court case law, expert input and the needs of the practice. Should the bill be enacted, it will signify the most substantial reform of anti-bullying regulations since their introduction.

New definition of mobbing	<ul style="list-style-type: none">• defined as persistent harassment• must be recurrent / repeated / constant• one-off incidents excluded
Forms of mobbing	<ul style="list-style-type: none">• physical / verbal / non verbal
Perpetrator	<ul style="list-style-type: none">• open category (superior, co-worker, subordinate, person or a group)• the intent is not necessary• ordering / encouraging to mob = mobbing
Higher minimum compensation	<ul style="list-style-type: none">• 6x the minimum wage
Burden of proof	<ul style="list-style-type: none">• on employer
Stronger preventive duties	<ul style="list-style-type: none">• active and constant prevention• duty to prevent / detect / prompt and proper response / remedial actions / support for victims
Internal procedures	<ul style="list-style-type: none">• duty to define rules / procedures regarding prevention of dignity violation, unequal treatment, discrimination or mobbing• in the case of employers hiring at least 9 employees

¹⁴ Rządowe Centrum Legislacji, <https://legislacja.rcl.gov.pl/projekt/12393651/katalog/13106743#13106743> (accessed: 24.02.2026).

2.5. International and European legal documents impacting Polish policy on workplace harassment and violence

Below is a list of the most relevant legal acts in the field of violence and harassment within the Polish legal system. Some of these acts can also be linked to the problem of violence and harassment in the workplace.

EU	ILO	Other documents
<ul style="list-style-type: none"> • Treaty of Lisbon, which strengthened principles of equality and non-discrimination (Part II TFEU) • the Charter of Fundamental Rights of the EU (Art. 6 TEU), especially Articles 20–26 • Council Directive 89/391/EEC on improving workers' safety and health • Council Directive 2006/54/EC on equal treatment of men and women (employment) • Council Directive 2000/43/EC on equal treatment irrespective of racial or ethnic origin • Council Directive 2000/78/EC establishing a general framework for equal treatment in employment • Directive 2019/1937 on whistleblower protection • Directive 2024/1385 on combating violence against women and domestic violence • Directive 2023/970 on pay transparency • Directive 2024/1500 on equality bodies 	<ul style="list-style-type: none"> • Convention No. 100 (equal remuneration) • Convention No. 111 (discrimination in employment) • Convention No. 122 (employment policy) 	<ul style="list-style-type: none"> • Council Decision (EU) 2024/1018 of 25 March 2024 inviting Member States to ratify the Violence and Harassment Convention, 2019 (No 190) of the International Labour Organization • EU Charter of Fundamental Rights. • European Framework Agreement on Harassment and Violence at Work (2007). • Istanbul Convention on preventing violence against women. • International Covenant on Civil and Political Rights. • International Covenant on Economic, Social and Cultural Rights. • International Convention on the Elimination of Racial Discrimination. • European Social Charter.

2.6. National policy framework

Poland has established a national equality policy framework that pertains to issues of discrimination and harassment in the workplace. However, it should be noted that this framework does not constitute a comprehensive anti-violence plan that is exclusively focused on the specific context of the workplace. The key document is the Krajowy Program Działań na Rzecz Równego Traktowania 2022–2030 (National Action Programme for Equal Treatment 2022-2030), adopted by the Council of Ministers on 24 May 2022¹⁵. The policy encompasses anti-discrimination measures, employment and social issues, awareness-raising initiatives, cooperation, and data monitoring. The programme underlines the importance of equal treatment of men and women in the labour market. It also highlights the issue of proper management of diversity in the workplace. A key dimension of the programme is the conducting of awareness-raising activities aimed at the public. These activities demonstrate human dignity and raise awareness of physical, psychological and economic violence.

It is also worth noting the Equal Treatment Act (ETA), which established the position of Government Plenipotentiary for Equal Treatment with a monitoring role. The Plenipotentiary's basic duty is to produce an annual report on the conclusions and recommendations concerning measures to be taken to ensure compliance with the principle of equal treatment, and to report

¹⁵ See National Action Programme for Equal Treatment 2022-2030, <https://www.gov.pl/web/minister-ds-rownosci/krajowy-program-dzialan-na-rzecz-rownego-traktowania-2022-2030> (last accessed 24.02.2026).

on the implementation of the National Programme of Action for Equal Treatment. In addition, a government page for Sprawozdania (reports) has been identified, thereby confirming the Plenipotentiary's ongoing reporting and monitoring activities¹⁶.

3. Integration of workplace harassment and violence within Polish anti-discrimination regime

3.1. General remarks

In Poland, the regulatory framework concerning workplace harassment and violence is characterised by a dualistic structure, comprising a series of distinct statutes rather than a unified 'workplace violence and harassment' regulation. The primary legislation for employees is the Labour Code, with particular emphasis on equal treatment and discrimination rules, as well as the prevention of mobbing. The Equal Treatment Act serves to complement the Labour Code, addressing areas and individuals not comprehensively covered by the former. These include certain aspects of civil law and broader contexts related to access to employment.

From a pragmatic standpoint, it is crucial to recognise that within the context of Polish legislation, instances of harassment associated with a protected ground are typically addressed through the lens of discrimination. In contrast, more extensive bullying-like behaviour that is not connected to a specific protected ground is generally classified as mobbing (Art. 94³ Labour Code).

There are no labour law system and no general legal definition of harassment beyond that set out in the anti-discrimination provisions of the LC.

3.2. The scope of legal definition of harassment within the anti-discrimination regime

The legal definitions of harassment and sexual harassment are presented in Table 1. It is important to note that these definitions are included in Chapter IIa of the LC, which is titled 'Equal Treatment in Employment'. In this context, harassment, as defined in art. 18^{3a} § 5 LC and presented in Table 1 should be considered an aggravated form of direct discrimination as defined in 18^{3a} § 2 LC. Direct discrimination is defined as a situation in which an employee, for one or more discriminatory reasons, is or could be treated less favourably than other employees in a comparable situation. At the same time, sexual harassment, as defined in art. 18^{3a} § 6 of the LC and presented in Table 1 – should be considered an aggravated form of direct discrimination based on sex. It is also important to note that labour code protection against discrimination does not have a closed catalogue of protected categories, meaning any non-objective cause may be considered discriminatory. However, it should be mentioned that labour code protection against discrimination only applies to employees and, in principle, does not cover other categories of workers.

Finally, it should be noted that definitions of harassment and sexual harassment similar to those in the LC can be found in the ETA. In the ETA, these definitions are also placed in the context of discrimination and equal treatment. The only major difference between the ETA and the LC is that the ETA's protection covers non-employee workers engaged in economic activity based on civil law contracts.

3.3. Specific measures addressing harassment within anti-discrimination regime

The following measures addressing workplace harassment can be identified in both the LC and the ETA:

¹⁶ <https://www.gov.pl/web/minister-ds-rownosci/sprawozdania2> (last accessed: 24.02.2026)

Personal scope	<ul style="list-style-type: none"> • LC: employees within meaning of art. 2 LC + candidates • ETA: non-employee workers (e.g. civil law contractors)
Open catalogue of discriminatory criteria	<ul style="list-style-type: none"> • LC: yes (art. 18^{3a} § 1) • ETA: no (art. 3)
Compensations claims	<ul style="list-style-type: none"> • LC: yes; in an amount not lower than the minimum wage (art. 18^{3d} LC) • ETA: yes; minimum value not specified in the Act (art. 13)
Shifted burden of proof	<ul style="list-style-type: none"> • LC: yes; the employer must demonstrate objective reasons for differentiation (art. 18^{3b} § 1) • ETA: The claimant must substantiate their claims, and the employing entity must prove that they did not violate the principle of equal treatment (Article 14).
Anti-retaliation protection	<ul style="list-style-type: none"> • LC: yes; for employee exercising their rights and supporting the victim (art. 18^{3e}) • ETA: yes; the same standard as in the LC (art. 17)
Workplace violence	<ul style="list-style-type: none"> • LC: yes; harassment and sexual harassment as aggravated forms of discrimination (art. 18^{3a} § 5 and 6) • ETA: yes; harassment and sexual harassment as forms on unequal treatment (art. 3)
Termination of employment	<ul style="list-style-type: none"> • LC: preventing discrimination is one of basic employer's duties (art. 94 p. 2b LC) + employee may terminate contract of employment without notice when the employer has committed a serious breach of basic duties + may claim compensation in the amount of remuneration due for the period of notice (art. 55 § 1¹ LC); • ETA: n/a.

4. Specific measures to protect workers against workplace violence not covered by the anti-discrimination regime

4.1. General remarks

Protecting employees from violence and harassment in the workplace requires more than just anti-discrimination measures. Depending on the context, victims of such behaviour may resort to other measures provided for in labour law, as well as additional claims and protective measures under civil and criminal law.

4.2. Labour law dimension

In addition to anti-discrimination protection, victims of workplace violence can take the following measures:

Dignity

- **Basic employers duties:**
 - to respect the dignity and other personal rights (art. 11¹ LC);
 - influence the development of social norms in the establishment (art. 94 p. 10 LC)
- **Consequences of violation:**
 - employee may terminate contract of employment without notice when the employer has committed a serious breach of basic duties and claim compensation in the amount of remuneration due for the period of notice (art. 55 § 1¹ LC);
 - in the event of a violation of personal rights, an employee may seek protective claims under the CC (art. 23-24; 448)

Mobbing

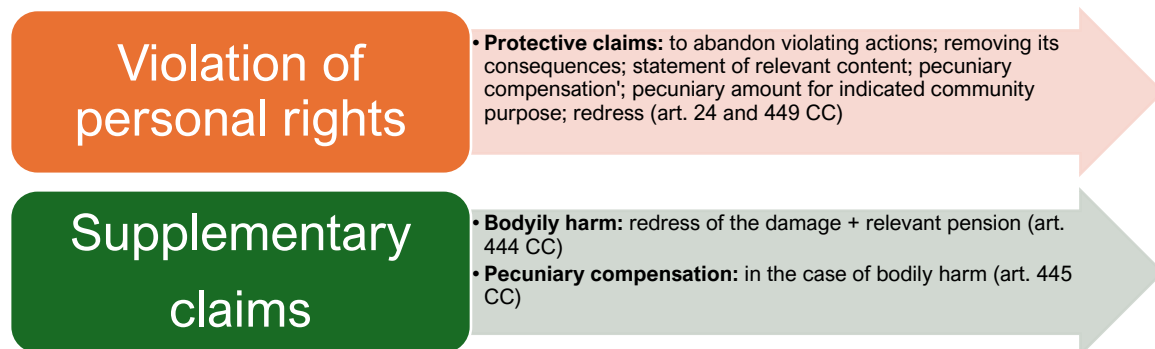
- preventing mobbing = basic employer's duty (art. 94³ § 1 LC)
- **compensation:**
 - when employee's health has deteriorated as a result of harassment at work (art. 94³ § 3 LC)
- **damages:**
 - when employee suffered mobbing or terminated contract of employment as a result (art. 94³ § 3 LC)
 - minimum value: minimum statutory wage

OHS

- ensuring safe and healthy working conditions = basic employer's duty (art. 94 p. 4 LC)
- **the right to stop work** (art. 210 LC)
 - when working conditions are contrary to OHS rules
- **claims related to the work accident**

4.3. Civil law dimension

Civil law measures may be invoked in the event of workplace violence or harassment in two basic scenarios unless the LC provides a *lex specialis* remedy.¹⁷ These measures can be used either as the basis for claims relating to the violation personal rights (e.g. reputation, integrity, dignity, etc.), or as supplementary claims to those based directly on the LC. Under art. 300 of the LC, it is stipulated that, in matters not provided for in labour law, the provisions of the Civil Code shall apply to an employment relationship unless these provisions contradict labour law.



4.4. Criminal law dimension

Relevant in this regard is Chapter XXVIII of the Criminal Code: Offences Against the Rights of Persons Performing Gainful Employment, where prohibited acts such as malicious or persistent violation of employee rights (Article 281) or endangering the life or health of an employee as a result of failure to comply with health and safety obligations (Article 220) have been specified. These may lead to criminal liability (fine, restriction or deprivation of liberty) and compensation or redress¹⁸.

Apart from the above, workplace violence may constitute many other general offences:

¹⁷ M. Gajda, *Przemoc w pracy. Środki ochrony prawnej i metody przeciwdziałania*, Warszawa 2022.

¹⁸ M. Gajda, *Przemoc w pracy. Środki ochrony prawnej i metody przeciwdziałania*, Warszawa 2022.

hate-motivated violence or threats (art. 119)	offences against life and health (arts. 148–161)	criminal threats (art. 190)	stalking (art. 190a)	coercion (art. 191)
rape (art. 197)	sexual exploitation of dependence (art. 199)	presenting pornography (art. 202)	abuse (art. 207)	defamation art. 212)
insult (art. 216)	battery (art. 217)	violence against a public official (art. 222)	assault on a public official (art. 223)	coercion of a public official (art. 224 § 2)
	insult of a public official (art. 226)	public insult of a group/person (art. 257) (hate-motivated)	other bodily integrity offences	

5. Statistical data of workplace violence and harassment in Poland

Data on workplace violence in Poland is fragmented and comes from various sources, primarily surveys and administrative records. There is no single, comprehensive national register of workplace violence and harassment.

Table 3. Review of selected statistical data

<p>2024 survey Public Opinion Research Center (CBOS)¹⁹</p>	<ul style="list-style-type: none"> – 18% of employees experienced harassment by supervisors or co-workers in the past five years, <ul style="list-style-type: none"> o including 4% who experienced it frequently. – Harassment more often came from supervisors (13%) than from co-workers (8%). – 30% of employees reported that harassment occurred in their workplace, suggesting that the problem is more widespread than individual reports indicate. – the most common forms of harassment: ridicule, insults, and other forms of psychological abuse (46%), as well as unfair evaluations and undermining professional competence (17%); forced overtime and excessive workload (10%) and discrimination (5%). – broader range of inappropriate behaviors: 40% of employees experienced at least one such behavior in the past 5 years, and 11% experienced them frequently²⁰.
<p>Central Statistical Office (GUS)²¹</p>	<ul style="list-style-type: none"> – 19.6% of workers experience work-related health problems. – Over half of them reported mental or psychosomatic issues, such as chronic stress, sleep problems, and irritability. – Stress and mental overload affect one in four employees. <ul style="list-style-type: none"> o Main consequences: reduce work capacity and increase the risk of workplace accidents
<p>State Labour Inspectorate</p>	<ul style="list-style-type: none"> – 1 888 complaints concerning mobbing in 2024 (vs 1 790 in 2023).

¹⁹ CBOS, *O mobbingu – doświadczenia Polaków*, Komunikat z badań nr 52/2024

²⁰ Tamże.

²¹ Główny Urząd Statystyczny, *Wypadki przy pracy i problemy zdrowotne związane z pracą*, <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/warunki-pracy-wypadki-przy-pracy/wypadki-przy-pracy-i-problemy-zdrowotne-zwiazane-z-praca,2,3.html>

(PIP)²²	<ul style="list-style-type: none"> – PIP lawyers provided 1 367 legal consultations concerning mobbing in 2024 (vs 829 in 2023). – In 2024, 2 675 complaints concerned discrimination in employment, harassment and mobbing.
National Trade Union of Nurses and Midwives²³	a 2025 study found that 78% of nurses and midwives experienced violence in the workplace
EU gender-based violence survey (2024)²⁴	Poland: 13.0% of women (who have ever worked) have experienced sexual harassment at work during their lifetime, and 2.0% in the last 12 months

²² <https://www.pip.gov.pl/aktualnosci/przeciwdzialanie-mobbingowi-priorytetem-inspekcji-pracy?tmpl=print%3Ftmpl%3Dpdf> (accessed: 25.02.2026)

²³ Ogólnopolski Związek Zawodowy Pielęgniarek i Położnych. Badanie – *Stop agresji w pracy*, <https://ozzpip.pl/agresja-to-nasza-codziennosc-mowia-pielegniarki-i-polozne/>

²⁴ FRA, EIGE, Eurostat (2024), EU gender-based violence survey – Key results. Experiences of women in the EU-27, Publications Office of the European Union, Luxembourg.

Section II: Coverage and Personal Scope of Protection Against Workplace Violence and Harassment

1. Worker Categories Covered by Anti-Violence Regulations in Poland

In the Polish legal system, the scope of coverage by anti-violence regulation depends on your employment status:

Table. 4. Scope of coverage

Category of Worker	Relevant Legal Basis	Nature of the Employment Relationship	Extent of Protection Against Workplace Violence and Harassment
Employees / Temporary workers (on employment contracts)	LC, Act on the Employment of Temporary Workers (2003) ²⁵ , ETA	an employment contract, appointment, election, nomination, or a cooperative employment contract, employment by an agency workers but under the direction of a user employer	<ul style="list-style-type: none"> – Highest protection; – Fully covered by Labour Code provisions, including dignity at work, anti-harassment, and occupational health and safety protections. Fully covered by the scope of National Labour Inspectorate's authority.
Trainees and apprentices	LC (especially arts. 190-206); Educational statutes, ETA	Training or apprenticeship relationship within an enterprise or educational institution	<ul style="list-style-type: none"> – Similar protection to the employees – These persons remain employees under the Labour Code, but certain protective regimes are tailored to their status (e.g. special working-time rules and health protection).
Self-employed persons Civil law contractors (e.g., contract of mandate, contract for specific task)	CC (Arts. 23–24); ETA	Independent economic activity, Civil-law contractual engagement without an employment relationship	<ul style="list-style-type: none"> – Weaker and less specialized protection, with more limited enforcement – Labour Code provisions do not apply; protection derives mainly from civil-law remedies, anti-discrimination law (ETA), and - where applicable - criminal law.
Public servants (including civil service employees)	Act on Civil Service (2008) ²⁶	Public-law employment relationship	<ul style="list-style-type: none"> – Separate protection mechanisms (similar to LC) – Covered under sector-specific legislation, which generally reflects Labour Code standards on workplace dignity, safety, and non-discrimination.
Informal or grey-economy workers	No effective statutory framework	Work performed outside the formal labour market	<ul style="list-style-type: none"> – Limited and indirect protection – Formally outside the personal scope of the Labour Code unless an employment relationship is established by labour court ruling. – Protection may arise from the possibility of judicial establishment of an employment relationship (Art. 22 §1² LC), OHS obligations towards persons performing work outside employment (Art. 304 CL), and civil-law and criminal-law remedies.

²⁵ Act on Employment of Temporary Agency Workers of 09.07.2003

²⁶ Act on Civil Service of 21.11.2008

			– Enforcement remains difficult in practice.
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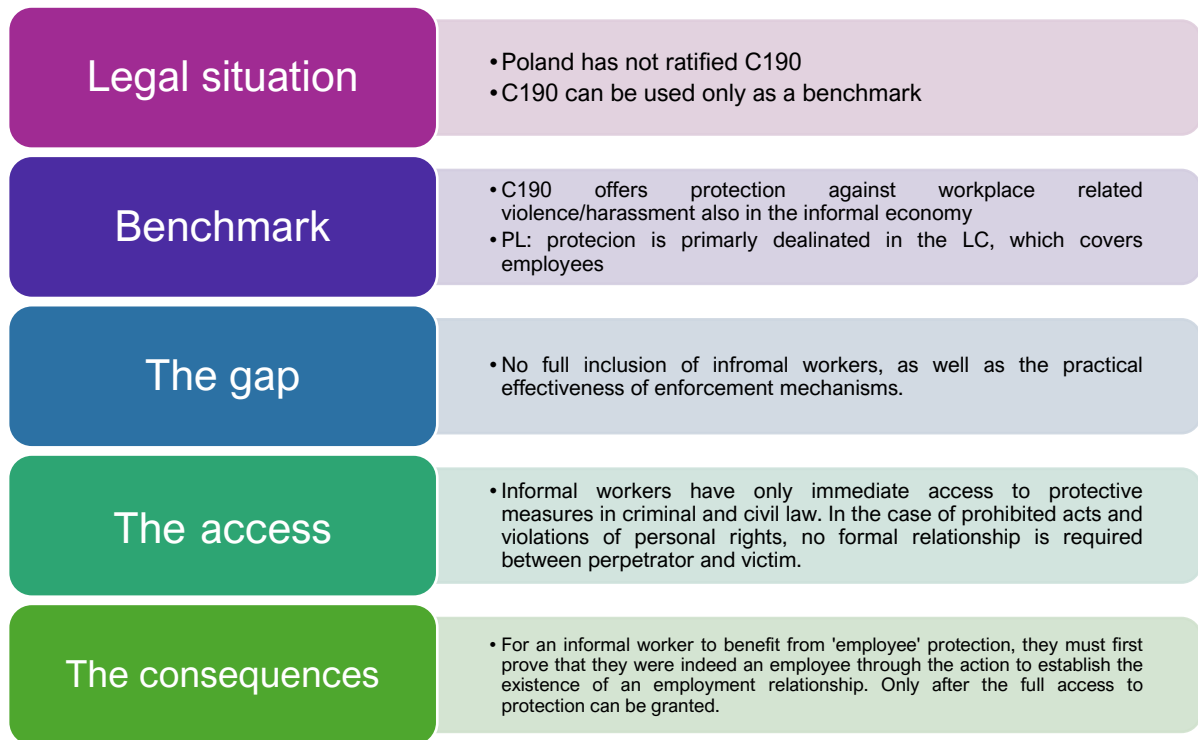
2. Disparities in Legal Protections and Remedies

Despite the existence of formal guarantees, significant disparities remain between categories of workers with regard to access to remedies and institutional enforcement. Employees benefit from a comprehensive enforcement mechanism through the National Labour Inspectorate (Państwowa Inspekcja Pracy – PIP) and labour courts, while civil law contractors and self-employed individuals lack such institutional protection.

This observation suggests that access to justice and protection is determined by employment status rather than exposure to risk or vulnerability. Employees protected under the provisions of the Labour Code are entitled to recourse for compensation in cases of mobbing (Labour Code, Art. 94³ §3). By contrast, non-standard workers must rely on the principles of general tort law or contract law, neither of which explicitly recognises psychosocial harm.

Disparities are evident among non-standard and informal workers, a phenomenon that stands in direct contravention to the provisions outlined in ILO C190, which advocates for universal coverage (Art. 2).

3. Compliance with ILO Convention No. 190 in the context of informal economy



Section III: Employer's Preventive Responsibilities

1. Legal Requirement to Establish Internal Procedures

1.1. General remarks

The LC and the OHS Regulation are the main sources for establishing internal procedures. Under Polish law, employers are not generally required to adopt formal, written anti-harassment or anti-mobbing procedures. Internal procedures are one of several ways in which an employer can demonstrate that effective and genuine preventive measures have been implemented. This obligation is functional in nature and can be derived from:

Art. 11 ¹ LC	• employer's obligation to respect dignity and other personal rights of employees
Art. 15 LC	• employer's obligation to ensure safe and hygienic working conditions
Art. 18 ^{3a} LC	• prohibition of any discrimination
Art. 94 p 2b LC	• employer's obligation to prevent discrimination
Art. 94 p 4) LC	• employer's obligation to ensure safe and hygienic working conditions and to provide regular OHS training
Art. 94 p 10) LC	• employer's obligation influence the development of social norms in the establishment
Art. 94 ³ § 1 LC	• employer's obligation to prevent mobbing
Art. 207 § 1 LC	employer responsible for the occupational health and safety conditions in the workplace
Art. 226 LC	• employer's obligation related to proper management of occupational risk

1.2. Content of Internal Policies

Although LC does not prescribe a standardised written anti-mobbing or anti-harassment policy, it is important to distinguish between (1) the minimum statutory obligations imposed on employers, and (2) the additional measures that are recommended as good practice.

The minimum statutory obligations arise from the duty to prevent mobbing (Article 94³ of the Labour Code), the prohibition of discrimination and sexual harassment (Articles 18^{3a} et seq. of the Labour Code) and general occupational health and safety duties (Articles 15 and 207 of the Labour Code). Good practice measures, as recommended in judicial practice and guidance from the National Labour Inspectorate, may include internal reporting channels, investigative procedures, employee training, awareness activities and access to psychological support. While these measures are not mandatory, they serve as practical tools for demonstrating that the employer has taken real and effective preventive action²⁷. These internal procedures function as

²⁷ See Supreme Court rulings of 19 March 2024, III PSKP 8/23, LEX No. 3694946 and of 3 August 2011, I PK 35/11, OSNP 2012, No. 19-20, item 238.

both preventive and corrective tools. Employers who fail to establish or enforce such mechanisms may incur liability, even if they did not personally engage in the harassment²⁸.

1.3. Monitoring and Enforcement

It should be emphasised that there is no single system in Polish law for preventing workplace violence. There is also no single procedure that covers both holding the perpetrator accountable and providing support to the victim. Employers may establish anti-bullying procedures, conduct training on psychosocial risks and monitor the situation, for example by carrying out anonymous surveys among employees.

Employee Training	<ul style="list-style-type: none"> ◦Employers should train employees on mobbing: what it is, and which behaviors may constitute mobbing. ◦Supreme Court ruling of August 3, 2011 (I PK 35/11), emphasized that part of the obligation to prevent bullying includes employee training.
Informing Employees about Risks and Consequences	<ul style="list-style-type: none"> ◦Employers should inform employees about potential mobbing risks and the psychological or legal consequences of it. ◦Ruling (I PK 35/11) highlights the necessity of informing employees about the dangers and consequences of bullying.
Anti-Mobbing Procedures	<ul style="list-style-type: none"> ◦Employers should implement internal procedures that allow reporting suspected mobbing, conducting investigations, and addressing unwanted behaviors. ◦Ruling (I PK 35/11) stressed that employers should use procedures that help detect and stop mobbing.
Effective Preventive Measures	<ul style="list-style-type: none"> ◦Establishing procedures is not enough - employers must take measures that are effective.. ◦Ruling (I PK 35/11) stated that if measures are real and potentially effective, the employer may avoid liability. ◦Supreme Court confirmed that the “duty to prevent mobbing” is an obligation of due diligence, not automatic liability.
Monitoring and Supervision	<ul style="list-style-type: none"> ◦Employers should monitor whether implemented procedures are effective, assess their impact, and introduce improvements. ◦Practical Guidance: While Supreme Court may not explicitly use the term “monitoring,” case law and labor law literature emphasize that prevention should include diagnostic and systemic measures.
Promoting Organizational Culture and Workplace Relations	<ul style="list-style-type: none"> ◦Employers should foster workplace norms and relationships to promote a bullying-free environment. ◦Source: Legal analyses indicate that SN highlights the importance of workplace culture and social relations when interpreting the duty to prevent mobbing.
Responding to Mobbing Reports	<ul style="list-style-type: none"> ◦When complaints or signals of mobbing arise, employers should activate investigation procedures and take actions appropriate to the situation. ◦Practical Guidance: Preventive documents (e.g., from the National Labour Inspectorate) stress that procedures should enable a quick resolution of detected bullying and address its effects.

2. Integration with Other Procedures

Anti-violence or anti-harassment procedures usually function as separate internal documents adopted by employers to demonstrate fulfilment of their statutory obligation to prevent mobbing. Less frequently, such procedures are incorporated into work regulations or collective labour agreements.

²⁸ Supreme Court ruling of 17 January 2007, I PK 176/06, OSNP 2008, No. 5-6, item 58.

Even less often are such procedures integrated with occupational health and safety (OHS) procedures in practice. Although the general OHS framework — particularly Article 207 §2 LC and §39 of the General Provisions Regulation for Occupational Health and Safety — allows for, and in principle requires, psychosocial risks to be considered in occupational risk assessments, protection against harassment and bullying is rarely reflected in formal risk assessments in practice. These risks are more often addressed through internal anti-mobbing or anti-discrimination measures than through systematic occupational health and safety (OHS) risk management.

3. External Oversight Bodies

There are few external institutions that can be engaged in the oversight of the internal anti-violence policies in Poland.

Table 5. Selected external institutions

National Labour Inspectorate (PIP):	<ul style="list-style-type: none"> – This institution monitors compliance, conducts workplace inspections, and issues administrative penalties or orders for corrective measures. – For over a decade, PIP has been implementing the preventive programme ‘Counteracting the Negative Effects of Stress in the Workplace.’ This programme includes training sessions, information campaigns, support in developing anti-mobbing policies, and tools for assessing psychosocial risks. – In a publication dated September 11, 2025, the Chief Labour Inspector announced that the Inspectorate intends to issue a ‘Code of Good Practices’, a free online handbook developed based on the procedures and experiences of companies that are already actively working to counteract negative phenomena in the workplace – Notably, the post-inspection measures issued by the PIP in the context relevant to violence/harassment are usually non-binding and limited to recommendations or suggestions
Social Labour Inspector (SIP)	<ul style="list-style-type: none"> – SIP only operates in unionised establishments. – It monitors working conditions and compliance with labour law, including how employers respond to reports of bullying. It can submit requests, demand the removal of irregularities, participate in PIP inspections and request that the employer take action
Trade Unions	<ul style="list-style-type: none"> – Article 26 of Trade Unions Act outlines the scope of activities of trade unions, including, among other things, exercising oversight to ensure compliance with labor law provisions in the workplace, particularly those relating to occupational safety and health regulations and standards. – In Supreme Court ruling III PSKP 8/23, the court held that a trade union has the right to challenge the legality of an employer’s internal anti-bullying procedures. The court emphasized that internal regulations can be subject to judicial review to ensure compliance with labor law. This decision confirmed that trade unions may oversee and contest employer policies affecting workers’ rights under the Trade Union Act.²⁹.
Commissioner for Human Rights (Ombudsman):	The office addresses cases involving discrimination or dignity violations and may intervene in court proceedings.

²⁹ Supreme Court ruling of 19 March 2024, III PSKP 8/23, LEX No. 3694946.

4. Workplace Training on Violence and Harassment

Under Article 237³ LC, employers must provide occupational health and safety training to all employees, both before and during their employment. Although this training may (or even should) cover the identification and management of risks related to psychosocial stress, bullying and harassment, this is not common practice.

Although there is no statutory requirement for anti-harassment training, the Ministry of Family and Social Policy and the Labour Inspectorate recommend including violence prevention modules in OHS programmes. Many enterprises have introduced training sessions that cover respectful workplace culture and complaint procedures.

5. Incorporation of Violence and Harassment into OHS Risk Management

5.1. Recognition as Occupational Hazard

The definition of occupational risk in Polish law can be found in § 2, point 7 of the Minister of Labour and Social Policy's 26 September 1997 Regulation on general health and safety regulations. According to this regulation, 'occupational risk' is defined as "the probability of undesirable events occurring in relation to work performed, resulting in losses — particularly adverse health effects in employees — due to occupational hazards present in the work environment or arising from the manner in which work is performed'.

This includes physical, chemical, biological and psychosocial factors, such as stress and workplace violence. Employers are obliged to assess and document occupational risks in each workplace and inform employees about them (Article 226 LC). Articles 226 and 227 of the LC oblige the employer to assess and document occupational risks, implement preventive measures and inform employees about these risks and the rules for protection against hazards. Employers are also required to implement measures to prevent occupational diseases and other work-related illnesses. Article 227 of the LC provides an open-ended list of example measures only. The purpose of the risk assessment is to implement effective preventive measures that reduce the likelihood of accidents and occupational diseases. Therefore, occupational risk can be considered a key element of Poland's health and safety system.

Polish OHS law recognises psychosocial risks, including violence and harassment, as occupational hazards. Employers must conduct risk assessments to identify threats to the physical and mental health of employees (Regulation on General Health and Safety at Work, §39) ³⁰. These assessments must be updated and documented regularly as part of the workplace risk management framework

Table 6. Selected positions of Polish institutions on violence and health and safety at work

PIP	– The PIP explicitly states in its training materials and publications that mobbing and workplace violence are psychosocial factors which must be included in the assessment of occupational risk. According to PIP, "Psychosocial factors such as stress, conflicts, mobbing, violence, or time pressure constitute significant threats to employees' health and should be addressed in the occupational risk assessment." ³¹
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³⁰ Regulation of the Minister of Labour and Social Policy of 26 September 1997 on General Provisions for Occupational Health and Safety.

³¹ <https://www.pip.gov.pl/files/127/Dla-pracodawcow/401/zagrozenia-psychospoleczne-poradnik-dla-pracodawcow-i-specjalisp94880.pdf>

	<ul style="list-style-type: none"> – The PIP, in its guide “Preventing violence and harassment in the workplace”³², states clearly that violence coming from outside the organization constitutes a hazard that should be included in the occupational risk assessment.
Labour courts	<ul style="list-style-type: none"> – Courts (including the Supreme Court) emphasize in their rulings the employer’s duty to prevent mobbing and to provide information/training for employees — which stems from the obligation to assess and manage occupational risk (Supreme Court judgments discuss this obligation)³³. – Court rulings also indirectly confirm this interpretation. For example, in its judgment III PK 194/18³⁴, the Supreme Court of Poland emphasized the employer’s duty to prevent mobbing as part of ensuring safe and hygienic working conditions. In practice, this means that a failure to take preventive action against mobbing or workplace violence may be regarded as a violation of occupational health and safety obligations.
The Central Institute for Labour Protection (CIOP) / OHS literature	The authors and analysts treat aggression and violence as new psychosocial risk factors that should be identified and managed in the workplace. At the same time, they acknowledge that the terminology and regulations in this area are evolving. ³⁵

5.2. Workplace violence/harassment as Occupational Accident or Disease

Accident at work ³⁶	Occupational Disease ³⁷
<p>A sudden event caused by an external factor resulting in injury or death, which occurs in connection with work while:</p> <ul style="list-style-type: none"> – the employee is performing their usual duties or instructions from a supervisor; – the employee is performing activities for the employer, even if they have not been instructed to do so; – the employee is at the employer’s disposal, including on the way between the employer’s premises and the place where a work-related duty is being performed. 	<p>An illness listed in the register of occupational diseases, provided that it has been caused by harmful factors present in the work environment or related to the manner in which work is performed.</p> <p>For a medical condition to be officially recognized as an occupational disease, two conditions must be met:</p> <ul style="list-style-type: none"> – the disease must be included in the official list of occupational diseases, and – there must be documented occupational exposure, meaning contact with a factor capable of causing the illness.
Workplace violence as an accident at work	Workplace violence as an occupational disease
<p>Violence (e.g., assault, physical aggression, or verbal aggression leading to an acute stress reaction) may be considered an accident at work if it meets all legal criteria:</p> <ul style="list-style-type: none"> • sudden event, • external cause (e.g., the perpetrator’s actions), • injury or death, 	<ul style="list-style-type: none"> – Violence itself is not an occupational disease, because occupational diseases are specific medical conditions listed in the official register. – However, the long-term psychological consequences of workplace violence, such as: <ul style="list-style-type: none"> o anxiety disorders, o depression,

³² https://streswpracy.pip.gov.pl/docs/molest_zapobieganie-przemocy-i-molestowaniu-w-miejscu-pracy_art.pdf

³³ Supreme Court judgements : of 3 August 2011 I PK 35/11, of 21 April 2015 II PK 149/14

³⁴ Supreme Court judgement of 22 January 2020 III PK 194/18

³⁵ https://www.ciop.pl/CIOPPortalWAR/appmanager/ciop/pl?_nfpb=true&_pageLabel=P30001831335539182278&html_tresc_root_id=22719&html_tresc_id=23100&html_klucz=19558&html_klucz_spis=

³⁶ Act on Social Insurance for Accidents at Work and Occupational Diseases, Article 3(1).

³⁷ Article 253¹ LC

<ul style="list-style-type: none"> • connection with work. 	<ul style="list-style-type: none"> ○ post-traumatic stress disorder (PTSD), ○ may be recognized as an occupational disease, if: <ul style="list-style-type: none"> ▪ the condition is included in the official list (e.g., chronic stress-related disorders), ▪ a causal link to work conditions is proven, ▪ exposure was long-term and properly documented. <p>Under Polish law, recognition of a condition as an occupational disease is strictly dependent on it being included on the statutory list of occupational diseases. Typical mental health disorders resulting from mobbing or long-term psychological violence are not expressly included in this list. Consequently, while workplace violence can cause serious and enduring psychological harm, recognising such conditions as occupational diseases is legally and evidentially challenging in practice and has been rare to date.</p>
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5.3. Employer Duties and Victim Entitlements

Employers are only required to prevent, report and document accidents at work, conduct post-accident investigations, notify the relevant authorities and maintain accident registers where the statutory criteria for an accident at work are met. Not every incident of workplace violence or harassment automatically constitutes an accident or triggers formal reporting procedures. With regard to workplace violence, Polish law does not provide a uniform set of employer obligations or a comprehensive, unified support mechanism for victims.

In the analysed context, employers must prevent, report and record all occupational accidents, conduct internal investigations to determine their causes and preventive measures, notify the relevant authorities, and maintain accident registers.

In the event of an accident at work, an employee is entitled to accident insurance benefits, including a sickness benefit of 100% of the base amount from the first day of incapacity, as well as rehabilitation benefits, a compensatory allowance and one-off compensation. They may also be entitled to a disability pension, a training pension, a survivor's pension and one-off compensation for their family. They may also be entitled to coverage of medical expenses (e.g. dentistry, vaccinations and orthopaedic supplies), provided this is permitted by law³⁸.

³⁸ Act of 30 October 2002 on social insurance for accidents at work and occupational diseases.

Section IV. Protection, Remedies and Confidentiality

1. General remarks

This section will consider problems associated with protection, remedies and confidentiality in terms of working conditions and circumstances.

Victims of workplace violence have a number of forms of protection at their disposal, which can be used under particular conditions. These forms of protection are essentially divided into two main categories based on the grounds from which they originate. The first category comprises anti-discrimination regulations in general, while the second comprises OHS regulations. In addition to these regimes, victims may also rely on the protection of personal rights and civil and criminal liability mechanisms, which operate independently and may be pursued concurrently depending on the circumstances of the case. This issue is discussed to some extent in points 3 and 4 of Section I of the report.

2. Domestic Legal Remedies

2.1. Remedies under the Labour Code

General regulations considering discrimination	Mobbing-related claims	Harassment and sexual harassment
<p>1) prohibition of discrimination (arts. 18^{3a}-18^{3e} LC),</p> <p>2) right to compensation without a statutory cap - not lower than a minimum wage (art. 18^{3d} LC), in the case of discrimination,</p> <p>2) reversed burden of proof - the victim must only make the discrimination plausible, after which the employer must prove no violation occurred.</p>	<p>General claim:</p> <p>-compensation if mobbing occurred or if the employee terminated their contract due to mobbing (art. 94³ § 4 LC).</p> <p>More precise compensation for non-pecuniary harm:</p> <p>-redress for non-pecuniary harm if mobbing caused a health disorder (art. 94³ § 3 LC).</p>	<p>-Compensation for breach of the equal treatment principle (art. 18^{3d} LC). No statutory upper limit.</p> <p>-Additionally workers are granted with the right to refrain from work: it is appertained always, when the employer fails to take effective measures against harassment</p>

2.2. Protection against retaliation

Under LC	Under Whistleblower Act
<ul style="list-style-type: none"> - Art. 18^{3e} LC: the exercise of the rights in relation to a violation of the equal treatment principle (i.e. discrimination, harassment) shall not be the basis for unfavorable treatment / termination of employment - Art. 18^{3e} LC protects the victim exercising their rights in that regard and an employee providing support - In the event of retaliatory termination of employment or a unilateral unfavourable 	<ul style="list-style-type: none"> - Whistleblowers are formally protected from any kind of retaliation in response to reporting a violation of the law. - Broad subjective scope of protection as the status of whistleblower can be granted to employees, temporary workers, persons performing work on the basis of civil-law contracts, entrepreneurs, commercial proxies, shareholders or partners, members of governing bodies, persons working under the

<p>change to employment conditions, the victim may appeal to a labour court and request that the court “undo’ the unlawful effects of the employee’s retaliatory actions (Arts. 44 and 56 LC).</p> <ul style="list-style-type: none"> – In extreme cases, an employer’s retaliatory action may be considered a serious breach of their basic duties as an employer. In this case, the employee is entitled to terminate the contract without notice and demand compensation equivalent to the remuneration due for the notice period (Art. 55 LC). – Protectio, granted to employees, but non-employee workers are granted similar protection under art. 17 ETA. 	<p>supervision and direction of contractors, subcontractors or suppliers, as well as trainees, volunteers, interns, uniformed officers and soldiers.</p> <ul style="list-style-type: none"> – Limited application of protection: According to Article 3(1), a breach of the law is defined as an act or omission that is unlawful or intended to circumvent the law, but only in relation to the areas explicitly covered by the Act. Notably, labour law is not included in that catalogue, unless an employer has extended the scope of its internal reporting procedure to include internal documents such as work regulations, collective labour agreements or codes of ethics. This is not common practice, so, in most scenarios, internal reporting mobbing, harassment or violation of OHS rules will not grant the whistleblower status to the reporting worker.
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2.3. Civil-Law Remedies

When the mechanisms of the Labour Code are insufficient or not available, victims may rely on the protection of their personal rights under Arts. 23–24 and 448 of CC. This includes the right to claim cessation of violations, an apology, damages and monetary compensation for harm. The provisions of Art. 415–449 CC also provide for tort liability, which can be invoked alongside responsibility based on Labour Law regulations.

These claims are based on delictual liability and function independently of labour law claims.

2.4. Criminal-Law Remedies

Certain forms of workplace violence may constitute crimes (e.g., threats, persistent harassment, physical assault). Victims may initiate a criminal complaint, public or private prosecution, and requests for penal measures.

2.5. Constitutional Framework

Relevant guarantees include human dignity protection (art. 30 of Polish Constitution); prohibition of discrimination (art. 32 of Polish Constitution) and the right to safe and hygienic working conditions (art. 66 of Polish Constitution).

These norms provide the superior legal architecture for interpreting statutory protections.

2.6. International Instruments

Under the European Convention on Human Rights, relevant rights include prohibition of inhuman or degrading treatment (art. 3), right to an effective remedy (art. 13), right to individual application to the ECtHR (art. 35).

2.7. Internal Procedures and Preventive Measures

Internal procedures and preventive tools address both occupational health and safety (OHS) and workplace violence, particularly in the context of mobbing.

OHS regulations are generally considered the most important preventive and protective measures for ensuring an effective protection system. Firstly, a range of duties are imposed on the employer,

who should identify all potential risks related to violence and harassment in a given workplace from the perspective of OHS. In practice, this may involve taking into account both physical and psychological forms of violence, including bullying, verbal aggression, intimidation, sexual harassment and threats and treat them as OHS risk factors.

General preventive measures are necessary because workplace violence may pose a threat to employees' health, particularly with regard to mental health as defined in Article 209² LC. Consequently, employers are obliged to take appropriate measures to ensure their protection, pursuant to the general provision of Article 207 §1 of LC establishing general responsibility for OHS. Following an assessment of the work environment, employers may be required to implement specific preventive OHS measures, including organisational measures (e.g. internal policies that clearly prohibit violence and harassment), technical measures (e.g. security systems) and personnel-related measures (e.g. designating individuals to prevent and respond to violence and harassment), as well as providing psychological support.

A key component of violence prevention, especially in the context of statutory obligation to prevent mobbing (art. 94¹ § 1 LC) is the establishment of internal reporting and investigative mechanisms. While not universally mandated by statute, many employers adopt internal channels for complaints and structured procedures for receiving reports, conducting investigations and documenting outcomes. Typical solutions include internal complaint procedures, ad hoc or standing investigation teams, and interim organisational measures (e.g. separating the parties involved), accompanied by training or disciplinary action where appropriate. When properly designed, internal mechanisms can function as early intervention tools, allowing allegations to be clarified promptly, reducing escalation and limiting the need for adversarial external proceedings and related costs.

3. Confidentiality and Data Protection

From a systemic perspective, and particularly under the LC, there is no comprehensive regulatory framework comparable to that established by the Whistleblower Protection Act for confidentiality and data protection. The LC does not contain detailed provisions governing the confidentiality of internal reports or the protection of the identities of reporting persons, individuals who are the subject of reports, or third parties. Nevertheless, confidentiality and privacy in internal workplace proceedings are primarily safeguarded through general labour law principles and personal data protection rules, particularly those arising from the General Data Protection Regulation (GDPR) and the relevant provisions of the LC (*a contrario*, including Article 22¹ LC).

Under the GDPR, employers must ensure the lawful, proportionate and secure processing of personal data relating to victims, witnesses and alleged perpetrators. This includes complying with the principle of data minimisation. Furthermore, access to investigation files should be restricted to authorised individuals only, and appropriate organisational and technical measures must be implemented to prevent unauthorised access or disclosure.

In practice, confidentiality is further ensured through organisational measures such as limiting access to case files, establishing clear reporting channels (verbal, written or electronic) and requiring members of internal investigation committees to sign confidentiality statements. These statements typically oblige committee members not to disclose information concerning the victim, the person who made the report, or witnesses. Breaching this obligation may result in labour law consequences, including termination of employment. Where external advisers are engaged, they are likewise bound by confidentiality obligations arising from contractual arrangements and professional secrecy.

Against this background, the Whistleblower Protection Act should be viewed as an additional, sector-specific regulatory framework. Its scope is limited to reports concerning legal violations as defined in the Act, and it does not automatically cover workplace violence, unless such behaviour constitutes a legal violation as defined in the Act, as labour law violations are not automatically covered by the AWP. The AWP introduces enhanced guarantees within its scope, including strict confidentiality of the whistleblower's identity, prohibition of retaliation, reversed burden of proof and formalised internal reporting procedures with documentation and record-keeping obligations. Anonymous reporting remains optional and is subject to internal regulations. Disclosing a whistleblower's identity without authorisation may result in disciplinary, civil or criminal liability, depending on nature and consequences of the breach. Overall, although the AWP provides a detailed confidentiality regime, protection of confidentiality and personal data in internal workplace proceedings continues to rely primarily on the Labour Code and the GDPR. Whistleblower regulations operate as an additional, narrowly tailored layer of protection.

Despite the AWP's, confidentiality in the case of workplace violence report can be ensured through:

- personal data protection rules (GDPR and *a contrario* LC provisions i.a. art. 22¹),
- restricted access to investigation files,
- confidentiality may also be supported by recommended internal measures, such as requiring members of internal investigation committees to sign confidentiality statements.
- Multiple confidential reporting channels (verbal, written, electronic), including reporting to different trusted persons within the organization (HR, board members, supervisors).
- Data minimisation obligations present in Polish jurisdiction - only necessary data may be processed, which constitute the rule that any personal data of the victim and witnesses must be processed only to the extent necessary and in accordance with data minimization principles.
- External advisors, when engaged, are also bound by confidentiality.

Section V: Domestic, Third Party and Cyber Violence and Work Implications

1. Legal recognition of domestic violence impact on the workplace

1.1. General remarks

Although the Polish legal system does not explicitly address domestic violence as a distinct workplace issue in the Labour Code, it does not ignore this phenomenon entirely. There is no statutory provision that expressly defines domestic violence as a factor that directly affects the employment relationship. Instead, the issue is primarily addressed within the family, criminal and administrative spheres through the Act on Counteracting Domestic Violence, which focuses on crisis mechanisms (e.g. the 'Blue Card' procedure, 'Niebieska Karta').

Consequently, while the Labour Code primarily focuses on the relationship between employees and employers, and on organisational pathologies such as mobbing, it does not entirely disregard the 'spill-over' effects of domestic violence. While Polish labour law does not explicitly address domestic violence as a distinct workplace issue, the general obligations of employers regarding OHS are broad enough to encompass external threats if they occur within the workplace (e.g. intrusion by a perpetrator, stalking on company premises, or threats). Therefore, existing safety regulations provide a functional framework for protecting employees from such external risks.

1.1.1. Employer obligations regarding domestic violence risk management

Under Polish law, employers are not directly obliged to recognise or manage the impact of domestic violence. It is also notable that employers are not formal participants in the 'Blue Card' procedure, which is the exclusive responsibility of designated public administration and law enforcement bodies. However, indirect obligations can be derived from a functional interpretation of general OHS regulations. While employers are not part of the statutory intervention system for domestic abuse, they have a strict duty of care to protect their employees if a threat materialises in the workplace. This is partly associated with the issue of the spillover effect of domestic violence in the workplace, and the challenge of protecting workers from external violence (third parties). Nevertheless, it should be noted that the above is more of an interpretative stance than a solid practice or widely accepted standard in Polish labour law.

Table 7. Conceptualising the obligation of employers relating to the spillover effect of domestic violence

Legal basis	<ul style="list-style-type: none"> – Under Art. 15, Art. 94(4) and Art. 207 § 2 LC, the employer is the guarantor of safe and hygienic working conditions. – Under art. 94³ § 1 LC, employer is obliged to prevent mobbing (mobber as third party).
Risk Management	If the employer becomes aware of a potential threat (for example, if an employee reports that their partner intends to enter the premises and cause harm), the matter is no longer solely private. Instead, it becomes an identifiable workplace hazard that falls within the broader scope of psychosocial risks and external threats. Under the general duty to monitor safety (Article 226 LC), the employer must evaluate this specific danger, even if it does not immediately necessitate an update to the general risk assessment documentation.
Proportionate measures	<ul style="list-style-type: none"> – The employer may consider to implement proportionate and adequate protective measures. These must be non-stigmatising and non-discriminatory, ensuring the victim's dignity is respected. Examples include: <ul style="list-style-type: none"> o Technical measures: Enhanced access control, installation of panic buttons, or monitoring. o Organisational measures: Temporary relocation of the workstation, changing work hours, or notifying internal security.

	<ul style="list-style-type: none"> – It is difficult to talk about defined and absolute obligations in that regard; it should rather be considered a recommendation for good practice..
Liability	<ul style="list-style-type: none"> – Failure to implement these measures following the receipt of credible information may result in civil liability for damages or criminal prosecution. This includes liability under art. 160 KK (exposure to danger) and art. 220 KK, which specifically penalises failing to fulfil occupational health and safety (OHS) responsibilities, thereby exposing an employee to an immediate risk of death or serious injury. – If an employer tolerates domestic violence in the workplace over a long period of time, this may be considered a failure to fulfil the basic duty to prevent mobbing, which could theoretically result in compensation and redress claims under art. 94³ LC.

1.1.2. Workplace entitlements and protective measures for victims

Polish labour law does not include any specific entitlements or protective measures for victims of domestic violence. While ‘soft’ solutions, such as ad hoc agreements with an employer regarding schedule changes or relocation, are possible in practice, they do not constitute statutory rights. Victims are limited to utilising the general instruments available to all employees, which often fail to address the specific dynamics of domestic violence.

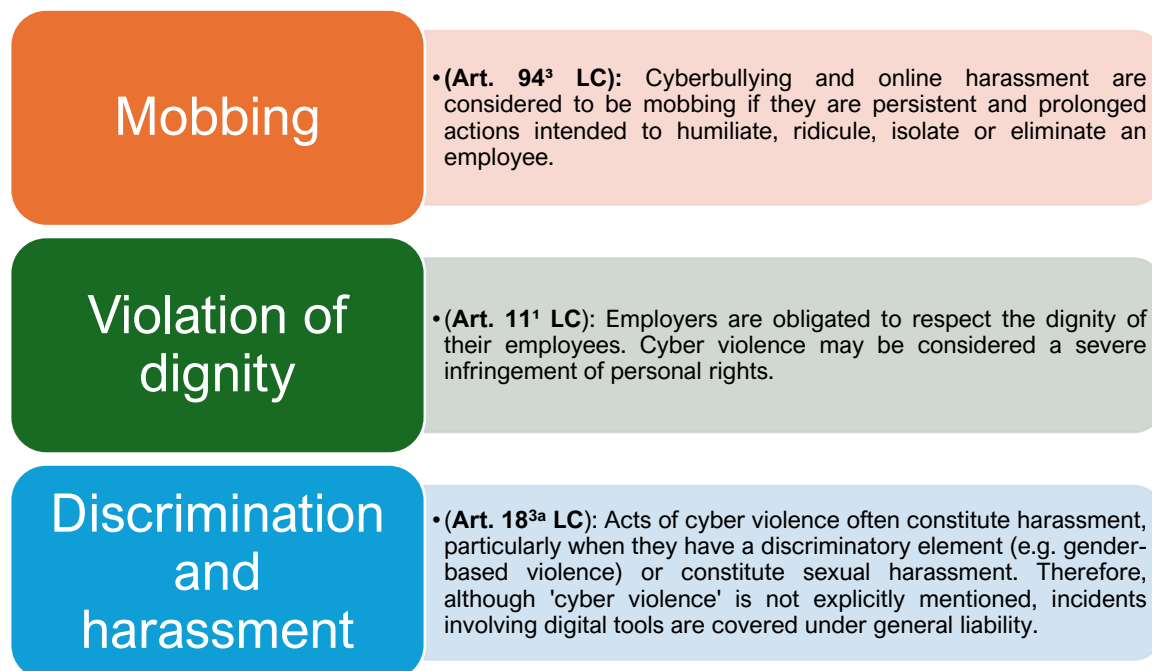
Table 7. General entitlements with the potential to be employed in the event of a spillover effect of domestic violence

Leave on demand	Art. 167 ² LC: an employee may request up to four days of leave per calendar year. This leave is deducted from the employee’s general annual leave entitlement and does not constitute additional time off. Generally, the request must be made no later than the day the leave begins.
Force majeure leave	Art. 148 ¹ LC: Introduced in 2023, this allows for two days (or 16 hours) of paid leave at 50% of salary. The provision specifically covers urgent family matters arising from illness or an accident that require the employee’s immediate presence. Consequently, it only applies to domestic violence in specific factual scenarios where the violence results in injury or a sudden necessity relating to another family member arising from such an event.
Exemption from work due to a summons	Based on the Regulation of the Minister of Labour and Social Policy of 15 May 1996 concerning the justification of absences from work and granting employees exemptions from work, employers must release an employee to appear before state authorities (e.g. the police or court). While this absence is considered justified, the employee is usually not paid for the time off by the employer (although depending on the specific regulations, the employee may claim compensation for lost earnings from the authority that summoned them), which creates an additional administrative burden.
Workplace adjustments	<ul style="list-style-type: none"> – (e.g. remote working under art. 67¹⁹ LC, or flexible working time under art. 142 of LC); – Victims of domestic violence are not included in the closed catalogue of privileged groups defined in Art. 67¹⁹ § 6 LC (e.g. parents of young children), whose requests are generally binding. A request from a victim of domestic violence remains at the employer’s discretion. – However, under general health and safety regulations, employers may be required to consider organisational changes or remote working if these measures effectively reduce the risk to employees.
Protection against dismissals	Furthermore, Polish law does not provide a specific legal protection for victims of domestic violence against dismissal. However, employers are not granted absolute freedom, as dismissals can still be challenged on general grounds. For example, a dismissal may be challenged if it contradicts the principles of social coexistence, constitutes discrimination, or is a retaliatory measure.

2. Legal status of cyber violence in employment regulations

2.1. General remarks

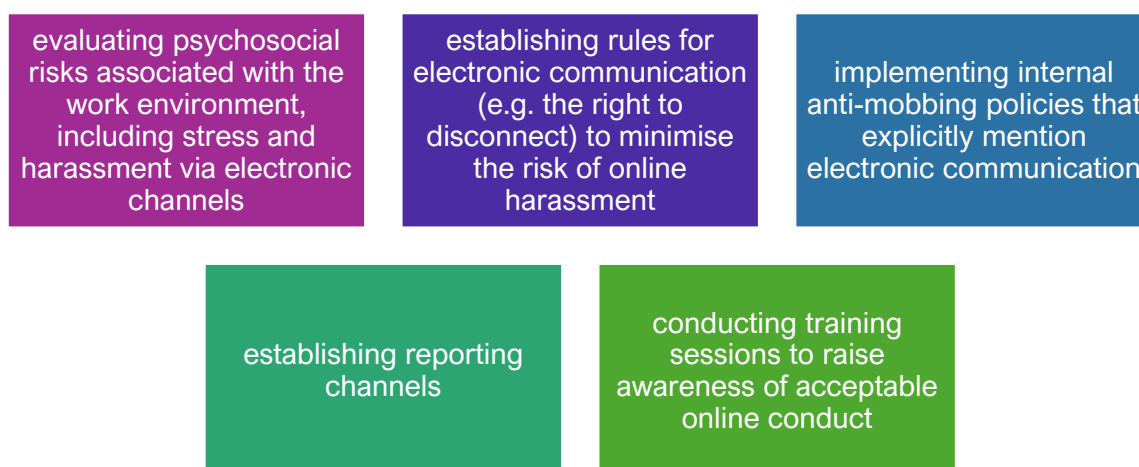
The Polish Labour Code does not contain a specific statutory definition of 'cyber violence'. However, legal recourse and employer liability are established by interpreting existing provisions:



2.2. Employer requirements for cyber violence prevention

There is no statutory requirement for employers to implement measures dedicated exclusively to preventing cyber violence. However, employers have a general duty to counteract mobbing (Art. 94³ § 1 Labour Code), and this obligation extends beyond cyber violence. Prevention also stems from broader health and safety regulations, specifically the obligation to organise work in a safe and hygienic manner and to conduct risk assessments.

This implies a duty of due diligence, which typically involves:



Although the law does not specify technical standards for preventing cyber violence, employers are required to take proactive steps to mitigate these risks due to the combination of anti-mobbing duties and general safety obligations.

3. Mechanisms of protection against third-party violence (TPV)

3.1. General remarks

Polish labour law does not explicitly recognize the category of 'third-party violence' (TPV). Protection is indirect, derived from general safety obligations, or sector-specific regulations.

3.2. General protection (private sector / ordinary employees):

Table 8. Overview of common protective measures

OHS and psychosocial risks:	Protection is primarily derived from the employer's fundamental duty regarding OHS (Art. 207 LC). The employer is obliged to organize work in a way that ensures safety, which includes assessing psychosocial risks.
Violence as a workplace accident:	<ul style="list-style-type: none">– Crucially, an act of violence by a third party, such as an assault by a client or intruder, constitutes a 'sudden event caused by an external factor related to the performance of work'. Consequently, it may be classified as a workplace accident.– This classification is important because it triggers the accident reporting procedure and entitles the victim to 100% paid sick pay and potential rehabilitation or compensation benefits from the accident insurance system.
Mobbing by third parties:	<ul style="list-style-type: none">– According to part of the legal doctrine, a 'mobber' does not necessarily have to be an employee of the company; the perpetrator can be someone outside the company's structure, such as a client or someone associated with the company.– The PIP explicitly supports this interpretation, stating that while the victim must be an employee, the perpetrator of mobbing can be someone who is not an employee, e.g. someone employed under a specific-task or management contract.– Trade union educational materials also confirm that the harasser acts to the detriment of the employee, regardless of their own employment status.– Nevertheless, legal responsibility remains with the employer: under the LC, a mobbing lawsuit is always directed against the employer. This creates a liability framework in which the employer is held responsible for a lack of protection or ineffective prevention measures in the workplace.³⁹

3.3. Enhanced criminal protection (public sector / specific professions):

The Polish legal system recognises a category of workers who are granted the status of 'public officials' (funkcjonariusz publiczny).

- Healthcare workers: Doctors, nurses and paramedics are protected in the same way as public officials while performing their duties (Article 44 of the Act on the Professions of Physician and Dentist). 11 of the Act on the Professions of Nurse and Midwife; 5 of the Act on State Medical Rescue Services);
- Teachers: Similar protection is afforded to them under Art. 63 of the Teachers' Charter.
- Social workers are protected under Art. 121 of the Act on Social Assistance.

Such acts of violence as physical assault (art. 222 KK); active assault (art. 223); insult (art. 226 KK) are prosecuted *ex officio* (by the public prosecutor) for these groups, removing the legal burden from the victim. More severe punishments are also prescribed for the above acts if the victim is a public official. Additionally, Art. 276a of the Code of Criminal Procedure allows for

³⁹ Państwowa Inspekcja Pracy (National Labour Inspectorate), Mobbing i dyskryminacja, <https://www.pip.gov.pl/dla-pracownikow/porady-prawne/mobbing-i-dyskryminacja>, access: 1.02.2026; Ogólnopolski Związek Zawodowy Pracowników Transportu (All-Poland Trade Union of Transport Workers), Akademia PIP cz. 1 – Czym jest mobbing?, <https://ozzpt.org.pl/akademia-pip-cz-1-czym-jest-mobbing/>, access: 1.02.2026

immediate preventive measures (e.g. restraining orders) to be taken against individuals attacking medical personnel.

4. Statutory recognition of non-employee perpetrators

4.1. General remarks

In the Polish legal system, recognising third-party violence is not unified, but characterised by a fragmented approach. The general labour law framework (Labour Code) does not explicitly define third-party violence. Explicit recognition and enhanced penalties are only found in specific professional statutes, as detailed in Section 3 above.

4.2. Distinctions between third-party and domestic violence

Polish labour law system does not distinguish between these two phenomena, treating both as external risks.

- Liability trigger: In both cases, the employer’s health and safety obligations are only triggered if violence translates into a direct threat within the workplace.
- Employer’s control: The legislator links employer liability to risks originating within the work environment. Therefore, an aggressive client and an abusive partner are both treated as safety breaches, although preventive measures (risk assessment) are more developed for client interactions.

4.3. Risk assessment duties regarding third-party interactions

Although there is no direct statutory obligation to implement specific tools such as ‘panic alarms’, employers are required to carry out a general Occupational Risk Assessment (Article 226 of the Labour Code). Employers must assess risk relating to all work activities. In high-risk sectors such as banking and retail, failing to identify robbery as a risk could be considered a breach of health and safety regulations.

4.4. Legal remedies and support for victims of third-party aggression

The available remedies reveal a significant disparity between ‘privileged’ professions and ordinary workers, creating a ‘liability trap’ for the latter.

Table 9. Overview of legal remedies

Criminal law remedies	<ul style="list-style-type: none"> – Public officials (privileged): Victims (medics, teachers) benefit from <i>ex officio</i> prosecution. The state bears the burden of collecting evidence and prosecuting the offender. – Ordinary employees (self-defense): For private sector employees (e.g., retail, gig economy), acts like bodily violation (Art. 217 KK) or insult (art. 216 KK) are prosecuted via private accusation. The employee must personally identify the perpetrator, gather evidence, and finance the prosecution. The employer has no statutory obligation to participate in this legal process.
Social security remedies	<ul style="list-style-type: none"> – an act of violence by third party at work (e.g. an assault by a client) may be qualified as a workplace accident under the Act of Social Insurance from Accidents at Work. – This classification relies on the ‘external cause) factor (Art. 3 of the Act), effectively covering events originating from an external source. – This path acts as a vital safety net because it operates on a ‘no-fault’ basis: the victim receives benefits regardless of whether the employer was negligent. Key elements include:

	<ul style="list-style-type: none"> ○ 100% paid sickness allowance - paid from the first day of incapacity (Art. 9 of the Act). ○ One-time compensation - a statutory lump sum from the Social Insurance Institution (ZUS) for any permanent or long-term health impairment caused by the accident (Art. 11 of the Act). ○ Rehabilitation benefit - if the victim is still unable to work after the sickness allowance period ends but has a prognosis for recovery, they are entitled to this benefit for up to 12 months (Art. 6 of the Act). <ul style="list-style-type: none"> – Exclusions from liability (Art. 21 of the Act): ZUS may refuse payment only in strictly defined cases, which protects victims of violence: – Benefits are denied if the sole cause of the accident was the employee's proven violation of safety regulations due to intent or gross negligence. – Benefits are not payable if the employee, being under the influence of alcohol or drugs, significantly contributed to the accident.
Civil Law remedies against the employer	<ul style="list-style-type: none"> – Fault principle (Art. 415 CC): For most service sectors, the employee must prove the employer's culpable negligence (e.g., lack of security). Recent jurisprudence confirms that employers are liable for harms caused by third parties if the danger resulted from the employer's organisational negligence (e.g. the Supreme Court ruled in 2025, case I PSK 1/24⁴⁰, that an employer who removes physical security guards or reduces monitoring to cut costs violates the duty to ensure 'actual safety', rendering them guilty for the victim's trauma). If the employer complied with basic OHS rules, they are generally not liable for criminal acts of third parties. – Strict liability & exculpation (Art. 435 CC): This applies only to enterprises 'powered by forces of nature' (e.g., transport, energy sectors, heavy construction). Here, the employer is liable on a risk basis regardless of fault. However, the employer can be released from liability (exculpation) if they prove that the damage resulted from the exclusive fault of a third party for whom they are not responsible. – Conclusion: While employers are not automatically vicariously liable for the criminal acts of independent third parties, they remain fully liable for their own organizational failures. If an employer neglects OHS standards (as highlighted in the I PSK 1/24 judgment), the employee may claim civil damages to top up the standard social security benefits.
Specific statutory remedies	<ul style="list-style-type: none"> – Penal compensation (nawiązka, Art. 46 CC): The criminal court may order the perpetrator to pay compensation directly to the victim. – Right to refuse service: Medical professionals may refuse to treat an aggressive patient (Article 38 of the Act on Physician Professions), provided there is no immediate threat to the patient's life. – Legal aid and institutional support: <ul style="list-style-type: none"> ○ Under Art. 63 of the Teacher's Charter, the school director is obliged to 'act in defence' of the teacher's rights if their status is violated. ○ Under Art. 121 of the Social Assistance Act, social workers are entitled to free legal protection from their employer if they are a victim of a crime against a public official. Alternatively, they are entitled to reimbursement of up to 50% of legal costs for private representation if their employer cannot provide it.

⁴⁰ Supreme Court ruling of 24 January 2025, I PSK 1/24, LEX No. 3837719.

Section VI: Roles and Responsibilities of Third Parties in counteracting violence at workplaces

1. Trade unions

The most significant third-party actors in preventing and addressing workplace violence and harassment are trade unions. Under the Trade Unions Act of 23 May 1991, pursuant to Article 1, a trade union is a voluntary and self-governing organization of working people, established to represent and protect their rights, as well as their occupational and social interests. Below, the relevant trade union regulations are listed, which can be applied to issues of violence and harassment in the workplace. However, it should be emphasised that no regulation is dedicated specifically to the issue in question, and the possibility of applying them primarily results from the general nature of these rights.

Table 10. Outline of the relevant legal measures granted to trade unions

Trade Unions Act	<ul style="list-style-type: none"> – Article 4: Unions defend dignity and material and moral interests of working people. This is the closest legal basis for cases of violence and harassment as violations of dignity. – Article 6: Trade unions participate in creating favourable working conditions. Anti-mobbing and anti-harassment policies can be included under this as an element of 'working conditions'. – Article 7(2)–(3): Representation in individual cases, including at the request of non-members, provides a practical basis for union intervention in cases involving victims of workplace related violence or harassment. – Article 8: Monitoring compliance with regulations concerning employees' interests may be considered as a broad 'loophole' for responding to violations of standards of treatment at work. – Article 23(1)–(2): Trade unions monitor compliance with labour laws and are involved in health and safety supervision. – Article 26(1)–(4): a key list of the workplace organisation's tasks of trade unions, include positions on individual and collective matters, monitoring of labour law (especially OHS), management of social labour inspection, and cooperation with the PIP. – Article 28: Trade unions have the right to receive information from the employer regarding working conditions, work organization etc. – Article 29: In the event of justified suspicion of a threat to life or health, company trade union can request the employer to carry out appropriate examination and inform the PIP. Ignoring or rejecting an employer's request to authorise a trade union to conduct examinations at the employer's expense. This can be applied when violence or harassment actually poses a threat to health, including mental health.
Social Labour Inspection (SIP) Act	<ul style="list-style-type: none"> – Articles 1–2: The objective of the SIP is to ensure health and safety and protect employee rights. The SIP is managed by the company's trade unions. – Article 4 lists the rights of the SIP, including monitoring OHS conditions, ensuring compliance with labour law and regulations, analysing work-related illnesses and implementing preventive measures. – Article 6: SIP elections are organised by the trade unions. – Articles 8–11 cover SIP's access to premises, requests for information and documents, entries in registers and recommendations to remedy deficiencies. In the event of immediate danger, there is the possibility of requesting immediate action, recommending the suspension of work or equipment and referring the matter to the PIP in the event of opposition.

LC	<ul style="list-style-type: none"> – Art. 104²: Work regulations: In smaller companies, these may be introduced at the union's request. The regulations may cover health and safety obligations, among other things, and their content is agreed with the union. This provides a real opportunity to include rules on counteracting violence and harassment, reporting channels, prohibitions and consequences. – Art. 237^{11a}: Health and safety consultations: Trade unions may submit requests to eliminate hazards and request inspections by the National Labour Inspectorate (PIP) in cases involving health and safety risks. – Art. 237¹²–237¹³: The Health and Safety Committee (including SIP participation) is responsible for reviewing working conditions, conducting health and safety assessments and making improvement proposals. – Art. 237^{13a}: Where they exist, workplace trade unions elect employee representatives for consultation and health and safety committees. In other words, trade unions effectively fill the 'health and safety channel', which can also be used for reporting risks related to violence and harassment.
Act on the resolution of collective disputes	A collective dispute may concern working conditions, and trade unions are the only organisations that can represent the collective interests of employees. In theory, initiating a collective dispute can be used as a 'hard' instrument of pressure when violence and harassment are tolerated as part of poor working conditions.

2. NGOs

Many Polish non-governmental organisations play a vital role in assessing and preventing workplace violence and harassment. They do this by supporting victims, raising awareness, and promoting effective, non-confrontational solutions. Anti-mobbing NGOs provide information, training, consultations and mediation to help employees and employers understand the mechanisms of violence, manipulation and exclusion. They primarily provide support and guidance, mediation and training, and raise awareness. They do not have authoritative powers. Examples of their activities include operating hotlines for employees, running intervention programmes, publishing reports on workplace harassment and providing practical recommendations for employers. They also develop practical guidelines, audit anti-harassment procedures, monitor legislative changes, and encourage prevention through education, dialogue, and cooperation. This contributes to safer and more sustainable workplaces.

Table 11. Selected NGOs engaged in policies against workplace violence and harassment

Krajowe Stowarzyszenie Antymobbingowe ⁴¹	Association focusing on helping people who are experiencing mobbing, as well as educating and 'sensitising' employers to the problem of psychological violence at work. It runs information and counselling activities for victims
Ogólnopolskie Stowarzyszenie Antymobbingowe ⁴²	Association that runs self-help support groups for victims of workplace violence, providing legal information on mobbing. It also provides education on recognising and counteracting mobbing.
Stowarzyszenie Interwencji Prawnej ⁴³	Association that provides legal assistance to people experiencing discrimination and exclusion, which often translates into violence and abuse at work, especially towards vulnerable groups. At the same time, it offers support to organisations and employers in developing anti-discrimination and anti-mobbing policies

⁴¹ The National Anti-Mobbing Association, <http://ksa-mobbing.pl/>.

⁴² The Nationwide Anti-Mobbing Association, <http://www.osastowarzyszenie.pl/start.html>.

⁴³ The Legal Intervention Association, <https://interwencjaprawna.pl/tematy/prawa-pracownicze/>.

Polskie Towarzystwo Prawa Antydyskryminacyjnego ⁴⁴	Organisation that develops educational tools and legal knowledge about discrimination in employment, including company practices and employee relations. The PTPA publishes materials and conducts awareness-raising activities on the rights of workers and the obligations of employers
Helsińska Fundacja Praw Człowieka ⁴⁵	Foundation that provides legal assistance in cases concerning equal treatment in employment, including cases of harassment and discrimination at work. In practice, it combines counselling with advocacy and publications.
Fundacja Centrum Praw Kobiet ⁴⁶	Organisation that provides legal support and conducts educational activities on mobbing and discrimination against women in the workplace. It provides assistance in the form of advice and training.
Fundacja Feminoteka ⁴⁷	Foundation that is mainly associated with violence against women but also carries out specific work on sexual harassment and abuse in professional contexts, including publications, training and support. If the issue of violence at work is linked to harassment, this is the 'first point of contact'

3. Blue cards

One potentially effective approach could be to introduce a mechanism analogous to the Blue Line helpline and the 'Blue Cards' procedure used in cases of domestic violence. It should be noted that this is a proposed good practice idea for workplace prevention and support, and is not currently part of the legal framework for protecting employees from violence or harassment at work.

The 'Blue Cards' procedure is a formalised intervention framework that enables the early identification and documentation of violence through reports initiated by authorised public institutions, regardless of the victim's consent. This procedure is based on Article 9d of the Act of 29 July 2005 on Counteracting Domestic Violence (consolidated text, Dz.U.2024.1673), which establishes the legal basis for initiating the procedure and obliges designated public authorities to take coordinated action when domestic violence is suspected.

Under current legislation, the 'Blue Card' procedure applies to suspected domestic violence and can be initiated by authorised public institutions using the NK-A form, regardless of the victim's consent (Article 9d of the Act on Counteracting Domestic Violence and the associated implementing regulations). In the context of work, the Blue Card's potential emerges when domestic violence spills over into the workplace (e.g. stalking, threats or harassment). The Blue Card can then provide formal documentation and initiate coordinated assistance measures. However, it is not a strict instrument of employee protection: in cases of violence or harassment by a superior or colleague with whom there is no 'domestic' relationship, labour law mechanisms (such as mobbing and harassment/sexual harassment as a form of discrimination) and the employer's obligations in terms of prevention and response are primarily applicable.

This framework could be used as a reference model for developing a comparable mechanism to address violence, harassment and discrimination in the workplace, involving structured reporting and third parties..

⁴⁴ The Polish Society for Anti-Discrimination Law, <https://www.ptpa.org.pl/>.

⁴⁵ The Helsinki Foundation for Human Rights, <https://hfhr.pl/co-robimy/rowne-traktowanie>.

⁴⁶ The Women's Rights Centre Foundation, <https://cpk.org.pl/pomoc/pomoc-prawna/>?

⁴⁷ The Feminoteka Foundation, <https://feminoteka.pl/publikacje/niemoralne-propozycje-molestowanie-seksualne-w-miejscu-pracy?>.

4. Authority of the National Labour Inspectorate and other competent authorities in Poland

4.1. National Labour Inspectorate

4.1.1. General remarks

The National Labour Inspectorate (PIP) is the state authority responsible for supervising and enforcing compliance with labour laws, including those relating to health and safety at work and the legality of employment. It operates under the State Labour Inspection Act.

The PIP has the authority to carry out inspections, including unannounced ones, of workplaces and employers' compliance with labour law, occupational health and safety regulations, and conditions of employment. The PIP can also issue orders to remedy identified violations and provide free advice on labour law and occupational health and safety. PIP processes complaints from workers or individuals performing work regarding breaches of labour rights.

However, it should be noted that PIP does not have the authority to adjudicate cases of mobbing or discrimination; such claims fall under the exclusive jurisdiction of the labour courts. Although the PIP can identify violations and prescribe measures to ensure compliance with labour law and occupational health and safety standards, claims for compensation or remedies related to harassment or discrimination must be resolved by the courts.

Other competent authorities: The Social Labour Inspection and the State Sanitary Inspectorate also have oversight roles: the former as auxiliary bodies responsible for ensuring compliance with labour law, and the latter for ensuring health and hygiene standards in the workplace.

4.1.2. Relevant Powers and Responsibilities for Addressing Violence and Harassment at Work

Although the Labour Inspectorate's main remit is general labour law and occupational health and safety, its functions are indirectly relevant to workplace violence and harassment insofar as they affect workers' health, safety, dignity and working conditions. Specifically:

Investigation and Inspection Authority

- Inspectors can examine workplace conditions, including psychosocial risk factors, in response to complaints or suspicions of violations of labour rights or safety standards.

Issuance of Legal Remedies:

- When labour law or health and safety regulation violations are identified, inspectors can issue remedies such as improvement notices, oral instructions, and written decisions aimed at rectifying the situation. These measures may affect working conditions more broadly.

Enforcement measures:

- The PIP can require employers to eliminate identified breaches within set deadlines, and may initiate legal proceedings against those responsible, including issuing fines and referring cases to the courts for labour law or minor offence violations.

Protective actions:

- Upon request, inspectors may protect complainants' identities where there is a justified fear of retaliation. This can indirectly encourage workers to report harassment or unsafe conditions.

4.1.3. Limitations in the context of violence and harassment

Crucially, under current legislation, the PIP does not have the explicit authority to issue binding determinations that specific conduct constitutes discrimination, harassment or bullying in the workplace. Such findings usually arise in civil litigation or labour court proceedings, rather than in administrative inspection decisions.

While the PIP can recommend corrective action and issue recommendations to address breaches affecting working conditions, it cannot order specific anti-harassment measures (e.g. mandating policies or individual remedies), unless these relate directly to violations of safety or employment norms that are expressly covered by law.

4.1.4. Can PIP issue binding immediate orders (e.g. stop-work orders)?

Yes, in cases involving imminent threats to life, health or safety resulting from breaches of labour law, the Act on the State Labour Inspection (art. 11) gives PIP the authority to issue binding administrative orders. These include:

- orders to suspend work or specific operations where violations pose an immediate threat to the life or health of employees or other persons performing work;
- orders to prohibit work or activities in places where working conditions pose an immediate danger to life or health.
- orders to stop the use of machines or devices if operating them poses such immediate threats.

It should be noted that these powers operate strictly within the framework of OHS regime ('imminent hazard') and do not extend to issuing orders or rulings regarding mobbing, harassment or discrimination. Such claims fall within the exclusive competence of the labour courts.

These orders are binding and enforceable, and the PIP is empowered to require the immediate cessation of dangerous work and related activities upon identifying a hazard. Enforcement mechanisms may include administrative execution, fines for failure to comply and, where applicable, criminal penalties for obstructing or failing to execute inspectorate orders.

While PIP can halt dangerous work, it is important to note that current law does not grant it broad powers to issue general stop-work orders in response to violence or harassment alone, unless these conditions directly breach OHS standards in an objectively dangerous manner.

4.2. Social Labour Inspectorate

Furthermore, the Social Labour Inspectorate (SIP) plays a pivotal role in Poland's labour protection system. As a social service, it ensures that employers provide safe and healthy working conditions and respect employees' labour rights. According to Article 14(1) of the Act of 13 July 2007 on the State Labour Inspectorate, the State Labour Inspectorate collaborates with the SIP, among others, to fulfil its duties.

However, the SIP does not have the authority to issue binding orders, including those with immediate executory force or stop-work orders, even in cases involving imminent threats to life, health or safety resulting from violence or harassment.

The SIP is a workplace-based social service performed by employees who represent the interests of all workers. Its core role is preventive and supervisory: social labour inspectors continuously monitor working conditions, compliance with labour law and occupational health and safety regulations, and the protection of workers' rights.

Although SIP inspectors have extensive inspection rights and can formally document observations and recommendations in mandatory workplace registers, their actions are not legally binding. In situations involving serious violations or direct threats to employees' lives or health, the SIP's main power is to request immediate intervention or an inspection by the State Labour Inspectorate (PIP). The PIP is the public authority empowered to issue enforceable decisions, including stop-work orders. The SIP therefore functions as an early-warning and support mechanism within a coordinated labour protection system. It complements and strengthens the PIP's enforcement role but does not have coercive or executory powers itself.

4.3. Other authorities

Depending on the nature and severity of the conduct, other competent authorities, in addition to labour inspectorates, may become involved in cases of workplace violence or harassment. If the behaviour constitutes a criminal offence, such as physical assault or threats, as defined in the Penal Code, the police and the public prosecutor's office have the authority to investigate and initiate criminal proceedings where appropriate. In matters involving personal data breaches or privacy violations during internal investigations, the President of the Personal Data Protection Office (UODO) acts as the supervisory authority for data protection under the GDPR. They can examine complaints, conduct inspections, and impose administrative sanctions for non-compliance with data protection law. Independent oversight bodies, such as the Commissioner for Human Rights (RPO), can advocate for victims and monitor systemic discrimination or rights violations. This includes issuing opinions and recommendations on equal treatment and human rights issues.

Section VII: Implementation Challenges and Good Practices

1. Key challenges in implementing anti-violence measures

The Polish legal system faces significant challenges in effectively tackling workplace violence. These challenges primarily stem from a restrictive statutory definition of mobbing, a focus on procedural formalities, and the limited expertise of enforcement bodies.

Table 12. Overview of challenges

Definitional rigidity and high evidentiary threshold	The primary legal challenge lies in the statutory definition of mobbing under art. 94 ³ § 2 of the Labour Code. As previously mentioned, the law requires harassment to be 'persistent and long-term'. This definition has become a 'trap' for employees because the courts interpret these criteria strictly. Legal practitioners describe it as 'complicated and badly written'. ⁴⁸ In mobbing cases, the burden of proof lies entirely with the employee, who must demonstrate the existence of all the statutory prerequisites. Beyond the legal definition, employees face immense practical difficulties in gathering evidence, since it is often solely in the employer's possession (e.g. internal emails, CCTV footage). Potential witnesses are usually current employees who are financially dependent on the employer, which makes them reluctant to testify. Consequently, approximately 90% of mobbing claims filed by employees in Poland are dismissed by the courts due to failure to meet these strict criteria. ⁴⁹
Awareness gap	Recent studies confirm that formal compliance does not necessarily result in the effective protection of employees, giving rise to the phenomenon of 'paper policies'. According to the 'Work Safety in Poland 2025' report by the Safe Work Coalition, although 52% of managers claim that anti-mobbing procedures exist in their workplace, only 61% of employees are aware of them. Of particular concern is the apparent regression in active prevention: the percentage of employees reporting that their superiors discuss psychosocial risks with them has dropped from 37% in 2019 to 28% in 2025. ⁵⁰
Ineffectiveness of administrative enforcement	The PIP has limited powers regarding psychosocial risks. ⁵¹ While the PIP can verify that employers fulfil their formal obligations, such as implementing anti-mobbing procedures or conducting risk assessments regarding psychosocial hazards, it lacks the authority to adjudicate specific cases. It is the exclusive prerogative of the labour courts to determine whether mobbing has occurred. In 2023, the PIP received over 2,400 complaints regarding discrimination and mobbing, of which only 6% were deemed valid. This is often because inspectors can only verify the existence of preventive measures, not their effectiveness in a specific conflict. ⁵²

⁴⁸ Magdalena Nurzyńska-Sawicka, #MOBBING: Czy nowe przepisy rozwiążą problem?, HR News, <https://hrnews.pl/nowa-definicja-mobbingu/>, access: 7.01.2026

⁴⁹ Business Insider, Mobbing w pracy? Pracownicy przegrywają w sądach, <https://businessinsider.com.pl/gospodarka/przepisy/mobbing-w-pracy-czy-pracownicy-wygruja-sprawy-w-sadach/j677scg>, access: 7.01.2026; puls HR, Pracownicy wygrywają tylko co 20. sprawę o mobbing. Wkrótce może się to zmienić, <https://www.pulshr.pl/prawo-pracy/pracownicy-wygruja-tylko-co-20-sprawy-o-mobbing-wkrotce-moze-sie-to-zmienic.110181.html>, access: 7.01.2026

⁵⁰ Firmy dalej za mało robią przeciwko mobbingowi w pracy. Wyniki nowego raportu Stowarzyszenia Bezpieczni w Pracy, <https://www.pap.pl/mediaroom/firmy-dalej-za-malo-robia-przeciwko-mobbingowi-w-pracy-wyniki-nowego-raportu>, access: 3.02.2026

⁵¹ Weronika Szkwarek, Po sprawiedliwość do PIP? Niewiele spraw o mobbing jest uznawanych za zasadne, Money.pl, <https://www.money.pl/gospodarka/po-sprawiedliwosc-do-pip-niewiele-spraw-o-mobbing-jest-uznawanych-za-zasadne-6795782873143808a.html>, access: 7.01.2026

⁵² The ineffectiveness of the National Labour Inspectorate (PIP) has been extensively described by Joanna Koczaj-Dyrda, a lawyer specializing in mobbing and discrimination cases, in the chapter dedicated to her story within the book: Katarzyna Bednarczykówna, Masz się łaścić. Mobbing w Polsce, Wydawnictwo Czarne, Wołowiec 2024

The 'blind spot' of cyber violence:	Research conducted by the Central Institute for Labour Protection in 2022 highlights that traditional OHS measures have not adapted to the culture of constant availability. Despite the existence of general laws, 12.8% of knowledge workers (in IT and finance) experience high levels of cyberbullying, with 48% having experienced at least one instance in the last year. The absence of specific protocols, such as the right to disconnect, and the prevalence of 'cyberloafing' (using the internet for personal purposes during working hours) as a stress-coping mechanism, suggest a substantial implementation gap in contemporary work environments. ⁵³
Exclusion of Civil Law contractors	A major challenge is the lack of comprehensive protection for workers employed under civil law contracts (e.g. B2B), who make up a significant proportion of Poland's workforce. Current anti-mobbing regulations and proposed amendments do not explicitly cover these workers, leaving them with only general civil litigation options, which are more costly and difficult. ⁵⁴
Financial and emotional barriers to justice	Litigation is often described as a long, stressful and emotionally draining process for victims. Although employees are exempt from some court fees, the low success rate acts as a deterrent. Furthermore, real victims often do not go to court due to trauma and fear of being blacklisted, while employers frequently win or settle to avoid PR crises. Surveys indicate that many victims are passive due to fear: approximately 33% of employees would do nothing if they experienced bullying, fearing revenge from the perpetrator or employer. Only around 4% would even consider going to court. ⁵⁵

2. Structural, cultural, and legal barriers to effectiveness

The effectiveness of preventive mechanisms appears to be undermined by deeply rooted cultural management archetypes and gaps in legal protection.

- Cultural barrier: the 'folwark' (feudal farm) mentality - sociological analyses have identified a lingering 'feudal farm mentality' as a specific cultural barrier in Poland. As noted by Prof. Andrzej Leder, this involves a tendency to establish and reinforce hierarchies, even within the smallest of social groups. It is characterised by deep-seated behavioural patterns resembling feudal relations. 'As in a feudal farm, deep-seated behavioural patterns cause relationships (starting with employer–employee relationships) to recreate the farm pattern as if by magic. Metaphorically speaking, someone's hand reaches for the whip and someone's back bows under it.' In this culture, the need for recognition and the fear of losing one's position can drive people to use tools of domination, including psychological violence, which is often more prevalent than direct physical violence. This 'camouflaged violence' (intimidation, humiliation and exclusion) is employed to maintain control and satisfy the 'desperate need for hierarchy', which becomes intertwined with the profit motive.⁵⁶
- Structural barrier: sectoral hierarchies (healthcare & academia):

⁵³ Magdalena Warszewska-Makuch, Cyberprzemoc w pracy. Raport, Centralny Instytut Ochrony Pracy - Państwowy Instytut Badawczy (CIOP-PIB), Warszawa 2025, s. 4, 21-23

⁵⁴ Grażyna J. Leśniak, Nadużywanie „śmieciówek” może obrócić się przeciwko pracodawcy, Prawo.pl, <https://www.prawo.pl/kadry/jak-osoby-na-umowach-cywilnoprawnych-moga-wystepowac-z-zarzutem-mobbingu.528463.html>, access: 7.01.2026

⁵⁵ Grażyna J. Leśniak, Sondaż: Polacy nie chcą reagować na mobbing - boją się zemsty sprawcy i reakcji przełożonych, Prawo.pl, <https://www.prawo.pl/kadry/czy-polacy-chca-reagowac-na-mobbing-i-czego-sie-obawiaja-sondaz.517578.html>, access: 7.01.2026

⁵⁶ Agata Czarnacka, Mobbing. Relacja folwarczna, potrzeba kontroli i przemoc psychologiczna. Czy prawo nas chroni?, Oko.press, <https://oko.press/mobbing-czy-prawo-nas-obroni>, access: 7.01.2026

- Healthcare: The hierarchical structure of hospitals, combined with the 'opt-out' clause system (which allows excessive working hours), creates an environment of systemic coercion. Resident doctors are often forced to work beyond legal limits (e.g. over 300 hours per month) under threat of ostracism or hindrance to their path of specialisation.⁵⁷
- Academia: The feudal-like dependence of PhD candidates on their supervisors creates a structure in which it is virtually impossible to report harassment without leaving the profession. ⁵⁸ According to the 'Map of Mobbing on Universities' (2022) by the Science Watch Polska Foundation (SWFP), more than 63% of university employees have experienced mobbing.⁵⁹
- Lack of systemic recognition of domestic violence spillover: Poland lacks a systemic approach to the 'spillover effect' of domestic violence in the workplace. There are no legal mechanisms to support employees whose personal situation affects their professional life, meaning they have to rely on standard leave policies, which may not be sufficient.⁶⁰

3. Selected practices and innovative strategies in combating workplace violence

Although systemic statutory solutions are often criticised for being insufficient, specific professional bodies and employers have implemented proactive strategies to bridge the legislative gap. Notable examples are given below.

Table 13. Overview of selected practices

Institutional legal support and advocacy (healthcare sector)	The Wielkopolska Medical Chamber (WIL) has set up an Ombudsman for Doctors' Rights office (Rzecznik Praw Lekarza). This body provides direct legal assistance to medical professionals and often acts on their behalf when filing notices of suspected crimes, such as insult or violation of bodily integrity, with the prosecutor's office and disciplinary bodies. This effectively removes the burden of 'private accusation' from the individual victim. Furthermore, in 2025, the Chamber launched the public campaign 'STOP Violence against Healthcare Workers' (STOP Przemocy Wobec Pracowników Ochrony Zdrowia) and signed a formal Memorandum of Understanding with the Provincial Police Headquarters. This partnership facilitates specialised training for medical staff in conflict de-escalation, the limits of self-defence and criminal procedure.
Data-driven lobbying by trade unions	The National Trade Union of Nurses and Midwives (OZZPiP) acts as a primary advocate and monitoring body, filling the data gap left by the public administration system. In February 2025, the union conducted a comprehensive study which revealed that 78% of nurses and midwives had experienced workplace aggression. Using this data, the union, in conjunction with the Supreme Council of Nurses and Midwives, made a formal request to the Ministry of

⁵⁷ Katarzyna Bednarczykówna, Masz..., p. 19-39; Ryszard Rotaub, Mobbing. Groźna choroba pracujących w ochronie zdrowia, której statystyki nie ujawniają, RynekZdrowia.pl, https://www.rynekzdrowia.pl/Finanse-i-zarzadzanie/Mobbing-Grozna-choroba-pracujacych-w-ochronie-zdrowia-ktorej-statystyki-nie-ujawniaja.258727,1.html#google_vignette, access: 7.01.2026; Puls Medycyny, Mobbing to znaczący problem dla młodych lekarzy, <https://media.pulsmedycyny.pl/aktualnosci/pr/719932/mobbing-to-znaczący-problem-dla-młodych-lekarzy>, access: 7.01.2026

⁵⁸ Kancelaria Radcy Prawnego Hanna Paluszkiewicz, Mobbing jako problem na uczelniach wyższych i w instytucjach naukowych, <https://kancelariapaluszkiewicz.pl/2025/08/07/mobbing-jako-problem-na-uczelniach-wyzszych-i-w-instytucjach-naukowych/>, access: 7.01.2026; Elżbieta Michalak-Witkowska, „Dzisiejsze prawo nie pozwala studentowi oskarżyć wykładowcy o mobbing”. Rozmowa z dr hab. Joanną Kruczałak-Jankowską, prof. UG, <https://ug.edu.pl/news/pl/5291/dzisiejsze-prawo-nie-pozwala-studentowi-oskarzyc-wykladowcy-o-mobbing-rozmowa-z-dr-hab-joanna>, access: 7.01.2026; Karolina Nowakowska, Patologie doktoranckie: Mobbing, nepotyzm i niepewność, Gazeta Prawna, <https://serwisy.gazetaprawna.pl/edukacja/artykuly/910993.patologie-doktoranckie-mobbing-nepotyzm-i-niepewnosc.html>, access: 7.01.2026; Katarzyna Bednarczykówna, Masz..., p. 177.

⁵⁹ Katarzyna Bednarczykówna, Masz..., pp. 177-178, citing dr Joanna Gruba and FSWP research

⁶⁰ Jakub Golaś, Efekt przenikania przemocy domowej do świata pracy jako problem prawa pracy: uwagi na tle Konwencji MOP nr 190 oraz polskiego systemu prawnego

	Health. They are calling for the creation of an inter-ministerial crisis task force to develop systemic statutory reforms, as they argue that current internal employer procedures are often merely for compliance audits and do not provide real protection.
Employer-led internal governance (higher education)	The University of Warsaw (UW) is an example of an employer that has implemented internal 'soft law' procedures for managing third-party and internal violence. The university has established and recently updated specific by-laws for reporting, documenting and analysing incidents of aggression. Unlike general statutory requirements, these measures include specialised crisis management training for administrative and security staff. The university analyses every reported incident in order to adjust safety protocols, although specific security technicalities remain confidential to ensure their effectiveness.

4. Assessment of effectiveness: internal evaluations and case studies

Comprehensive, centralised studies that specifically evaluate the effectiveness of practices focused on counteracting workplace violence in Poland are difficult to identify. This is because such initiatives are usually bottom-up, fragmented and dependent on the internal policies of individual employers. However, available evidence reveals a significant disparity: far more extensive data documents the severe consequences of the absence or ineffectiveness of such practices than there is independent research verifying the outcomes of specific corporate mechanisms. Consequently, the assessment must rely on contrasting these critical diagnostic studies with self-reported corporate data and isolated case studies.

- Documented case studies of comprehensive interventions demonstrate measurable results. One example is the 'Mars Wellness Programme', which was implemented by Mars Polska, a company that employs over 1,400 people. Launched to address employee needs regarding stress and physical health, the programme was evaluated internally by comparing 2009 data with 2008 data. Key findings regarding its effectiveness include a reduction in absenteeism (sickness absence decreased by 0.72% year-on-year), high engagement (in a single year, 833 employees used the online health risk assessment system and 1,200 participated in 'Health Weeks'), and recognition (the programme was nominated five times for internal innovation awards ('Make the Difference Award'), indicating high employee approval and cultural integration).⁶¹
- Internal corporate monitoring and ESG reporting: Large entities operating in Poland assess the effectiveness of their health and safety practices by conducting internal audits, ensuring compliance with international standards (ISO), carrying out employee surveys, and obtaining external expert certifications.
 - Jeronimo Martins Polska (Biedronka): As one of the largest employers in Poland's retail sector, Biedronka has demonstrated its effectiveness in responding to internal evaluations. Following an employee engagement survey in March 2024, in which staff indicated a need for support with daily challenges, the company launched the 'Monogram' platform. This initiative provides over 81,000 employees with free access to psychological, legal, and financial counselling, demonstrating a link between internal diagnosis and immediate action.⁶²

⁶¹ Dorota Żołnierzyk-Kreda, Kompleksowy program przeciwdziałania problemom ze zdrowiem psychicznym pracowników, Przykład kompleksowej interwencji promującej zdrowie psychiczne i fizyczne w miejscu pracy, s. 28-31

⁶² Biedronka wspiera swoich pracowników w codzienności i well-beingu, Biuro Prasowe Biedronki (18.03.2024), <https://media.biedronka.pl/301566-biedronka-wspiera-swoich-pracownikow-w-codziennosci-i-well-beingu>, access: 3.02.2026

- PKP Energetyka: PKP Energetyka, a critical infrastructure entity responsible for supplying energy to the railways, measures the effectiveness of its safety strategies by looking at accident rates and the results of external audits. According to their 2021 ESG Report, the company's culture was recognised by the Top Employers Institute. The audit achieved a score of 80.88%, with a 22% increase in effectiveness in the 'Building a Friendly Workplace' category compared to the previous year highlighting the success of their safety strategy.⁶³
- Bank BNP Paribas: In the financial sector, Bank BNP Paribas had its inclusivity practices, which were initiated in 2023, subjected to a comprehensive external audit by the asperIT Foundation in 2025. The audit confirmed the effectiveness of flexible working models, resulting in the bank being awarded the 'Neurodiverse Friendly Workplace' certificate. This objective verification demonstrates the bank's commitment to supporting neurodivergent employees, addressing the fact that only around 2% of such individuals are professionally active in Poland.⁶⁴

As the analysis shows, it is difficult to reach definitive conclusions about the effectiveness of anti-violence practices in Poland because they are fragmented, developed from the ground up and highly specific, and are rarely subject to public scrutiny or rigorous academic study. While corporate approaches vary significantly, a common trend is the reluctance to directly address the issue of 'violence' in official narratives. Instead, employers predominantly adopt positive framing, focusing on health promotion, well-being and work-life balance. This effectively masks potential pathologies and projects an image of a workplace where problems do not require 'combating', but where conditions can merely be 'enhanced'. Consequently, there is a distinct lack of actionable data and transparency regarding specific, critical threats such as domestic violence spillover, third-party aggression, and cyberbullying, all of which remain largely absent from mainstream corporate reporting.

⁶³ Raport ESG Grupa Kapitałowa PKP Energetyka 2021, s. 2, 29-33, 41

⁶⁴ MojeBankowanie.pl, Bank BNP Paribas jedną z pierwszych instytucji finansowych w Polsce z certyfikatem „Miejsce pracy przyjazne osobom neuroróżnorodnym” asperIT, <https://mojebankowanie.pl/informacje-prasowe/informacje-prasowe-bankowosc/bank-bnp-paribas-jedna-z-pierwszych-instytucji-finansowych-w-polsce-z-certyfikatem-miejsce-pracy-przyjazne-osobom-neuroroznorodnym-asperit>, access: 4.02.2026

Questionnaire

Title: Protecting Workers from Violence and Harassment in the Workplace

Introduction: This comparative labour law seminar aims to analyse and critically assess national legal frameworks, institutional practices, and emerging challenges related to harassment, sexual harassment, bullying (mobbing) and other forms of violence in the world of work. Special attention is devoted to understanding these phenomena as legally relevant and intersecting issues of both occupational health and safety (OHS) and anti-discrimination law.

A key focus of the seminar is the implementation, interpretation, and influence of ILO Convention No. 190 and Recommendation No. 206. These instruments establish comprehensive international standards for the prevention, prohibition, and redress of violence and harassment in the workplace. The questionnaire also draws on other key European and international instruments that support the monitoring, prevention, prohibition, and enforcement of legal standards related to workplace violence and harassment, ensuring a comprehensive and comparative legal perspective.

The objective of the seminar is to identify and compare national approaches, legal tools, and policy mechanisms that are particularly suitable for international comparison. During the seminar, participants will explore the differences and commonalities across systems, discuss the underlying reasons, and evaluate the impact of these systems on protecting workers from violence and harassment in the workplace.

For this purpose, each participant as a national team member is asked to take part in the preparation of a national report structured around the questions below. The report should begin with an introduction that provides a brief overview of your country's legal and institutional context, followed by answers as organized under the relevant sections. If a particular question does not apply to your jurisdiction, please explain briefly why in your introduction or at the relevant section.

The report should be clearly written and accessible to your fellow students who will be from other countries, to ensure meaningful comparison and discussion during the seminar.

Section I: General Framework, Legal Definitions, and National Perspectives

- 1) Please present the legal definitions of the key terms related to workplace violence and harassment as they are used in your national legal system. These may include but are not limited to, for example: harassment, sexual harassment, workplace violence, domestic violence (in its relevance to the workplace), bullying or mobbing, victimisation, physical violence, reprisals, hate speech, cyber violence etc.
- 2) Provide a general overview of how workplace violence and harassment are addressed in your national legal and policy framework.

- a) Has your country ratified ILO Convention No. 190? Describe legislative changes adopted or anticipated as a result.
 - b) Identify and describe other influential international or European legal documents impacting national policy on workplace harassment and violence.
 - c) Apart from adopting legislation, how else are public authorities involved in combating violence in the workplace? For instance, do they implement national action plans or establish monitoring or support mechanisms for victims and employers?⁶⁵
- 3) Explain the integration of harassment and violence within your national anti-discrimination laws.
 - a) Discuss specific measures addressing harassment based on gender, race, sexual orientation, disability, age or other protected categories (if any).
 - b) Is there also a broader, general legal definition of workplace violence and harassment that goes beyond these specific categories?
 - c) If so, how is it framed, and what is its practical significance?
 - 4) Is there a way for a worker to defend against violent incidents that does not fall under above (p. I.1) basic definitions?
 - 5) What statistical data is available in your country on the prevalence and nature of workplace violence and harassment (including sexual harassment, mobbing, and cyber violence)? What are the main sources of this data (e.g., labour force surveys, NGO reports, government monitoring bodies, social security institutions)?

Section II: Coverage and Personal Scope of Protection Against Workplace Violence and Harassment

- 1) Which worker categories are covered by anti-violence regulations in your country?
 - a) Assess the coverage against the employment status such as employees, self-employed, individual contractors, trainees, informal workers, mid-level managers, upper management, etc.
 - b) Are the protections for these different categories found in one legislative act, or across several with respect to anti-violence legal measures for employees and categories of workers?
- 2) Highlight any disparities in the legal protections or remedies among these different categories.
- 3) Does your country fulfil ILO Convention No. 190's obligation to protect informal economy workers against violence and harassment?

⁶⁵ Anti-violence policies at a national level are not necessarily limited to 'hard' law in the form of legislation but can be also found in soft law documents such as guidelines. Consequently, check for and identify any such soft law non-binding documents and policies that fit into a broad anti-violence policy within your country's system. In this section, focus on outlining the general national framework. You do not need to focus on details. Avoid repetition with Section VI.

Section III: Employer's Preventive Responsibilities

- 1) Are employers legally required to establish internal procedures for preventing and addressing workplace violence and harassment?
 - a) What do these policies typically include (e.g., reporting channels, support mechanisms, disciplinary measures)?
 - b) How are they monitored or enforced?
- 2) Are these procedures integrated with or separate from anti-discrimination or occupational health and safety (OHS) procedures?
- 3) Are there any external bodies or institutions responsible for overseeing the procedures implemented at the workplace?
- 4) Are workplace trainings on violence and harassment risks mandatory? If so, are they conducted jointly with OHS trainings or delivered separately?
- 5) How are risks related to violence and harassment incorporated into OHS risk management frameworks in your legal system?
 - a) Is workplace-related violence or harassment recognized as an occupational hazard (e.g., psychosocial risk) under OHS law, and if so, how is it defined?
 - b) Are incidents of workplace violence or harassment recognized under OHS law as occupational accidents or work-related diseases?
 - c) Please describe if relevant:
 - i. the legal criteria for qualifying workplace violence or harassment as occupational accidents or work-related diseases;
 - ii. the employer's duties to prevent, report, investigate and record the event;
 - iii. victims' access to benefits, compensations, rehabilitation, support or insurance schemes.

Section IV: Protection, Remedies, and Confidentiality

- 1) What forms of protection either under anti-discrimination or OHS regulations are at the disposal of victims of violence at work?
- 2) What types of legal claims or remedies are available to victims of workplace violence and harassment in your jurisdiction (e.g., compensation, reinstatement, penalties against perpetrators)?
- 3) How does your national legal system protect victims of workplace violence and harassment from retaliation by employers or other individuals involved?
- 4) What legal safeguards are in place to protect the privacy and confidentiality of victims throughout the reporting and investigation process?
- 5) Do workers have the right to remove themselves from a work situation where there is a reasonable justification to believe that the environment presents an imminent and serious danger to their life, health, or safety due to violence or harassment? If so, are they protected from retaliation or other adverse consequences, and what obligations do they have in informing management?

Section V: Domestic, Third Party and Cyber Violence and Work Implications

- 1) Does your legal system acknowledge domestic violence affecting the workplace, and if so, how?
 - a) What obligations do employers have in recognizing and managing the workplace impact of domestic violence?
 - b) What specific workplace entitlements or protections are provided to victims of domestic violence (e.g., leave policies, workplace adjustments)?
- 2) Does your jurisdiction recognize cyber violence (internet-based harassment) within workplace regulations? Specify existing measures.
- 3) Are employers required to have preventive measures against cyber violence? Provide some details.
- 4) In what ways does your legal system protect workers from violence perpetrated by third parties?
- 5) Does your national labour law framework explicitly recognise violence or harassment perpetrated by individuals other than employers or colleagues (e.g. clients, customers, patients, passengers, students, service users or platform users)?
 - a) Is there a distinction made in your legal system between third-party violence and domestic violence?
 - b) Are employers required to assess and manage risks arising from interactions with third parties? (e.g. risk assessments, workspace design, panic alarms, training, refusal of service)
 - c) What measures and remedies are available to victims of workplace violence or harassment where the alleged perpetrator is a third party?

Section VI: Roles and Responsibilities of Third Parties in counteracting violence at workplaces

- 1) What are the specific roles and responsibilities of trade unions, workers' representatives, NGOs, in preventing and addressing workplace violence and harassment
- 2) What functions do these third-party actors have with respect to monitoring, supervision, policy development, awareness-raising, and support for victims.
- 3) What authority do labour inspectorates or other competent authorities (eg. equality bodies, regulatory agencies) have in the context of violence and harassment at work? Please describe the relevant powers and responsibilities of competent authorities that exist in your legal system for addressing workplace violence and harassment.
- 4) Can these authorities issue binding orders, including orders of immediate executory force or stop-work orders, in cases involving imminent threats to life, health, or safety resulting from violence or harassment?

Section VII: Implementation Challenges and Good Practices

- 1) Identify the main challenges your jurisdiction faces in implementing legal, institutional, or workplace-level measures to prevent and address violence and harassment at work. Consider challenges such as lack of enforcement, low awareness, insufficient training, underreporting, or resistance from

employers. Other challenges can be the lack of access to justice mechanisms, such as short prescription periods, no access to legal aid or legal counsel, etc.

- 2) Are there specific structural, cultural, or legal barriers that hinder the effective functioning of preventive or remedial mechanisms?
- 3) Provide examples of effective practices, policies, or innovative strategies from your jurisdiction that have shown promising results in combating workplace violence and harassment. These may include sector-specific initiatives, public campaigns, employer-led programs, partnerships with civil society, or novel regulatory approaches.
- 4) Have any evaluations or studies been conducted on the effectiveness of these practices? If so, what are the main findings and recommendations?