

## POLAND. INSPECTION ACTIVITIES

Title of the inspection activities: **The strategy for the inspection of chemical risks in the working environment**

Duration of the inspection activities: **3-year campaign conducted in 2022-2024**

Aim of the inspection activities: **To increase protection of health of people exposed to harmful chemical agents in the working environment and, as a result, to reduce occupational diseases related to such agents. Significant differences in legal regulations and their number required a special inspection approach by the State Labour Inspection. A wide range of legal regulations was subject to specialised inspections, and the multifaceted nature of the problem of chemical risks determined the recognition of this task as strategic for our institution. The campaign was also our response to the special priority given to reducing the impact of hazardous and harmful chemical agents on workers in the European strategy on improving occupational safety and health.**

Scope of the inspection activities: **The SLI activities planned for 2022 - 2024 were targeted at checking the level of OSH in establishments producing or using chemical substances for which new hygiene standards have recently been established or amended. Inspections focused on employers' compliance with their obligation to ensure an adequate level of protection of workers' health and life, their obligation to provide relevant information to state institutions and to their own employees, and compliance with applicable legal regulations, including the timeliness of carrying out tests of the working environment in connection with the presence of chemical substances and mixtures.**

Sector covered by inspections: **Establishments that produce or use in their processes chemical substances and mixtures for which occupational exposure limits have been set.**

The number of establishments inspected in the framework of the activities: **In the framework of the national 2022-2024 strategy of chemical inspections, 2921 inspections were conducted in 2482 entities (2022 – 935 inspections in 845 entities, 2023 – 990 inspections in 909 entities, 2024 – 997 inspections in 903 entities. Data for 2024 are not final).**

The number of labour inspectors involved in implementing the inspection activities: **50. The implementation of the 3-year strategy was supported by a National Expert Team, composed of the most experienced labour inspectors with chemical or related professional background.**

The number of persons involved in supervising the implementation of the inspection activities (including development of inspection documents and summarizing results of inspections): **25**

Short summary of the outcome of the inspection activities: **Irregularities related to compliance with the obligations under the regulations on tests and measurements of harmful factors, as a specific measure to protect workers from overexposure to chemical substances, were found in more than**

half of the entities, and in 25% of the inspected entities no tests or measurements of factors harmful to health were carried out. In 18% of the inspections, the employer's cooperation with the physician in charge of preventive care for workers was not properly established, which translated into failure to provide effective and comprehensive health protection for those working with chemical agents. Numerous irregularities with regard to personal protective equipment against chemical agents (found in 20% of the inspected workplaces) confirm the lack of sufficient attention paid to the protection of the health of workers at risk of exposure to chemical substances and mixtures. These irregularities concerned the lack of PPE for workers (7%), or providing them with equipment which did not ensure adequate protection. Employers also failed to fulfil their obligation to provide effective collective protective equipment for workers - lack of or inadequate ventilation was found in 11% of the inspected workplaces. In more than one third of the inspected entities OSH instructions for handling materials harmful to health were not prepared or the instructions contained incorrect provisions (38% of inspections). One in three employers did not draw up a list of particularly hazardous types of work with chemical agents and one in four did not specify detailed requirements for carrying out such work. A considerable number of irregularities were also associated with the storage of chemicals (55% of entities). In as many as 29% of the inspections, the storerooms and storage areas for chemical substances and mixtures were not adapted to the type of materials stored. In 33% of the establishments, this was due to poorly drafted storage instructions, and in the remaining cases, to inadequate organisation and management of storage processes. SLI inspections also revealed employers' failure to comply with the regulations on proper preparation of workers for work performance. Workers were allowed to work without up-to-date OSH training (irregularities were found in 46% of inspections) or were trained according to general training programmes, without taking into account the hazards existing in a given workplace (30% of entities) and without preventive medical check-ups (23% of inspections).

SLI inspections allowed to rectify irregularities with administrative decisions, restored compliance with the legislation in force, and contributed to increasing the level of occupational safety and health of those working in establishments producing or using chemical substances and mixtures.

No.	question	yes/no	comment
<b>Inspection activity</b>			
<b>A. Selecting priority areas for inspection</b>			
1.	What sources of information did you use in selecting the priority area for inspection?		<input checked="" type="checkbox"/> proposals of partner institutions (which ones?) <b>for example: Central Institute for Labour Protection – National Research Institute</b> <input checked="" type="checkbox"/> proposals of other regulatory institutions (which ones?) <b>for example: State Sanitary Inspection</b> <input checked="" type="checkbox"/> EU Strategic Framework on Health and Safety at Work 2021-2027 <input checked="" type="checkbox"/> SLIC recommendations (which ones?) <b>The strategy for the inspection of chemical risks in the working environment corresponds both with the objectives of the Europe's Beating Cancer Plan and with the EU priorities, as set out by SLIC, for the enforcement of OSH legislation on chemical risks.</b> <input checked="" type="checkbox"/> others (please specify) <b>- SLI data on the experience of past inspection activities in the area of chemical safety at work</b> <b>- Chemicals Strategy for Sustainability Towards a Toxic-Free Environment<sup>1</sup>, published by the European Commission</b> <b>- Europe's Vision Zero as regards reduction of deaths, serious injuries and occupational diseases related to working conditions</b>
2.	What was the main reason for selecting the inspection priority area?		<input checked="" type="checkbox"/> stakeholders' expectations <input checked="" type="checkbox"/> recommendations from international institutions (which ones?)

<sup>1</sup> [eur-lex.europa.eu/legal-content/PL/TXT/HTML/?uri=CELEX:52020DC0667&from=EN](https://eur-lex.europa.eu/legal-content/PL/TXT/HTML/?uri=CELEX:52020DC0667&from=EN)



			<p><b>EU priorities, as set out by SLIC, for the enforcement of OSH legislation on chemical risks</b></p> <p><input checked="" type="checkbox"/> others (please specify)</p> <p><b>When planning its inspection and supervisory tasks, the State Labour Inspection takes into account current problems with ensuring safe working conditions, follows changes in legislation in this area (including EU Directives) and consults statistical data on people exposed to hazardous working environment factors.</b></p>
3.	What was defined as priority area?		<p><input checked="" type="checkbox"/> a particular hazard(s)</p> <p><input checked="" type="checkbox"/> incompliance with legal requirements concerning <del>labour relations</del>/working conditions</p> <p><input checked="" type="checkbox"/> others (please specify)</p> <p><b>Supervision in the area of chemical agents harmful to health in the working environment, particularly with regard to chemicals and their mixtures classified as presenting a risk or hazardous, and introduction of adequate measures by employers to minimise occupational exposure to these agents and thereby reduce adverse health effects.</b></p>
4.	What was the predominant aim of workplace inspections?		<p>Please choose:</p> <p><input checked="" type="checkbox"/> to provide the inspected entities with information on legal requirements</p> <p><input checked="" type="checkbox"/> to enforce compliance with the law in the inspected entities</p> <p><input checked="" type="checkbox"/> others (please specify)</p> <p><b>Increasing the level of safety for those working in exposure to chemical factors</b></p>

5.	How did you determine the number of entities to be inspected?		<input checked="" type="checkbox"/> other criteria (please specify) <b>The number of inspections planned for a given year by the labour inspectorate is set out in the Programme of Activity of the State Labour Inspection for 2022-2024, taking into account the size of the provinces and the number of labour inspectors with specialisation in chemicals-related occupational safety.</b>
6.	What was taken into consideration when determining the number of inspections to be carried out by individual field offices (regions):		<input checked="" type="checkbox"/> the number of entities typical of a given programme in the region;
7.	Were IT tools used to identify the priority area in the described inspection campaign?	NO	
8.	Were IT tools used to identify the target group of inspected entities in the described inspection campaign?	NO	
<b>B. Determining the time span of inspection activities</b>			
9.	How was the breakdown of inspections planned? Were the inspections carried out:		
a)	evenly throughout the whole period of the planned activities	YES	
b)	as a series of intensified inspections in predetermined short periods of time	NO	
c)	other way (how?)	YES	<b>The number of inspections planned for a given year by the labour inspectorate is set out annually in the Programme of Activity of the State Labour Inspection for 2022-2024.</b>
10.	What was the average duration of a workplace visit conducted in the framework of the programme		<input checked="" type="checkbox"/> within more than one day, total duration exceeding 8 hours (please provide the exact number of days/hours, if available).

	implementation (the time it took to complete inspection activities at an individual establishment)?		
11.	What was the average duration of the activities carried out in the office of the labour inspectorate (excluding the penal and administrative sanctions)?		<input checked="" type="checkbox"/> within more than one day, total duration exceeding 8 hours (please provide the exact number of days/hours, if available).
<b>C. Selecting establishments for inspection.</b>			
12.	What criteria were used when selecting establishments for inspection?		<input checked="" type="checkbox"/> overall number of workers <input checked="" type="checkbox"/> personal knowledge of labour inspectors who supervise particular workplaces (groups of workplaces) <input checked="" type="checkbox"/> sectoral criterion
13.	What sources of information were used when selecting establishments for inspection?		<input checked="" type="checkbox"/> inspectorate's own database <input checked="" type="checkbox"/> labour inspectors' knowledge of workplaces <input checked="" type="checkbox"/> internet search engines
14.	Were IT tools used to select specific inspected entities in the described inspection campaign?	YES	A brief description of IT tools: <b>The SLI's own N@vigator application containing, among others, registers of employers and inspections carried out by the labour inspectorate</b>
<b>D. Provision of staff for carrying out inspections</b>			
15.	What group of inspectors was involved in the inspection activities?		<input checked="" type="checkbox"/> other (please specify). <b>A team of labour inspectors from 16 district labour inspectorates, selected for their educational background and experience – around 50 people</b>
16.	How were inspectors prepared for the inspection activities (additional training)?		<input checked="" type="checkbox"/> central-level training was provided for a group of leaders, whose task was to train inspectors at a regional level; <input checked="" type="checkbox"/> other (please specify).

			<b>Labour inspectors carrying out chemical safety inspections participate in annual refresher thematic training courses.</b>
17.	Were IT tools used to prepare labour inspectors to carry out activities within the described inspection campaign?	NO	
18.	What materials were at the inspectors' disposal during the activities?		<input checked="" type="checkbox"/> description of the inspection activities' objectives; <input checked="" type="checkbox"/> description of the ways in which to implement the activities (tasks to be completed); <input checked="" type="checkbox"/> checklists; <input checked="" type="checkbox"/> description of the reporting requirements; <input checked="" type="checkbox"/> promotional and communication materials for employers;
19.	Did labour inspectors use IT tools when carrying out activities within the described inspection campaign?	YES	<p>- A brief description of IT tools:</p> <p><b>The N@vigator application containing, among others, database of legal provisions, registers of employers and inspections carried out by the labour inspectorate</b></p> <p>- IT tools were used :</p> <p><input checked="" type="checkbox"/> when summarizing and documenting the results of the inspection in a specific inspected entity</p> <p>- how did they support the labour inspector in (please provide a short description):</p> <p>- preparation for an inspection?</p> <p><b>Past inspections in a given entity - whether inspections were previously carried out, which legal measures were applied and how they were implemented</b></p> <p>- performing inspection activities?</p>



			<p><b>Database of legislation on health and safety at work</b></p> <p>- summarizing and documenting the results of the inspection?</p> <p><b>Summaries are prepared by the relevant organisational unit on the basis of data entered into the system. The N@vigatator application contains, among others, a database of regulations, and enables documenting the results of inspections along with post-inspection measures issued as a result.</b></p>
<b>E. Involvement of other regulators, institutions, authorities for labour protection and social partners in the implementation process.</b>			
20.	Can other regulators, institutions, authorities for labour protection and social partners submit their proposals of inspection topics to the inspectorate's plan of work?	YES	<p>Which regulators, institutions and authorities for labour protection can submit their proposals?</p> <p><b>Proposals are submitted by regulators, institutions and authorities cooperating with the State Labour Inspection in the area of occupational safety and health.</b></p>
21.	Was the inspection activity the result of a proposal submitted by another regulator, institution, authority for labour protection or social partner?	NO	<p><b>The idea for the inspection activity, its organisation and implementation is the original idea of the State Labour Inspection, although the activity takes into account established guidelines and trends at the European level, resulting from the increasingly widespread use and presence of chemical mixtures and substances in the working environment.</b></p>
22.	Was there any cooperation between the labour inspectorate and another regulator, institution, authority for labour protection or social partner?	YES	<p>What was that co-operator?</p> <p><b>For instance: State Sanitary Inspection, Inspectorate for Environmental Protection, Office of Technical Inspection, Office of</b></p>



			<p><b>Technical Inspection in Transport, Provincial Centres of Occupational Medicine.</b></p> <p><b>When carrying out inspection activities, labour inspectors cooperate with trade unions, crew self-government bodies, workers' councils and social labour inspectors. This cooperation consists in particular in:</b></p> <ul style="list-style-type: none"> <li>- <b>informing about the subject matter and scope of the inspection;</b></li> <li>- <b>analysing the comments and observations made;</b></li> <li>- <b>informing about the results of inspections and decisions;</b></li> <li>- <b>providing advice and information on labour law.</b></li> </ul>
23.	At which stage was the cooperation with another regulator, institution, authority for labour protection or social partner initiated?		<p><input checked="" type="checkbox"/> others (please specify).</p> <p><b>Authorities notify each other, according to their field of competence, of violations of OSH regulations found in the course of inspections.</b></p>
24.	What did the cooperation with another regulator, institution, authority for labour protection or social partner involve?		<p><input checked="" type="checkbox"/> participation of another regulator, institution, authority for labour protection or social partner in provision of training for labour inspectors</p> <p><input checked="" type="checkbox"/> others – please specify:</p> <p><b>Notifications, according to the field of competence, of violations of OSH regulations found in the course of inspections</b></p>
25.	Are there any legal requirements obliging other regulators, institutions, authorities or social partners to make	NO	

	their data accessible to the labour inspectorate for inspection needs?		
26.	Does the labour inspectorate have direct online access to information and data collected by other bodies, institutions and authorities?	NO	
<b>F. Supporting inspection activities with training provided for employers or workers (combining inspection and educational activities)</b>			
28.	Were establishments covered by inspections provided with information or training <b>prior to the commencement of the inspection task?</b>	NO	
29.	Is the effectiveness of prior information or training activities taken into account when evaluating the results of the inspections?	NO	
30.	Once the <b>inspection activity is completed</b> , are representatives of inspected establishments provided with recommendations and proposed corrective measures – in the form of guidance or training – regarding the identified compliance level in establishments operating in the field covered by inspection?	NO	
<b>G. Monitoring the implementation of inspection activities</b>			
31.	Was the implementation of inspection activities in any way monitored and coordinated?	YES	<p>How many people were involved in monitoring and coordination of the inspection activity?</p> <p><b>Representatives of the Supervision and Inspection Department at the Chief Labour Inspectorate – 2 persons</b></p> <p>What was the function of those persons in relation to labour inspectors who</p>

			<p>implemented the activity (fellow labour inspectors, immediate supervisors, national coordinator at the labour inspectorate's headquarters)?</p> <p><b>2 national coordinators at the Chief Labour Inspectorate</b></p>
32.	What was the scope of monitoring and coordinating actions regarding the inspection activity?		<p>Please choose the most appropriate answer (it is possible to choose more than one answer):</p> <p><input checked="" type="checkbox"/> assistance in solving problems: over the phone, via email, formally (official correspondence), other (what?)</p> <p><input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan</p> <p><input checked="" type="checkbox"/> monitoring the implementation level of the developed qualitative plan (how?)</p> <p><b>Cooperation of 2 national coordinators at the Chief Labour Inspectorate with labour inspectors from 16 district labour inspectorates in carrying out inspections based on the established guidelines for chemical inspections.</b></p>
33.	Were IT tools used to carry out monitoring and coordination activities as part of the described inspection campaign?	YES	<p>- A brief description of IT tools:</p> <p><b>The N@vigator application containing checklist reports for individual thematic tasks implemented under the <i>Strategy for the inspection of chemical risks in the working environment</i></b></p> <p>- IT tools were used to:</p> <p><input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan</p>
<b>H. Communicating the information about inspection campaign and its results.</b>			



34.	Did you develop any plan to communicate the information about the inspection activities to:		
a)	stakeholders in the sector covered by the inspection activity ?	NO	
b)	the general public?	NO	
36.	How was the information about the inspection activities communicated to stakeholders and the general public?		<b>Detailed information on the implementation of the <i>Strategy for the inspection of chemical risks in the working environment</i> in 2022-2023, broken down by year, can be found on the SLI website (<a href="http://www.pip.gov.pl">www.pip.gov.pl</a>) in the <i>Report on the State Labour Inspection's Activity</i>. 2024 results will also be published in this way on the SLI website.</b>
<b>I. Evaluating the results of the inspection activities. Evaluation methods and tools.</b>			
37.	How were the <b>results</b> of inspection campaign evaluated?		<b>The SLI does not evaluate the results of the inspection campaign, but only the compliance of the implementation with the plan (number of inspections, selection of establishments for inspection, implementation of legal measures).</b>
38.	How was the information about the <b>effects</b> of inspection campaign obtained (e.g. about the elimination of irregularities, introduction of higher standards)?		
a)	information provided by the employer	YES	If so, what form did the information provided by the employer have?  <b>The inspected entity to which a decision has been issued is obliged to inform the State Labour Inspection of its implementation within deadlines specified in the decision. This does not apply to oral decisions and instructions that are issued orally (if the irregularities revealed during the inspection can be eliminated during or immediately after the inspection).</b>

			<p><b>The inspected entity or its supervising body, to which an improvement notice has been issued is obliged, within the period specified in the improvement notice, not exceeding 30 days, to notify the State Labour Inspection of the date and manner of implementation of post-inspection measures.</b></p> <p>Was the information provided by employers randomly verified by labour inspectors?</p> <p><b>If a labour inspector carries out a follow-up inspection at a workplace, he/she includes in the inspection report information on the implementation of previous decisions and improvement notices issued by the State Labour Inspection, and of conclusions, recommendations and decisions of other authorities responsible for the inspection and supervision of working conditions.</b></p> <p>What is the employer's liability for providing false information?</p> <p><b>Failure to comply with an enforceable order of the State Labour Inspection within the prescribed period is punishable by a fine ranging from PLN 1,000 to PLN 30,000.</b></p>
b)	information provided by the labour inspector who conducted the next inspection at the workplace	YES	
40.	Were IT tools used to assess the effectiveness of the inspection campaign?	NO	
41.	How were the project <b>effects</b> evaluated?		

a)	Was any final summary evaluation of the inspection task (inspection campaign) made?	YES	If so, what was the scope of such evaluation?  <b>Information on the implementation of the Strategy for the inspection of chemical risks in the working environment in 2022-2023, broken down by year, can be found on the SLI website (<a href="http://www.pip.gov.pl">www.pip.gov.pl</a>) in the Report on the State Labour Inspection's Activity. 2024 results will also be published in this way on the SLI website.</b>
b)	Were partial assessments made during the inspection activity?	YES	If so, what was the frequency and scope of such assessments?  <b>The results of the implementation of the Strategy for the inspection of chemical risks in the working environment in 2022-2024 are summarised annually.</b>
c)	Did you prepare a formal document with evaluation of the inspection activity after its completion?	NO	