

HRadar Newsletter

December 2025

New version of the draft act on the State Labor Inspectorate

On 14 November 2025, a new version of the draft act on the State Labor Inspectorate was published. It provides, among others, that:

1. The District Labor Inspector will be able to determine the existence of an employment relationship by decision for a period not exceeding 3 years, counting backward from the date the proceedings started.
2. Additionally, instead of issuing a decision, the State Labor Inspectorate may, as before, bring an action to determine the existence of an employment relationship. An Inspector will also be able to issue a request or an order. The deadline for complying with the order will be 14 days.
3. The new draft introduces fines ranging from PLN 2,000 to PLN 60,000 if, based on the Labor Inspector's decision, an employment relationship is established and, as a result, the employee is treated unfavorably or the employer terminates the employment relationship

On 4 December 2025, the Standing Committee of the Council of Ministers adopted a draft act on the reform of the National Labour Inspectorate. However, the new version of the draft has not yet been published.

The planned act, however, raises significant controversy and therefore, the date the act is planned to come into effect (1 January 2026) is in doubt.

Planned act regarding pay transparency

On 25 November 2025, the assumptions for a draft act aimed at implementing the so-called Pay Transparency Directive into Polish law were published. It provides, among others, that:

1. Employers, regardless of size, will be required to have pay structures that allow the assessment of whether employees are in a comparable situation. The draft introduces a minimum obligation to apply four criteria concerning job value: skills, effort, responsibility, and working conditions; these must be applied objectively, be gender-neutral, and be free from any gender-based discrimination.
2. Employers will be required to ensure employees have easy access to the criteria for determining salaries, pay levels, and pay increases. Employers with fewer than 50 employees will provide information upon the employee's request.
3. Employers with at least 100 employees will be required to prepare a report on the gender pay gap and submit it to the monitoring authority.
4. Data on the pay gap broken down by employee category will not be made public. However, employers will be required to provide it to all employees and their representatives proactively, and to the Labor Inspectorate or equality bodies upon request, within 14 days of receiving a request.
5. Employers with at least 100 employees will be required to carry out a joint pay assessment (in consultation with trade unions or employee representatives) if a pay gap of at least 5%, regardless of gender, is identified and cannot be objectively justified or corrected within 6 months of submitting the pay gap report.

Failure to comply may result in a fine ranging from PLN 2,000 to PLN 60,000.

Regardless of the above, on 24 December 2025, the act on pay transparency and prohibition of discrimination in recruitment will enter into force.

Georgian citizens excluded from simplified employment rules in Poland

On 25 November 2025, a regulation was published in the Journal of Laws of the Republic of Poland, under which, citizens of Armenia, Belarus, Moldova, and Ukraine will continue to benefit from simplified employment rules in Poland. However, these rules will no longer apply to Georgian citizens. The regulation entered into force on 1 December 2025.

Changes in the draft act regarding the new definition of mobbing

On 27 November 2025, the Standing Committee of the Council of Ministers adopted a draft act introducing a new definition of mobbing. According to the Ministry of Family, Labor, and Social Policy, the draft provides for compensation for mobbing of at least six times the minimum wage.

In the previous published version, this amount was twelve times the minimum wage.

Contact us!



Agnieszka Fedor
Partner, attorney-at-law
☎ +48 505 782 677
✉ agnieszka.fedor@skslegal.pl



Magdalena Pawelczyk
Associate
☎ +48 692 228 726
✉ magdalena.pawelczyk@skslegal.pl

This newsletter has been prepared to alert our Clients to certain significant developments in the Polish law. It is not purported to be a legal advice concerning any particular situation or circumstances of any of our Clients, and it should not be relied upon as such. If you have any questions concerning the developments discussed in this newsletter and their potential impact on your business in Poland, please kindly contact the partner of our Firm responsible for your engagement.

Warsaw

Jasna 26, 00-054 Warsaw
T +48 22 608 70 00
E office@skslegal.pl

Katowice

Korfantego 138a, 40-156 Katowice
T +48 32 731 59 86
E office.katowice@skslegal.pl

Poznań

Mickiewicza 35, 60-837 Poznań
T +48 61 856 04 20
E office.poznan@skslegal.pl