

HR IN THE KNOW 1/2026

What next for the reform of the State
Labour Inspection?

JANUARY 2026



The autumn of 2025 brought numerous legislative initiatives in the area of labour law, of which the project to extend the powers of the State Labour Inspection (PIP) caused the greatest emotions and controversies in the public space. It is a proposal to grant district labour inspectors the power to issue administrative decisions on the transformation of civil law contracts into employment contracts – we discussed this topic in more detail in HR in the Know no. [4/2025](#) and [7/2025](#).

Despite a temporary suspension, work on the reform has been resumed. Although recent press reports indicate that the final shape of this amendment remains uncertain, it is already worth preparing for possible changes. Entities using civil law contracts (such as contracts for the provision of services – B2B, mandate agreements, etc.) should monitor the situation on an ongoing basis and analyse the content and manner of performing such agreements in practice. This will reduce the risk of reclassification of contracts, which, it should be noted, also exists under the currently applicable regulations.

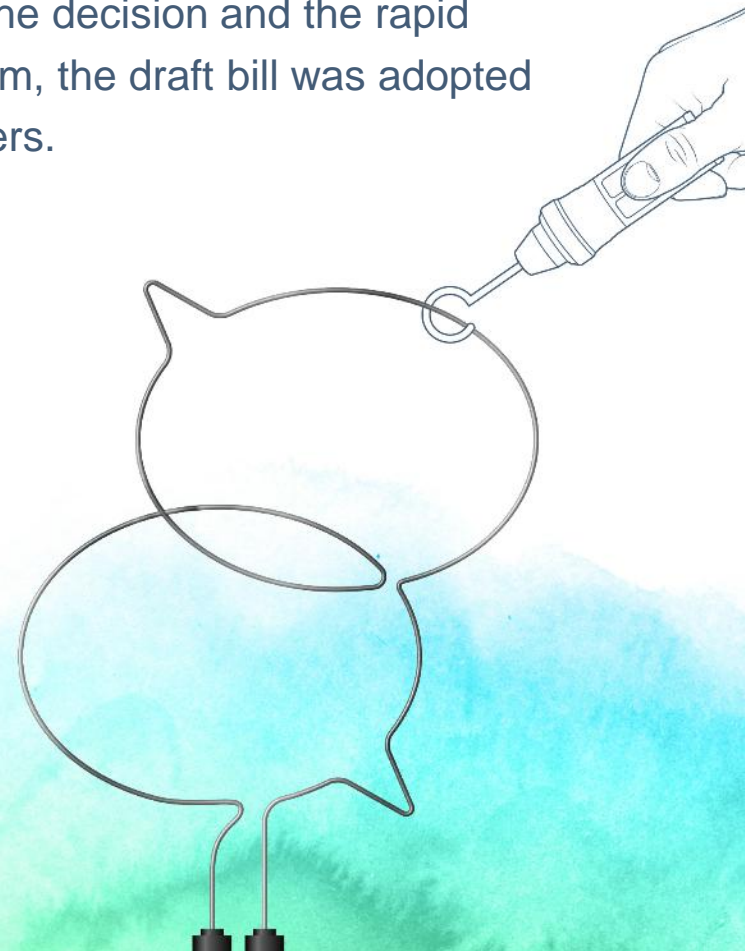


MAIN ASSUMPTIONS OF THE AMENDMENT

Let us remind you that the controversial project resulted from the commitments made under the National Recovery and Resilience Plan. It provided for granting district labour inspectors the power to issue administrative decisions stating the existence of an employment relationship in situations where a civil law contract was concluded under conditions which, in accordance with Article 22 § 1 of the Labour Code, should result in the conclusion of an employment contract. The draft also provided for a number of controversial solutions, such as the possibility of retroactive reclassification, immediate enforceability of the PIP decision, a short deadline for appealing against the decision and the rapid entry into force of the regulations – as early as 1 January 2026. In this form, the draft bill was adopted on 4 December 2025 by the Standing Committee of the Council of Ministers.

SUSPENSION OF THE REFORM

Unexpectedly, on January 6, 2026, Prime Minister Donald Tusk announced that work on the PIP reform was being suspended. In the justification, he emphasized that excessive powers for officials could be destructive for companies and lead to job losses.



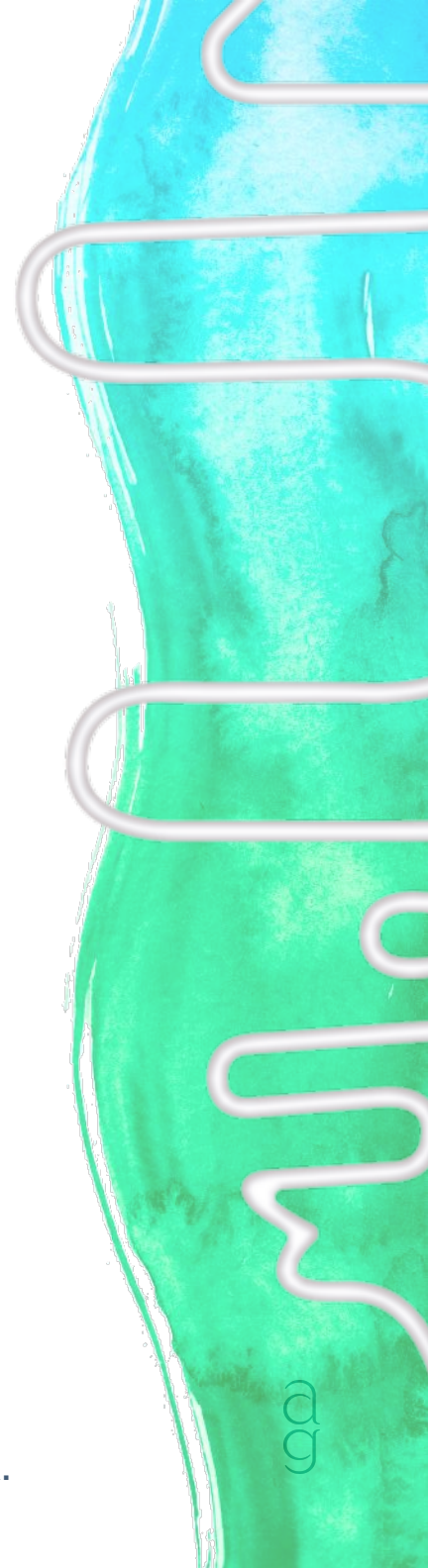
RESUMPTION OF WORK

However, the suspension of the reform did not last long. On 9 January 2026, it was announced that work on the amendment would resume. At the moment, the details of the new solutions that are to be included in the next version of the project are not known. However, during a joint press conference, Prime Minister Donald Tusk and Speaker of the Sejm Włodzimierz Czarzasty announced that the decisions of the district labour inspectors will not be binding without a court verdict.

CHECKLIST

In the meantime, the Chief Labour Inspectorate has announced the commencement of work, in consultation and agreement with social partners, on preparing a checklist containing a set of questions designed to determine whether, in a given case, an employment contract or a civil law contract should be concluded.

The first, non-binding draft of such a checklist contains 42 questions concerning, among other things, who initiated the conclusion of the civil law contract, how the scope of duties of the person performing the civil law contract is determined, the supervision over that person and the issuing of instructions, the method of determining and calculating remuneration, working hours, the place where the work is performed, and whether the person performing the civil law contract bears the risk of improper performance of the task.



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