

Labour Inspection in Poland, 1928-1933¹

The Polish system of labour inspection, which was set up in 1919 and based at the time on the various laws and regulations in force in the former German, Russian and Austrian territories, was completely recast in 1928 in pursuance of the Decree of 14 July 1927, which laid down uniform principles for the organisation and practice of labour inspection throughout Polish territory.

This Decree made labour inspection compulsory for all undertakings and establishments in which hired labour is used. Only the State railways were excluded from the scope of the labour inspectors. Nevertheless railway shops in which work is carried out by private firms under special contracts are liable to inspection. Mines also come within the scope of the labour inspectorate, though only as regards compliance with provisions concerning health and the protection of workers, safety being left to the mining authorities.

For purposes of labour inspection, the country is divided into 12 areas each of which includes four to seven districts, the total number of these being 64. The areas differ somewhat from one another both in size and in character. The number of undertakings registered by the regional inspection offices varies from about 2,200 to 7,800, and the number of workers so registered from about 30,000 to 184,000, the general average being 4,500 for undertakings and 104,000 for workers. Moreover, inasmuch as inspection applies equally to industrial and agricultural undertakings, the proportion of the workers engaged in each of these branches of production may vary considerably from one area to another. Some areas are mainly industrial, while in others agriculture predominates. The western areas are on the whole the most highly industrialised. Apart from area I (the city of Warsaw) where there is no agriculture at all, the south-western provinces are those in which the largest proportion of industrial workers are to be found, the rate per cent. of all workers registered by the competent inspectorates being 95 in Silesia (area IX), 84 in Kielce and Cracow (IV and VII) and 82 in the area of Lodz (III). There are indeed only three provinces in which there is a majority of agricultural workers, viz.: areas II, X and XI (the provinces of Warsaw, Poznan and Pomerania). In these the number of agricultural workers is between 64 and 67 per cent. of the total number of workers. The percentage of agricultural workers in Poland as a whole is only about 35. It must also be observed that in the highly industrialised areas the number of workers per undertaking is considerably above the general average. Whereas this figure is 24 for the whole country, the average number of workers

¹ The present survey is based on information published yearly by the Polish Ministry of Social Assistance in a Report entitled "*Aperçu sur l'inspection du travail en Pologne*", this being the French edition of the annual report of the Inspector-General of Labour on the work of the labour inspectors.

employed per industrial undertaking in areas III, IV, VII and IX amounts to 35, 34, 36 and 30 respectively.¹

The labour inspectorate works independently of the general administrative authorities and is controlled by the Ministry of Social Assistance. It is directed by an inspector-general of labour attached to that Ministry and has fairly wide powers to ensure the application of labour laws and regulations. A brief description of these powers and of the various duties assigned to the labour inspectorate will be given later when the achievements of the inspectors in each branch of their activity are reviewed.

The labour inspectorate consists of a staff of inspectors and clerical workers. The total number of persons on the establishment has somewhat diminished in recent years. Whereas in 1929 it was 213, in 1933 it was only 188. At 31 December 1933 the figures were: 12 regional inspectors, 58 district inspectors, 31 assistant inspectors (including 11 women), 1 medical inspector and 86 clerical employees. These figures do not include the 13 officials of the Inspector-General's office.

It may be added that as a result of successive cuts due to the depression, the budget of the labour inspectorate was reduced from 2,148,334 zloty in 1929-1930 to 1,483,104 zloty in 1933-1934.

ACTIVITIES OF THE LABOUR INSPECTORS

From 1928 to 1931, the number of undertakings supervised by the labour inspectors increased almost without a break, whereas the number of workers employed in those undertakings was on the contrary declining. The chief explanation of the growth in the number of undertakings is that certain small establishments, which for various reasons had, at the outset, escaped the notice of the inspectors, were, as time went on, registered. Industrial establishments employing less than five workers are only liable to inspection if they use mechanical motors or if they are considered particularly unhealthy, and it has apparently required much painstaking effort to round up all these undertakings. Moreover, the economic depression had also brought about an increase in the number of small undertakings by forcing many employers to lay off workers. Such establishments were then classified in a lower category, while in general the total number of workers employed showed a decrease. It is noticeable that the proportion of undertakings employing less than 20 workers steadily increased from 77.9 in 1928 to 84.6 in 1933. The development of the group of undertakings employing not more than 4 workers illustrates the extent of this change even more clearly. Whereas in 1929 this group included only 39.3 per cent. of all the industrial undertakings registered, in 1933 the percentage was 54. During the same period the proportion of workers employed in such undertakings rose from 2.8 to 4.9 per cent. of the total number of industrial workers. It must however be observed that although more and more attention is being devoted to small industry in the inspectors' reports, a great many small undertakings remain outside the reach of the labour inspectorate. As may be seen

¹ According to the statistics for 1933.

from the reports for 1932 and 1933, nearly all homework and most of the small handicrafts workshops employing wage earners stillesscape inspection.

Generally speaking, the prevalence of small undertakings is calculated to hold up the work of the labour inspectorate. Nevertheless, the trend which has been mentioned, far from hindering the development of inspection, has been accompanied by more active supervision, since both the proportion of the industrial undertakings and that of the workers inspected has increased almost every year, as may be seen from the following table.

INSPECTION OF INDUSTRIAL UNDERTAKINGS

Year	Undertakings registered	Workers employed	Undertakings inspected		Workers covered by inspection	
			Number	Per cent.	Number	Per cent.
1928	28,410	903,151	11,084	39.0	631,669	70.0
1929	32,232	1,110,248	12,892	40.0	796,580	71.7
1930	32,558	930,472	14,647	45.0	733,258	74.8
1931	31,580	852,468	13,567	43.0	630,566	74.0
1932	32,063	786,824	15,293	47.7	595,678	75.7
1933	34,090	816,944	15,779	46.3	648,300	79.4

The inspection of agricultural undertakings, to which reference will be made later, seems on the other hand to have been beset with great difficulties. As will be seen from the following table, the inspectors were only able to visit a very small number of the agricultural undertakings and workers who came within their scope.

INSPECTION OF AGRICULTURAL UNDERTAKINGS

Year	Undertakings registered	Workers employed	Undertakings inspected		Workers covered by inspection	
			Number	Per cent.	Number	Per cent.
1928	19,646	416,790	175	0.9	9,209	2.2
1929	19,841	453,643	166	0.9	7,126	1.6
1930	20,434	445,419	105	0.5	6,483	1.5
1931	20,232	438,056	63	0.3	4,222	1.0
1932	20,485	435,783	76	0.4	3,887	0.9
1933	20,370	431,945	84	0.4	5,589	1.3

On the whole, information concerning the inspections carried out in both branches of production shows a remarkable growth in the activity of the inspectorate, both as regards the average amount of work done by individual inspectors and the total number of inspections. The increased frequency of the visits has made inspection more and more effective in the smaller undertakings.

GROWTH IN THE ACTIVITY OF INSPECTORS

Year	Number of registered undertakings inspected	Visits to undertakings employing less than 20 workers		Number of inspectors	Average number of visits per inspector
		Number	Per cent.		
1928	14,580	8,010	54.9	111	131
1929	16,789	9,610	57.2	119	141
1930	19,301	12,122	62.8	118	164
1931	18,739	11,745	62.7	110	170
1932	20,456	14,653	71.6	110	185
1933	20,633	14,870	72.1	102	202

With regard to the last two columns of the above table, it should be pointed out that the number of inspectors includes those attached to regional inspection offices, which as a rule do not take part at all or take very little part in the direct supervision of undertakings. In working out individual averages, it would be more accurate to consider only the number of district inspectors. This method of calculation would yield much higher averages, the difference being for instance about 25 per cent. in 1933.

THE PROTECTION OF WOMEN AND YOUNG PERSONS

The protection of women and young persons, though constituting one of the normal functions of all the labour inspection services, has been entrusted more particularly to a few women assistant inspectors specially employed for this purpose in certain industrial areas where there are a great many female workers. In 1933 there were six of these women inspectors. The activities of all the authorities whose business it is to supervise the employment of women and young persons are co-ordinated by a special office set up, towards the end of 1927, in connection with the Inspector-General's office. The special office in question co-operates with the women inspectors in research work, designed to establish the most suitable methods for ensuring the application of the various legislative measures concerning the employment of women and young persons; and also to bring out certain aspects of such employment which call for more attention on the part of the inspectors.

One of the inspectorate's chief concerns during the period under review was to secure compliance with three important provisions of the Act of 2 July 1924 respecting the employment of women and young persons. One of the provisions institutes compulsory medical examination for young persons with a view to making sure that the work on which such persons are or will be employed is not beyond their strength; but before this measure could be applied, the inspectors had hard work to organise the necessary medical service. In 1928 there were only two areas in which young persons were regularly examined by the medical inspectors. These usually carried out the examination on the factory premises. In some areas the examinations were undertaken at the employer's expense by medical practitioners acting in a private capacity; but this practice was open to serious objections. Finally, the labour inspectors proposed that the medical examination of young persons should be entrusted to the Union of Sickness Funds, which in 1929 accepted this work in the principal industrial centres, but it was not until April 1933 that medical examination could in practice be made compulsory throughout Poland.

Owing to similar difficulties, arising mainly out of the lack of sufficient schools, it was impossible to give rapid effect to the provision that young persons shall attend continuation courses not exceeding six hours a week. These are usually evening classes. The inspectors point out that the classes are not very well attended and they suggest that the supplementary instruction prescribed by the Act should preferably be given once a week during the daytime. The pupils not being tired out by their day's work would then be able to follow the course more assiduously.

The Act of 2 July 1924 further provides that in every undertaking where more than 100 women are employed the employer shall maintain a crèche for the babies. This provision came into force towards the middle of 1928, and since then the inspectorate has not ceased to do its utmost to persuade the employers concerned to comply. Owing, however, to the depression, the efforts of the inspectors have not always been crowned with success; and in 1933 crèches and maternity centres were only to be found in about one-third of the establishments to which the provision applies.

Apart from supervising the application of the Act, the women inspectors take active steps to have gaps in social legislation filled up and to supply Parliament with useful information in regard to certain matters which call for regulation. From the outset, the Office for the Protection of Women and Young Persons in Employment has taken pains to collect as many facts as possible concerning conditions of employment for the various categories of persons with which it deals. To this end, the Office has organised a number of investigations and conferences with a view to discovering ways and means of improving such conditions. For instance, since 1929 the inspectors have collected a vast amount of information concerning various kinds of employment which are considered to be too heavy for women, or likely to endanger their health. The result of these investigations has provided a basis for the persistent efforts of the inspectors to ensure that in certain

branches of industry women shall do their work seated, and in general to see that women are not required to do work which is beyond their strength. No less active research has been undertaken in regard to other problems, such, for instance, as limiting the number of apprentices in industry and in certain trades, regulating articles of apprenticeship, preventing certain industrial accidents to which women and young persons are liable, and suppressing the illegal employment of children under 15 years of age.

As regards the employment of women and young persons, it may be stated that the number of adolescents employed in industry has considerably decreased, not only owing to the measures taken by the authorities to prevent the undue employment of young persons in industrial establishments, but also owing to the depression, which has very much reduced the cost of adult labour. On the other hand, the proportion of women employed in industry has shown a tendency to increase during the last few years. In 1933 the percentage of women was 56 in food industries, and 52.2 in textile industries.

DISTRIBUTION OF INDUSTRIAL WORKERS

Year	Total number of workers	Adult women		Young persons			
				Male		Female	
		Number	Per cent.	Number	Per cent.	Number	Per cent.
1928	903,151	193,165	21.4	48,513	5.4	20,206	2.2
1929	1,110,248	203,498	18.4	56,583	5.0	20,956	1.9
1930	980,472	192,288	19.6	41,964	4.3	14,193	1.4
1931	852,468	166,872	19.6	31,500	3.7	8,683	1.0
1932	786,824	161,783	20.6	21,351	2.7	5,727	0.7
1933	816,944	169,197	20.7	19,071	2.3	4,488	0.8

It should be added, however, that side by side with the proportionate increase in the number of women employed in production, there has, judging by the fall in the number of contraventions reported by inspectors, been a marked improvement in the observance of the legal provisions regulating women's work. Whereas in 1928 the proportion of contraventions reported was 2.01 per thousand women in employment, in 1933 it was only 1.17.

HEALTH AND SAFETY

Systematic attempts by the inspectors to improve sanitary conditions, health and the prevention of industrial accidents were initiated by a Decree of 16 March 1928 concerning industrial safety and hygiene.

As regards safety, special attention was given to statistics of indus-

trial accidents, since it was held that any serious study of accident prevention would have to be based on such figures. Accordingly, various measures were taken to make the statistics uniform and to see that notifications and reports of accidents should contain all such information as is necessary for the useful investigation of each kind of accident. It should be observed that, for technical reasons, social insurance institutions are playing a more and more important part in all matters connected with the study and investigation of accidents. It is fairly significant in this respect that under the Act of 1933 concerning social insurance accidents must be notified direct to the insurance institutions, which are to forward a copy of the report to the competent inspection authorities.

The combined efforts of the various bodies concerned to have the appropriate methods of accident prevention adopted by employers have given very satisfactory results, as may be seen from the following table.

INDUSTRIAL SAFETY

Year	Number of reports sent in by inspectors	Number of accidents notified	Number of fatal accidents	Number of accidents in industrial undertakings subject to inspection	
				Per undertaking	Per thousand workers
1928	29,146	36,762 ¹	540 ¹	—	—
1929	29,154	64,849	853	1.85	53.8
1930	40,243	52,909	730	1.44	47.7
1931	26,799	47,453	588	1.32	40.1
1932	30,615	33,559	504	0.89	36.1
1933	37,352	34,199	513	0.78	32.4

¹ This figure does not include accidents in Upper Silesia; on the other hand, it does include a certain number of accidents which occurred in undertakings not subject to inspection, and also accidents in agriculture. The other figures in this column include all the classes of accidents just mentioned.

The improvement as regards health is no less noticeable. To begin with, in order that the inspectors might acquire a better knowledge of industrial hygiene, special courses of lectures were organised for them by the State School of Health. On the other hand, although the Act concerning labour inspection provides that medical officers shall be attached to the inspectorate, there was in fact only one such officer on the establishment in 1933, who was responsible for medical supervision in areas I and II. In the absence of specialised staff with the necessary ability, the labour inspectorate has endeavoured to co-operate closely with the medical officers of the Health Administration and of the Union of Sickness Funds.

In this endeavour, it has received constant support from the head of the Medical Inspectorate of Labour attached to the Ministry of

Social Assistance. The chief medical officer, whose authority covers the whole country, is responsible for studying certain special problems connected with industrial hygiene, and the investigations he carries out in various branches of industry do a great deal towards reinforcing the prevention of industrial accidents. In this field, moreover, very useful work is being done by the Institute of Social Problems which was set up in 1931 by the social insurance institutions. The Institute undertakes scientific research and is also engaged in propaganda and educational activities in regard to industrial health and safety.

The extent to which the inspectors have developed the supervision of industrial hygiene is illustrated by the increase in the number of defects they have seen fit to report. Whereas from 1922 to 1927 the average number of such reports sent in yearly was 18,098, during the period 1928-1933 it increased to 29,757. It may, however, be added that during the latter period the frequency of the reports appreciably diminished, the number in 1928 being 2.7 per undertaking inspected, and in 1933 only 2. As regards the nature of the defects most commonly observed, 12.1 per cent. of the reports sent in during the six years under review referred to the installation of changing rooms, 12 to that of wash-basins, 6.6 to ventilation, 5.8 to lighting, 5.6 to the removal of waste material, and 5.4 to that of dust.

CONCILIATION AND ARBITRATION

An important part of the inspectors' work consists in conciliation and arbitration.

Although there is no legal provision compelling inspectors to act in this capacity, they are often called upon to settle individual disputes. Even in the case of collective disputes, they have to take official action only if there is danger of a strike in a public utility or State undertaking, or of a strike which might be detrimental to law and order and the interests of the community. In all other cases, the inspectors only help to settle a collective dispute at the request of one of the parties. As regards procedure, there are no regulations establishing a system of conciliation and arbitration for collective disputes in industry except in the former German territory, such regulations having been promulgated only in regard to the settlement of agricultural disputes and disputes between house owners and porters.

The parties are however in the habit of requesting the inspectors to act as mediators whenever the slightest difficulty arises, and the inspectors never fail to point out in their reports that the large number of disputes they have to settle frequently prevents them from giving as much attention as they should to the application of provisions concerning the protection of labour. The interference with the performance of their regular duties is all the greater, inasmuch as they often have to deal with cases which are not, properly speaking, disputes, but where the part they have to play is rather that of supplying information and advice as to the respective rights of employers and workers.

Attempts have been made to overcome this difficulty by setting up labour courts in a few industrial centres, but it has not so far been

possible appreciably to reduce the pressure of conciliation and arbitration work on the labour inspectors. It seems that the workers are somewhat reluctant to go before the labour courts, the number of which (17 in 1932) is, according to the inspectors, inadequate. Moreover, the inspectors explain that the institution of labour courts has failed because the parties are discouraged by the high cost of litigation, the difficulties inherent in judicial procedure and the delay involved.

Generally speaking, the number of disputes the inspectors have to settle is still very high as compared with the size of the staff. Further, a large proportion of the disputes are settled by arbitration committees on which the inspectors sit, either as chairmen (on an average in 94 per cent. of the cases) or simply as representatives of the competent inspectorate. This is not, of course, calculated to lighten the task of the inspectors. It should be added that they also have to help in drawing up a certain number of collective agreements. The following table illustrates the work done by the inspectors with reference to conciliation and arbitration.

ACTIVITY OF THE INSPECTORS AS REGARDS CONCILIATION AND ARBITRATION

Year	Individual disputes submitted to:		Collective disputes submitted to:		Total number of disputes	Collective agreements	
	Inspectors	Arbitration committees	Inspectors	Arbitration committees		Number	Workers concerned
1928	32,862	10,704	2,956	56	46,580	565	337,672
1929	26,471	8,361	2,382	15	37,229	336	120,252
1930	24,617	7,757	1,871	15	34,260	160	41,502
1931	25,721	9,917	1,992	62	37,695	189	117,090
1932	23,093	12,145	2,424	50	37,712	197	215,077
1933	21,150	11,677	2,402	77	35,306	240	227,711

PROTECTION OF AGRICULTURAL WORKERS

In the absence of special laws and regulations concerning conditions of employment in agriculture, the inspectors apply in the protection of agricultural workers methods which are quite different from those used in factory inspection. In agricultural inspection supervision on the spot plays only an insignificant part, not only owing to the fact that agricultural undertakings are difficult to reach and that this takes time, but also because throughout the greater part of Polish territory there are no legal provisions, such as those dealing with health or safety, which make it necessary to visit such undertakings. In agriculture the inspectors' main function is to conduct negotiations with a view to the conclusion of collective agreements. In cases where

such negotiations do not result in the free conclusion of an agreement the inspectors are responsible for calling a meeting of a special arbitration committee, the decisions of which are binding. By applying both these methods the inspectors have succeeded in establishing a system of collective agreements and arbitration awards, which covers the whole country and which, in a sense, takes the place of a labour code. Both in the agreements and the awards there are clauses which deal not only with salaries but also with relations between employers and workers in general, hours of work, housing, medical aid, the compensation payable to survivors in the event of death, safety, annual leave, etc. The district arbitration committees provide the inspectorate with a very effective means of supervising the application of the clauses. They are organised and their meetings are summoned by the inspectors, and they have authority to deal with all individual disputes which arise in agriculture. By means of these arbitration committees, the inspectors are also in a position indirectly to supervise conditions of employment in agricultural undertakings, and consequently the extent of their activity in this respect may be gauged more accurately by the number of disputes investigated than by that of the undertakings inspected.

The following table shows the number of disputes investigated by the inspectors either directly or through the arbitration committees. These figures were included in those of the previous table.

AGRICULTURAL DISPUTES INVESTIGATED BY THE LABOUR INSPECTORATE

Year	Disputes submitted to the inspectors		Disputes submitted to arbitration committees		Number of committees
	Individual disputes	Collective disputes	Individual disputes	Collective disputes	
1928	7,011	393	5,885	46	491
1929	5,560	451	4,247	5	406
1930	5,535	409	4,363	4	437
1931	6,470	569	6,169	53	530
1932	7,100	819	8,226	44	654
1933	6,797	555	8,183	68	694

APPLICATION OF SOCIAL LEGISLATION AND OTHER DUTIES

Apart from the activities mentioned so far, the normal functions of the labour inspectorate include supervising the application of social legislation and in general seeing that legislative provisions in regard to industrial employment are observed. In this connection, reference may be made to the Acts dealing with hours of work, annual leave and contracts of employment, and to rules which provide for

the keeping of various registers, for methods of remuneration, etc. Failure to comply with these rules frequently gives rise to action on the part of the inspectors. On an average about 28,000 "recommendations and injunctions" are issued yearly in regard to the application of such legislation (though about two-thirds of these measures are taken with respect to the observance of administrative rules, such, for instance, as those concerning the registration of workers and of wages).

No better illustration can be found of the energy with which the inspectors seek to secure observance of the principles of social protection than the number of contraventions reported and that of the prosecutions instituted before the administrative and judicial authorities. Whereas in 1928 the inspectors reported 40,876 contraventions, of which 6,768 gave rise to a prosecution, in 1933 the corresponding figures were 65,519 and 8,688. This shows that the inspectors have considerably intensified their effort to check abuses. (On an average 58 per cent. of the contraventions reported were cases concerning health and safety.)

To complete the foregoing survey of the main activities of the labour inspection service, the fact may be mentioned that the inspectors are also called upon to perform certain other duties as regards applications for permits to open or rebuild industrial undertakings (they must be consulted in regard to all such applications), and that the labour inspection service is responsible for registering trade unions and trade union rules.