



AMENDMENTS TO WORKPLACE BULLYING AND DISCRIMINATION LEGISLATION - KEY POINTS OF THE NEW BILL

On 5th June 2025, the Ministry of Family, Labour and Social Policy published an amended bill concerning provisions on workplace bullying and discrimination.

The most significant discussions continue to revolve around the proposed changes to workplace bullying. While many of the solutions align with existing line of judicial decisions, some of the proposed amendments raise legitimate concerns, partly due to the risk of ambiguous interpretations.

The key points of the revised bill include:

- 1. Imprecise definition** – the current definition of workplace bullying included in the Labour Code should be simplified; however, very brief wording proposed in the bill may give rise to interpretative issues. Referring to bullying solely as 'persistent harassment' significantly lacks precision, which may lead to misunderstandings – both among employers and employees.
- 2. Incidental inappropriate behaviour is not bullying** – the bill explicitly states that incidental behaviour, even if inappropriate and infringing on employees' personal rights, will not be considered workplace bullying.
- 3. Critical evaluation of employee's work is not bullying** - the Ministry has also explicitly clarified that an employer's critical evaluation of an employee's work does not constitute workplace bullying, provided such opinions are justified and communicated appropriately.
- 4. Specific circumstances instead of "reasonable victim standard"** – the bill also assumes that assessing whether workplace bullying has occurred should be highly individualised, focusing on the specific circumstances of each case rather than adhering to the "reasonable victim standard".
- 5. Changed minimum compensation amount** – an employee who has experienced workplace bullying will now have the right to claim compensation from the employer in an amount not lower than twelve times the national minimum wage. This is a significant change from the six times the individual employee's wage proposed in the first draft. Such a method of setting compensation aims to prevent the adjustment of an employee's harm based Ministry of Family, Labour and Social Policy on their salary level.
- 6. Recourse claim** – under the proposed amendments, an employer who has paid compensation or damages for workplace bullying will gain a direct legal basis to pursue a claim for recourse against the perpetrator. While enforcing such a claim may prove challenging, it will nevertheless create the possibility of holding the perpetrator financially accountable for their actions.
- 7. Court jurisdiction** – If adopted, the proposed provisions will introduce significant changes concerning court jurisdiction. Cases involving the protection of employees' personal rights, workplace bullying, harassment, and sexual harassment would be handled by district courts regardless of the claim's value. This shift could potentially lead to an even greater overload of district courts, possibly resulting in further delays in proceedings, which already tend to last for years.
- 8. More detailed definition of discrimination** - the definition of discrimination has also been expanded. While current provisions differentiate between direct and indirect discrimination, the draft additionally introduces two new concepts:
 - a) Discrimination by assumption** – this occurs when an employee is, or could be, treated less favourably in a comparable situation than other employees due to a reason wrongly attributed to them. For example, this could include assuming their beliefs are inconsistent with your own.
 - b) Discrimination by association** – this refers to situations where an employee is, or could be, treated less favourably in a comparable situation than other employees due to their association with a person to whom the discriminatory reason applies, for example, a family member.
- 9. Employee protection vs false reports** – the rights typically granted to employees in cases of labour law violations, including the principle of equal treatment in employment, will not apply to an employee who makes reports of legal violations in bad faith.



How should employers prepare for the proposed changes?

Bearing in mind the planned regulatory changes concerning workplace bullying and discrimination, employers should proactively adjust their internal policies, including workplace regulations, as well as anti-bullying and anti-discrimination procedures.

Given the complex and at times ambiguous wording of the proposed regulations, which may be difficult to interpret, educational activities gain significant importance. We strongly recommend paying special attention to training and raising awareness among both employees and management regarding inappropriate behaviour in the workplace. With these upcoming changes, employers will bear even greater responsibility for fostering a safe work environment, free from inappropriate behaviours. This requires implementing real, systemic, and effective preventive measures.

Feel free to contact us!

We have extensive experience in developing internal regulations and procedures for employers, delivering training, and representing employers in court cases concerning workplace bullying and discrimination.

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