



Legal Alert

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How can you employ Ukrainian citizens?

Polish companies are offering jobs to Ukrainian citizens who have escaped the war. Employment is offered to families of Ukrainians already working in Poland and those who have decided to leave the country in recent days.

What steps must be taken to employ Ukrainians legally?

1. Verify the basis of residence

The legality of stay affects the legality of work. Ukrainian Citizens who have crossed the border may stay in Poland legally based on:

- visa-free movement (90-day legal stay) - a stamp in a biometric passport is needed that confirms the date of entry;
- national visa (type D) or Schengen visa (type C) – a visa sticker in a biometric passport; or
- the consent of the Border Guard Commander, granted when crossing the border (15 days) to foreigners who crossed the border based on an identity card or internal passport.

Foreigners who have submitted an application for international protection (subsidiary protection) may not take up employment during the first 6 months of the application process.

Foreigners who have crossed the border with the permission of the commanding officer will have to legalise their stay after 15 days. There may well be future help or assistance to do this.

2. Register a declaration on entrusting work

Ukrainian citizens legally residing in Poland can work based on a registered declaration on entrusting work. This is the fastest way to legalise employment – this allows one to work for up to 24 months. Work can be performed based on an employment contract or contract of mandate.

The declaration is registered by the employer at the district labour office. The application can be submitted online via the website: praca.gov.pl

Applications should be processed in 7 days, but it is expected that the processing time will be longer. Before the war started in Ukraine, registration took 2 to 3 weeks.

The application must be submitted with the following documents:

- an employer's statement of no criminal record;
- a copy of all pages of the foreigner's passport (pages with stamps);
- confirmation of the payment of the registration fee - PLN 30; and
- optionally: a power of attorney.

The foreigner will only be able to start work once the declaration has been entered into the register. An employment contract or a contract of mandate cannot be executed before obtaining a positive decision.

The registered statement and copy of the foreigner's passport must be kept in the employee's personal file for the entire period of employment.

3. Assistance in obtaining a residence permit

Employers should verify the legality of the stay also after obtaining the decision legalising work. Foreigners who stay in Poland based on visa-free movement or a visa should, no later than on the last day of their legal stay in Poland, apply for a residence permit. The applications are submitted to the relevant voivodship offices.

Once the application is submitted, a foreigner's stay in Poland is legal throughout the entire procedure. A stamp in a passport confirms that the application was submitted on time. So far, the application examination time ranges from 3 to 7 months, depending on the voivodship.



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