



Re-thinking Approaches to Labour Migration

Potentials and Gaps in Four EU Member States' Migration Infrastructures

Case Study Poland



ABOUT

This case study is part of a series of publications mapping legal pathways for labour migration and mobility to EU countries commissioned by ICMPD's Migration Partnership Facility (MPF) in the context of their efforts supporting the enabling environment for labour migration to the EU.

It summarises existing legal labour migration pathways and their use in Poland. It provides suggestions for adaptations in order to better serve the needs of the Polish labour market and to explore potentials for migration and mobility pilots in the context of the EU Talent Partnership Framework.

Shorter digests of each case study are available, along with an overarching policy brief which analyses the findings from all case studies.

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The Migration Partnership Facility (MPF) is an EU-funded initiative supporting the external dimension of EU migration policy. The MPF aims to strengthen dialogue and cooperation on migration and mobility between Member States and priority partner countries outside the EU. The project is implemented by the International Centre for Migration Policy Development (ICMPD).

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MPF (2022). Re-thinking approaches to labour migration. Potentials and gaps in four EU member states' migration infrastructures. Case Study: Poland, Brussels: ICMPD.

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ACKNOWLEDGEMENTS

The authors are grateful to Marcin Princ (Adam Mickiewicz University, Poznan) for conducting interviews for this case study. The authors would also like to thank all interview participants for their valuable input and Anna Knoll for her peer review and suggestions. Editorial support and layout were provided by Annette Powell.

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ACRONYMS

AMIF	Asylum, Migration and Integration Fund
APFG	Association of Polish Fruit Growers (Polish: Związek Sadowników Rzeczpospolitej Polskiej)
BBC	British Broadcasting Corporation
CASE	Center for Social and Economic Research
Cedefop	European Centre for the Development of Vocational Training
CEPS	Centre for European Policy Studies
CoR	European Committee of the Regions
COVID-19	Coronavirus disease 2019
EC	European Commission
ECDPM	European Centre for Development Policy Management
EEA	European Economic Area
EMN	European Migration Network
EFTA	European Free Trade Association
EU	European Union
EURES	European cooperation network of employment services
FDI	Foreign direct investment
GDP	Gross Domestic Product
GNP	Gross National Product
GUS	Central Statistical Office (Polish: Główny Urząd Statystyczny)
ICMPD	International centre for Migration Policy Development
IFES	International Foundation for Electoral Systems (IFES)
ISAP	Online Database of Polish Legislation (Polish: Internetowy System Aktów Prawnych)
ISCED	International Standard Classification of Education
IT	Information technology
LFS	Labour Force Survey
NACE	Statistical classification of economic activities in the European Community
NAWA	Polish National Agency for Academic Exchange
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Co-operation and Development
PAIH	Polish Investment and Trade Agency
PARP	Polish Agency for Enterprise Development

PBH	Poland. Business Harbour
PES	Public Employment Services
PESEL	Universal Electronic System for Registration of the Population (Polish: Powszechny Elektroniczny System Ewidencji Ludności)
PiS	Law and Justice Party (Polish: Prawo i Sprawiedliwość)
PISM	Polish Institute of International Affairs
PKD	Polish Classification of Activities
PLN	Polish złoty
PO	Civic Platform (Polish: Platforma Obywatelska)
PSL	Polish Peasant Party (Polish: Polskie Stronnictwo Ludowe)
PwC	PricewaterhouseCoopers
SIP	Association for Legal Intervention (Polish: Stowarzyszenie Interwencji Prawnej)
SLD	Democratic Left Alliance (Polish: Sojusz Lewicy Demokratycznej)
TCN	Third country national
UK	United Kingdom
UMCS	Maria Curie-Skłodowska University
US	United States
USSR	Union of Soviet Socialist Republics
VET	Vocational education and training
WITS	World Integrated Trade Solution

1. INTRODUCTION AND CONTEXT

1.1 GOVERNMENT SYSTEM

The modern Polish state as it exists today was established in 1989 with the creation of the Third Polish Republic. The system of government is a mixed presidential-parliamentary democracy. Poland held its first free presidential and parliamentary elections in 1990 and 1991 respectively (Britannica n.d.).

The Polish bicameral parliament is composed of the Senate (upper house) and the Sejm (lower house). Both chambers adopt laws. The Senate members are elected by plurality vote in single member constituencies for a four-year term period, while the Sejm's members are elected through an open-list proportional representation system to serve the same term period. The president is elected by absolute majority vote through a two-round system to serve a five-year term. If a candidate receives more than 50% of the votes in the first round, there is no second round. The president can be re-elected, yet he can only serve for a ten years total period. The president can appoint the Prime minister, but his nomination is subject to the approval of the Sejm. The prime minister holds most executive power, but the president also retains some influence mostly over defense and foreign policy matters (IFES 2020).

The current government is led by the Law and Justice Party (*Prawo i Sprawiedliwość* [PiS]), which was first elected in 2015. During the 2020 general elections, the PiS grouping party held a decisive majority in the Sejm, but not in the Senate (secured 48 of the 100 seats). This was the same number of seats as the three opposition parties: 43 for the liberal-centrist Civic Platform (PO), Poland's governing party between 2007-15 and currently the main opposition grouping; 3 for the agrarian-centrist Polish Peasant Party (PSL); and 2 for the communist successor Democratic Left Alliance (SLD). The balance of power is held by four independents, three of whom won with opposition support, which ensured the election of PO's Tomasz Grodzki as Senate speaker, Poland's third most senior state official (Szczerbiak 2019a). Despite this, the PiS won a second term with 43.6% of the votes, in the second highest voter turnout since 1989 at 68.1%. The party secured the same 235 seats becoming the first governing party to be re-elected with an overall majority. The far-left and far-right parties, which had been absent during the previous term, passed the threshold to enter parliament (Freedom House 2021).

The presidential elections in 2020 were characterised by great controversy. The governing PiS party attempted to manipulate the date of the election in order to improve their chances of re-election. Originally, the elections were scheduled for May 2020, but were postponed due to the COVID-19 pandemic. The PiS party wanted to keep the original date, and attempted to make changes in electoral law such as proposing an all-postal voting system and thereby bypassing local governments who were the traditional administrators of voting in elections (Flis and Kaminski 2022). These proposals were rejected as being in breach of electoral law, and the elections were held in July 2020,

when President Andrzej Duda (PiS) was re-elected defeating opposition candidate Rafał Trzaskowski (PO), a socially liberal mayor of Warsaw, by a narrow margin.

Some key characteristics of the governance of the PiS party since 2015 include the threat to judicial, electoral and media independence. The PiS proposed reforms to electoral law in 2018 that would increase the PiS' control over elections as well as reduce democratic checks and balances (Marcinkiewicz and Stegmaier 2018). The PiS has also made reforms to judicial law, which came into force in February 2020. The changes increased the control of the executive over the judiciary. The EU Court of Justice ruled in 2021 that the reforms were not in accordance with EU law and that they threatened judicial independence (France 24 2021a). Finally, the PiS has also used the media as a tool to increase its influence, and has attempted to reform, or 'repolonise', the media industry in Poland, which, for all intents and purposes, means to quieten media outlets and journalists critical of the government's policies (The Economist 2020). According to Reporters without Borders, Poland's annual ranking in the World Press Freedom Index fell from 18th in 2015 to 62nd in 2020 (Berardino 2020).

Part of the reason for PiS' re-election success has been its ability to attract voters from both ends of the political spectrum, through promises of cultural sovereignty and economic redistribution (Chrystogelos 2019). The party also employed nationalistic tactics to attract voters, having successfully drawn a division in the electorate, between 'true' Poles voting for Duda and the 'worst kind' voting for Trzaskowski (Łazowski 2020). PiS' anti-migrant policies, such as the securitisation of migration at the Polish border with Belarus, has helped increase its national support. Looking forward, from now until the upcoming local elections in 2022, the party is likely to deepen and push ahead with its radical state reform programme, particularly in areas such as the judiciary. Despite the economic impact of COVID-19, the government has pledged to continue its popular welfare scheme, the Family 500+ programme, which has helped to raise many Polish families out of poverty (BBC News 2020). The programme, which began in 2016, provides 500 PLN per month to families for every child under 18 (Government of Poland n.d.-a).

The electoral success of the PiS in 2015 was in large part due to its ability to wield the threat of immigrants coming to Poland in the context of the refugee crisis of 2015 as a way of winning votes (Santora 2020). In 2015, the PiS leader, Jarosław Kaczyński, said that "refugees" would "bring in all kinds of parasites" (Reuters 2016). The PiS' re-election in 2020 has been attributed to its sustained commitment to welfare and social benefits as well as its self-professed role as the defenders of Polish national identity and traditional family and Christian values, which have been important issues for many Polish people who feel that such values are under threat (Szczerbiak 2019b). In Autumn 2021, the PiS' weaponisation of immigration was highlighted again in an affront with Belarus concerning the responsibility that should be taken for the large numbers of asylum seekers at the border (France 24 2021b). The PiS' tough stance on the migrants transiting through Belarus, the majority of which were from the Middle East, was welcomed by the Polish public with the PiS enjoying a 2.2% increase in public opinion polls in September 2021 (Bartyzel 2021). However, the PiS' attitude towards refugees has changed dramatically in the context of the influx of Ukrainian refugees after the Russian invasion with the government providing sanctuary to the almost three million refugees (as of 22 April) who have travelled to Poland (Gainsford et al. 2022). Whether this reflects a broader paradigm shift towards refugees is uncertain however, as there have been many reports of non-Ukrainian, and non-European people also fleeing Ukraine being turned away at the Polish border (Tondo 2022).

1.2 POLITICAL ECONOMY ANALYSIS - MIGRATION

Under communism, Poland had a restrictive migration policy making it difficult for Poles to leave the country. Only 6 million Polish people emigrated from 1945 to 1989, the majority of which went to Germany or the United States (US) (Iglicka and Ziolk-Skrzypczak 2010). While the 1979 agreement between the Polish People's Republic and the Soviet Union allowed Soviet and Polish citizens to travel without visas, large-scale immigration to Poland did not occur until the fall of the Soviet Union, with eight to nine million border crossings occurring every year in the second half of the 1990s (Iglicka and Ziolk-Skrzypczak 2010).

Poland's accession to the European Union (EU) in 2004 was a watershed moment in the country's migration history, and Polish people began emigrating en masse to western Europe. The combination of growing economies in western Europe and a lack of opportunities in Poland led to large numbers of migrants emigrating, initially to the UK, Ireland and Sweden, often to work in hospitality and construction. The largest outflow was recorded between 2004 and 2007 (Matusz and Aivaliotou 2020). In the period after accession, remittances sent from the diaspora to Poland also increased. Immigration into Poland also increased as a result of accession to the EU, although not as considerably as emigration.

In the years following accession to the EU, many Polish people left the country and net migration in Poland was negative. However, immigration also began to increase after 2004, at first slowly, but since 2008 and 2009, the numbers of immigrants coming to Poland from neighbouring countries began to increase substantially (Matusz and Aivaliotou 2020). As can be seen from Figure 1 below, Poland is in the process of transforming from being a country of emigration to being a country of immigration, with net migration being positive since 2015. In terms of numbers of people migrating, between 1991 to 2000, net migration to Poland was -152,000; between 2001 and 2010 it was -145,000; and in 2020 it was +4,000 (GUS 2021a).

Figure 1: Net migration figures in Poland from 1950 to 2019



Source: Sas 2022b

What are the reasons for this transformation? First, Polish governments have recognised the need to recruit foreign workers to fill structural gaps in the domestic labour supply, which have been caused by mass emigration as well as demographic ageing. Polish labour migration policy has therefore sought to expand the recruitment of foreign workers. Second, in addition to government policy measures, the sustained economic growth of the Polish economy over the past two decades has created many new jobs in the various sectors for growth. Poland's good economic performance has acted as a magnet for foreign workers, particularly from neighbouring low-income countries. Another reason is the relative decline in the number of Polish people emigrating to western Europe, coupled with the growing tendency of Polish workers to return home from countries they had emigrated to, such as the UK and Germany. There are many possible factors behind this return, including Poland's improved economic performance and the rise in real wages, the impact of the Brexit vote on the decisions of Polish workers in the UK, and the Polish Government's attempts to attract its expatriates back to Poland (Parker et al. 2021). Overall, it is important to note that the increase in the number of immigrants is largely related to a growth in labour migration, rather than other types of immigration, such as asylum migration. Indeed, in 2016, Poland had the highest number of employment-related permits for third country nationals among all EU member states (Pędziwiatr 2019a).

Foreign workers in Poland fill the gaps in the labour supply of the country's growing economic sectors. Foreign workers tend to be employed in low-wage and occupations considered low-skilled, such as agriculture, construction and services. Migrants tend to work in those sectors that are least attractive to Polish citizens. There are also increasing numbers of migrants working in high-income sectors, such as IT (see Section 4 for more detail on the role of migrant workers in different sectors). The majority of foreign workers in Poland have temporary contracts. For example, in December 2016, 65% of third country nationals residing in Poland held permits valid for less than a year (EC 2018a). Many foreign workers are on temporary permits: in 2019, Poland had by far the largest number of seasonal workers (46,630) out of any EU country (EMN 2020a).

Labour migration policymakers have worked closely with Polish employers to try to fill labour shortages. One forum for dialogue between policymakers and employers is the Social Dialogue Council, which gives space for employers' associations to express their interests to the government, although the importance of this forum should not be overstated. Alongside employers' associations, the main other non-state actors with an interest in labour migration policymaking are recruitment agencies, NGOs and trade unions. Recruitment agencies lobby governments to change legislation to make it easier to hire foreign workers. NGOs and trade unions work towards promoting decent work for migrant workers (see Section 3 for a detailed outline of the main stakeholders and their interests).

Migrant labour has played an integral role in the Polish economy across a variety of sectors, and this will only increase in the future. The PiS recognises this, reflected by the January 2021 migration strategy document, 'Migration Policy of Poland: diagnosis of the initial state of migration', which asserted that labour migration is the most effective way to address shortages in the labour market, and that new legal pathways will be needed in the future (see 1.3). Indeed, labour migration has been the principal tool to boost labour supply in Poland. Alternative labour market policies, such as bolstering female labour market participation, delaying the retirement age, or education policies, are not labour market policy tools typically used by the Polish government to address shortages in labour supply.¹

1 Informant 10.

The PiS also recognises the potential role that Ukrainian refugees can play in the domestic labour market. Ukrainian refugees have been provided with complete access to the Polish labour market, and as of 5 April, over 30,000 Ukrainians had already taken up work (Tilles 2022a). The influx of Ukrainian refugees will not solve Poland's labour shortages however, in fact, the war is likely to exacerbate Poland's labour shortages in the short-term since many of the shortage occupations are typically only carried out by men (see 4.3) and most of the Ukrainian refugees are women and children (Pifczyk 2022).

In spite of the essential role migrants play in the Polish economy, immigration is often not seen as a positive thing, both by the public and the government. While the current government shows no sign of dialling down its anti-immigrant views, neither has there been any indication of an unwillingness to continue working with employers to ensure that their labour needs are met. This contradiction is an important trait of contemporary attitudes towards immigration in Poland. As for Ukrainian refugees, both the Polish public and Government have rallied in support. However, as Polish public services are being put to the test, signs of changes in attitudes are beginning to emerge (Talmazan and Krakowska 2022). It will thus remain to be seen how long the welcoming stance towards Ukrainians will be maintained.

1.3 MIGRATION POLICIES AND LEGISLATION (AND OTHER RELEVANT, E.G. EMPLOYMENT, TRADE, DEVELOPMENT)

Despite Poland's ongoing transformation from a country of emigration to immigration, the Polish state is still yet to establish a national migration strategy. The first ever national migration policy document, 'Poland's migration policy - current state of affairs and proposed actions' (Polityka migracyjna Polski – stan obecny i postulowane działania) was formulated in 2011 and accepted by the Council of Ministers in 2012. However, in 2016, the PiS suspended the document, with the promise of a subsequent replacement.

In June 2019, a draft of the new national migration strategy was circulated by the Ministry of Interior and Administration in the Polish Parliament, although this version was not formally published. The document envisioned a migration strategy that aimed to strike a balance between addressing the serious challenges facing the Polish labour market and at the same time prioritising security and cracking down on illegal migration (Pędziwiatr 2019a; Bartyzel 2021; Pędziwiatr 2019b). The proposal was met with fierce criticism from both sides. NGOs and activists argued that it was anti-Muslim and that it promoted an assimilationist outlook. Conversely, the document's claim that Poland would need immigrants to fill labour shortages was also lambasted by the more conservative strains of the Polish population and media. Indeed, the Deputy Minister of Investments and Development, Paweł Chorąży, was fired after he said publicly that Poland would need to absorb workers from foreign countries (Santora 2019).

In January 2021, the migration document, 'Migration Policy of Poland: diagnosis of the initial state of migration', was published by the working group of the Interministerial Migration Team, which is coordinated by the Ministry of the Interior and Administration (Government of Poland n.d.-b). The

Government working group included experts from the Centre for Migration Research, University of Warsaw, National Bank of Poland, national UNHCR office and the national office of the IOM. The diagnosis was intended to provide the basis for the Council of Ministers to adopt a draft resolution, although this has not been adopted yet (Government of Poland n.d-c). Despite not having been voted in yet, the diagnosis does still give an indication of the priorities of Poland's labour migration policy. Legal migration is one of the five key policy areas, alongside irregular migration, returns, international protection and integration. On legal migration, the document asserts that labour migration is the most effective way to address shortages in the labour market, and that new legal pathways will be needed in the future. The document recognises that future economic growth will depend on foreign labour and that some sectors of the Polish economy will not be able to survive without it. Given the war in Ukraine and the situation on the border with Belarus, it is likely that the policy document will need to be updated.

As mentioned, the 2021 proposal for a national strategy on migration was not accepted, meaning the country is still without a national strategy. This prolonged absence of clear direction on migration is because it would not be politically expedient for the government to produce a strategy, given that migration is such a heavily politicised topic (Pędziwiatr 2019a).² One interviewee for this study claimed that the Government is unlikely to produce a migration strategy before the upcoming elections in 2023.³

Despite an absence of a national migration strategy since 2015, there have been various legal and policy mechanisms to facilitate access to the labour market for foreign workers. Over the past two decades, the priorities of Poland's labour migration policy have been to work closely with Polish employers to try to fill labour shortages.

The most common way that foreigners work legally in Poland is by an employer declaring their intention to entrust work to a foreigner (see Section 5.1.2). This labour migration pathway, referred to from here onwards as 'employers' declarations', came into force in 2006. It allows employers to hire foreigners for a short period without conducting a labour market test and without requiring workers to apply for a work permit. From 2006 until 2022, migrants were allowed to come for a period of up to six months under the employers' declarations, but amendments made to the Act on Foreigners which came into effect in January 2022 allow a stay of up to two years. Other ways to work in Poland as a foreigner include: Work Permits; the Seasonal Permit; the EU Blue Card; the Single Permit and the Card of the Pole, although these pathways are much less commonly used, mainly owing to bureaucratic procedures (see Section 5 for a detailed outline of the available legal pathways).

As mentioned, the Act on Foreigners, which came into law in December 2013, also has a significance for labour migration. The Act on Foreigners includes provisions on the granting of residence and work permits. In January 2022, important amendments were made to the Act. One important change was to make the employers' declarations valid for a period of up to 24 months, a change from the original six months. The amendments also allow the processing of applications for work and residence permits to be accelerated for foreigners employed by entities of strategic importance (Michał Grzybowski et al. 2021). Article 88cb to the Act on Foreigners permits the Minister of Development

2 Informant 10; Informant 11.

3 Informant 11.

and Technology to determine a list of entities of strategic importance to the Polish economy, based on the needs of the national economy for which the processing of applications will be accelerated. Permit applications by foreigners working for these key entities be processed faster. While in the short term, this ability to define key strategic entities will not have a great impact since Ukrainian arrivals have already been afforded complete access to the labour market in response to the war effort, in the medium and long term though, this policy mechanism could be an important means to address labour shortages.⁴ However, the impact of the recent amendments are not yet possible to observe, partly because of the short time period since the amendments came into force, but more importantly, owing to the disruption caused by the reception of immigrants and by the war in Ukraine.

Another approach to labour migration policy has been to encourage Polish people living abroad (2.5 million in 2017) to return to Poland (Segeš Frelak and Hahn-Schaur 2019). This strategy has been implemented since 2008 when the Polish Return Portal (*Powroty*) was launched by the Ministry of Family and Social Policy in an effort to provide information on administrative steps involved in returning to Poland (Segeš Frelak and Hahn-Schaur 2019). The Polish Public Employment Services and the National Agency for Academic Exchange (NAWA) both play a role in the promotion of the return of Polish expatriates (see 3.1). However, the actual impact of the Government's strategies to promote return migration is unclear, since return migration to Poland has been limited (Kaczmarczyk et al. 2016).⁵

Poland has a registration system in which any foreigner who registers to stay in Poland for over 30 days can apply for a unique eleven-digit number known as PESEL which makes everyday life in Poland significantly easier. Receiving the PESEL number allows foreigners, including refugees, to identify themselves, for example in banks and offices, as well as apply to join the 500+ programme (see Section 1.1). Even for many short-term jobs, the PESEL number is needed. The PESEL system also lets the Polish Government maintain databases of every resident in Poland.

One relevant provision in asylum law gives a residence permit to migrants where there are legal obstacles to return, while tolerated stay is granted to migrants who could not be returned for practical reasons (EMN 2021a).

In response to the COVID-19 pandemic, Poland introduced a specific piece of legislation which extended the legality of the stay of third-country nationals on the territory, as well as extending the deadlines by which they would have to leave (EMN 2021b).

As for the situation in Ukraine, on 12 March the Polish Government passed a special act, stating that all those persons who have fled Ukraine and have specified their intent to remain in Poland have been provided with the legal right to stay for 18 months (EC 2022a). They have also been granted complete access to the labour market (no work permit will be required). In order to obtain the right to residence, Ukrainian refugees will need to apply for the PESEL number. The Polish Government opened the first mass registration point for Ukrainians willing to receive a PESEL number in Krakow in March 2022. Ukrainians who would like to live permanently on EU territory and not return to their country, even when the war with Russia is over, can use this PESEL to take out loans, get a job and access medical care (Sieniawski 2022).

4 Informant 9.

5 Informant 11.

Labour migration policy in Poland has not endeavoured to target workers with specific skills to fill specific gaps in the labour market. It has also not concluded any bilateral labour agreements or migration partnerships. Rather than negotiating partnerships with third countries, Poland has introduced its own solutions and successfully adopted EU ones, such as seasonal work permits.

2. KEY LABOUR MIGRATION RELATED STATISTICS

2.1 DEMOGRAPHIC INFORMATION

As of 1 January 2021, the population of Poland stood at 37,840,001 (8.5% of the total EU population) (Eurostat 2022a). Approximately, 22,834,000 people (60%) live in urban areas and 15,329,000 (40%) live in rural areas (GUS 2020c). The Silesia region has the highest population density index, with 366 people per square kilometre. The Podlasie province and the Warmia-Mazuria province have the lowest density indices with 58 and 59 people per square kilometre respectively (Eurydice 2022a). Men amount to around 48% of the total population, while women represent 52% (GUS 2020c). The current life expectancy for Poland in 2022 is 79.11 years (Macrotrends 2022a).

Figure 2: Administrative map of Poland



Source: Nations Online n.d.

Poland is facing severe demographic problems. Since 1989, Poland has seen a process of limited replacement of generations. In 1999, a decline in the population was recorded for the first time, mainly caused by a drop in the number of births and a negative net migration rate.⁶ Although between 2008 and 2012 the population grew, due to an increase in the birth rate and a diminishing negative balance in permanent international migration, between 2013 and 2019, the population of Poland reduced, except in 2017 when a slight growth was recorded. Low fertility rates (1.4 births per woman in 2020) is one reason for population decline (Eurydice 2022a; World Bank 2020).

The demographic depression of the 1990s and a high level of emigration (mostly of young people), especially since 2004, will soon lead to increasing difficulties for the supply of labour and for the social security system, which has already been squeezed as a result of the pandemic as well as the aid contributions made to Ukraine (World Bank n.d.; Harper 2022).⁷ According to the long-term demographic prognosis for the period up to 2035, the number of Poles will decrease exponentially, and between 2020 and 2050 it is estimated that Poland's population will decrease by 4.1 million (Sas 2022a).

Table 1 shows the change over time in the number of people of working age. As for future projections, in 2020 the largest labour force groups are those aged between 30 and 44, but by 2030 the largest age group is expected to consist of those aged between 40 and 54 (Cedefop 2020).

Table 1: Population by age

	2000	2005	2010	2012	2013	2014	2015	2016	2017	2018	2019
Population (in 000's)	38,254.0	38,157.1	38,529.9	38,538.4	38,502.4	38,479	38,347	38,433	38,434	38,411	38,386
Population by age (in %):											
Pre-working age (0-17)	24.4	20.6	18.8	18.5	18.3	18.0	18.0	17.9	18.0	18.1	18.1
Working age (18-59/64)	60.8	60.4	64.4	64.2	63.6	63.0	62.4	61.9	61.2	60.6	60.0
Post-working age (60/65 and above)	14.8	15.4	16.8	17.3	18.1	19.0	19.6	20.2	20.8	21.4	21.9

Source: GUS 2020a

2.2 CURRENT MIGRATION FLOWS

The war in Ukraine has led nearly 3 million refugees to flee to Poland (as of 22 April) (Gainsford et al. 2022). The overwhelming majority of these arrivals are women and children (around half of all arrivals are children and 90% of adult arrivals are women) (MPI 2022). Poland is currently trying to

⁶ For migrants that take up permanent residence.

⁷ Aid contributions amounted to €1.6 billion in the first two months of the invasion.

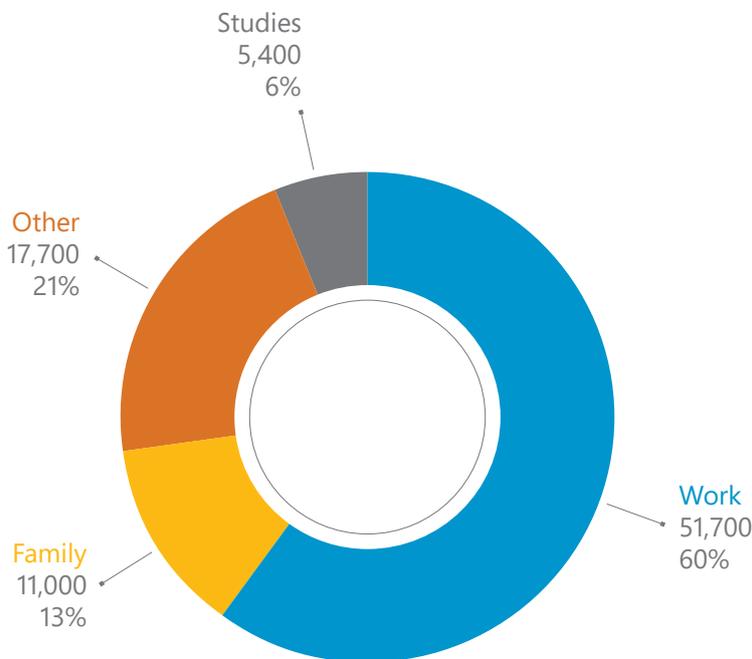
support these refugees' basic needs as well as facilitate entry to the labour market where it is possible. However, it is uncertain how many Ukrainians will remain in Poland on a permanent basis. One recent survey conducted by employers in Poland reported that 90% of recent Ukrainian arrivals do not plan on remaining in Poland on a permanent basis (MPI 2022).

Before the war in Ukraine, Poland already had a large foreign-born population. In 2021, there were 901,790 foreign-born persons in Poland, which represented a large increase from 2010 when there were 642,417 foreign born persons (Eurostat 2022b). The main countries of birth were Ukraine (34%), Germany (12%) and Belarus (12%) (OECD 2021a). The current net migration rate for Poland in 2022 is -0.367 per 1000 population, a 21.75% decline from 2021 (Macrotrends 2022b).

In terms of the types of migration flows to Poland, temporary migration to Poland is larger in scale than more permanent forms of migration (see Figure 3). In 2021, 360,000 people applied for temporary residence, while 23,000 people applied for permanent residence (92% and 6% respectively of all residence applications). In 2020, out of 14,386 temporary residence permits issued, 67% were for work, 14% for studies and 12% for family reunification (EC n.d.-a). The number of people applying for temporary residence permits in 2021 was 393,000, a 28% increase from 2020 (Government of Poland n.d.-d).

Figure 3: Figures on number of long-term and temporary residence permits issued in Poland in 2019

Grants of long-term residence permits (non-EU citizens) 2019 (Source: Eurostat)



Source: OECD 2021a

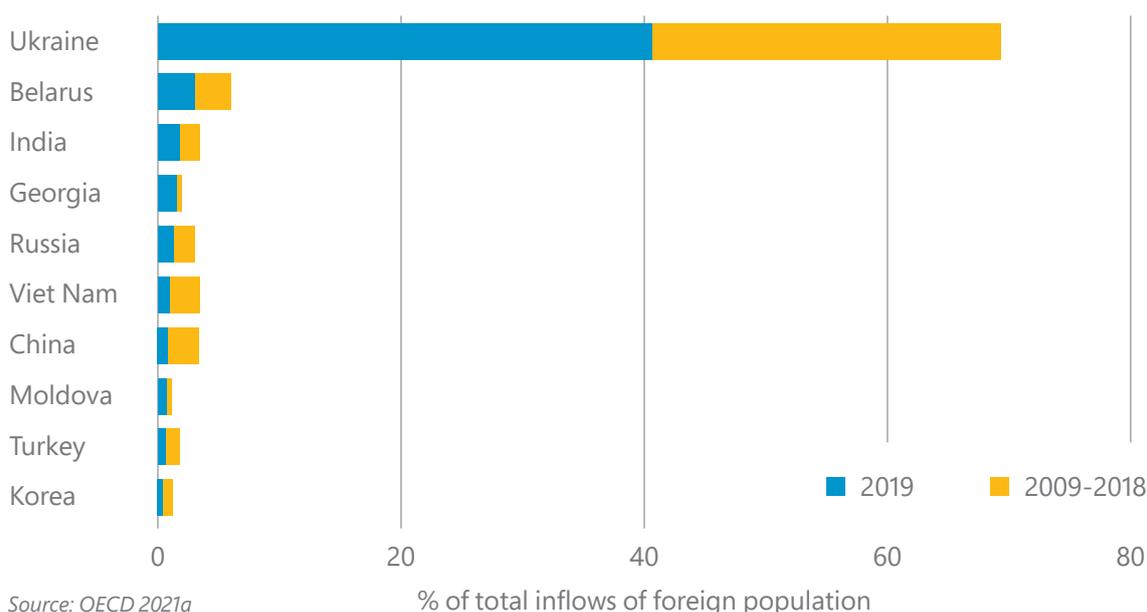
Temporary migration (non-EU citizens) (Source: Eurostat)

Temporary migration		
	2019	2019/18
Remunerated activities reasons	568 040	+ 18%
Family reasons	2 390	+ 15%
Education reasons	18 770	- 49%
Other	42 340	+ 2%
Humanitarian		
	2019	2019/18
Asylum seekers (2018)	1 510	- 45%

Source: OECD 2021a

In 2020, the majority of foreigners applying for temporary residence permits were citizens of Ukraine (253,000), Georgia (23,000) and Belarus (18,000) (see Figure 4 for a longer-term perspective). While citizens of Ukraine are still the most populous, however, since 2018 the percentage of Ukrainian migrants has been steadily declining in favour of workers from Moldova, Nepal, India, Georgia or Bangladesh (UMCS 2021). Citizens from neighbouring countries often come to Poland on a temporary basis in the highest numbers as they have easy access to the Polish labour market on the basis of the employers' declarations (which waive the requirement for a work permit). The most frequent applicants for permanent residence permits in 2020 were citizens of Belarus (10,000), Ukraine (9,000) and Russia (800).

Figure 4: Inflows to Poland by nationality

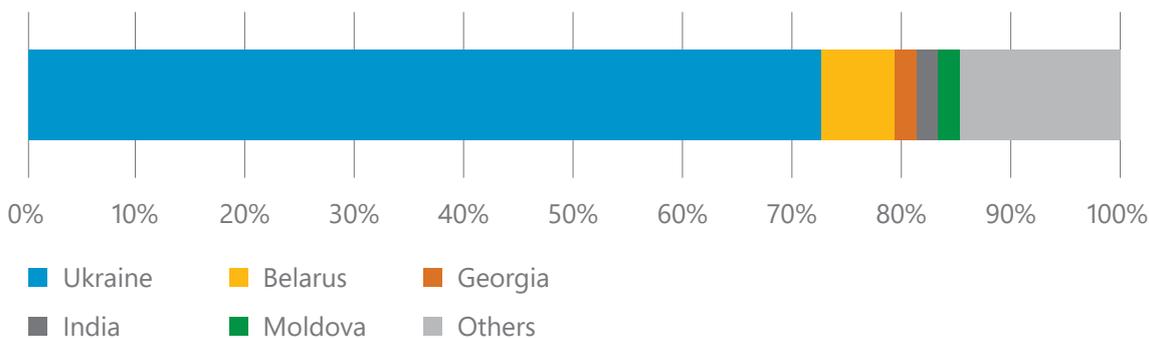


There has also been an increase in the number of foreigners interested in continuing their education at Polish universities (see Section 2.5).

In 2020, the Mazowieckie Voivodeship⁸ issued the most work permits, 68,228; Wielkopolskie, the second most, 50,330; and Łódzkie, the third most, 41,428. Świętokrzyskie issued the least number of permits with 4,759 (GUS 2021c).

In relation to other EU member states, Poland was the most popular destination for non-EU citizens to come to work in 2020, based on the number of work permits issued. This was mainly due to agreements with Ukraine. Poland issued 598,047 first residence permits, 488,858 of which were to citizens of Ukraine (Eurostat 2021a). The majority of first residence permits issued in Poland are for employment-related reasons (84%) (Eurostat 2021b). Other large groups of foreign nationals receiving work permits were citizens of Belarus (6.7%), Georgia, India (2.0%) and Moldova (1.9%) see Figure x (GUS 2021c).

Figure 5: Structure of work permits by citizenship in 2020



Source: Statistics Poland 2021 (GUS 2021c)

In 2020, the number of first asylum applicants decreased by -45.4% reaching around 1,500. This figure is quite small relative to other EU countries. Indeed, in 2020, Poland was among the EU countries with the lowest number of asylum requests per capita (40 requests per million residents) (ANSA 2021). The majority of applicants in 2020 came from Russia (500), Belarus (400) and Afghanistan (100). The largest increase since 2019 concerned nationals of Belarus (400) and the largest decrease was nationals of Russia (-1 300). Of the 2,000 decisions taken in 2020, 18.5% were positive (OECD 2021a). As shown in Table 2, there are large differences between the acceptance rate of asylum applications between countries of origin. For example, in 2015 and 2016, only asylum applications of people fleeing the war in Donbas, Ukraine were accepted. In 2020, 10,970 third-country nationals were ordered to leave Poland (a 63% decrease from 2019). Only 870 were effectively returned (a 97% decrease from 2019).

8 Voivodeships are administrative regions in Poland, and are comparable to provinces in other countries.

Table 2: Decisions on granting asylum in Poland

Citizenship	2013	2015	2016	2017	2019	RAZEM
Belarus	1	0	0	1	0	2
Norway	0	0	0	0	2	2
Russia	0	1	0	0	0	1
Ukraine	0	55	54	0	0	109
End Total	1	56	54	1	2	114

Source: EMN 2019

In terms of irregular migration to Poland, in 2019 there were 30,900 people registered as illegally present in Poland, and in 2020 there were 12,170 (see Figure 6). The top three nationalities of people who were ordered to leave the country were from Ukraine, Georgia and Russia.

Figure 6: Irregular migration to Poland 2017-2020



Top 3 nationalities ordered to leave the country, 2020

Source: Eurostat (migr_eiord)

Ukraine 7,815 (71%)
Georgia 745 (7%)
Russia 525 (5%)

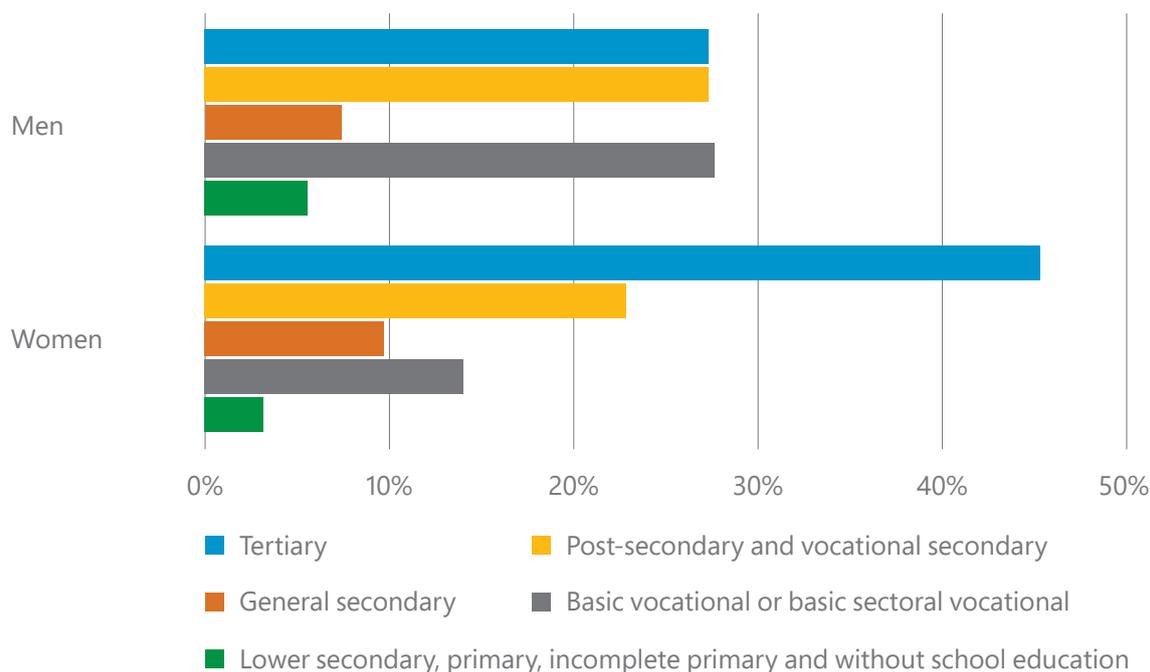
Top 3 nationalities returned to third countries, 2020

Source: Eurostat (migr_eirtn)

Ukraine 605 (71%)
Belarus 60 (7%)
Russia 50 (6%)

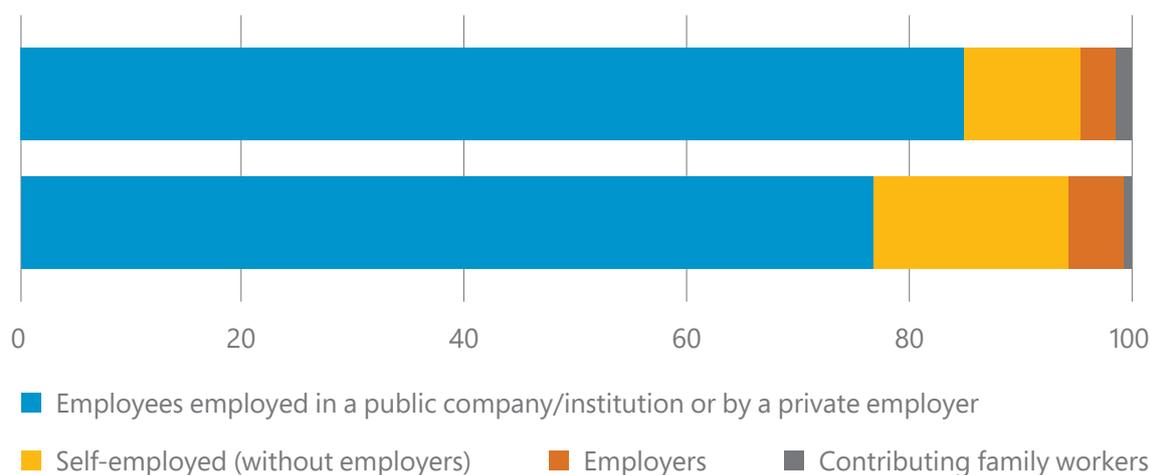
Source: EMN 2020b

Figure 8: Structure of employed men and women by level of education in 4th quarter of 2022a



Source: GUS 2021b

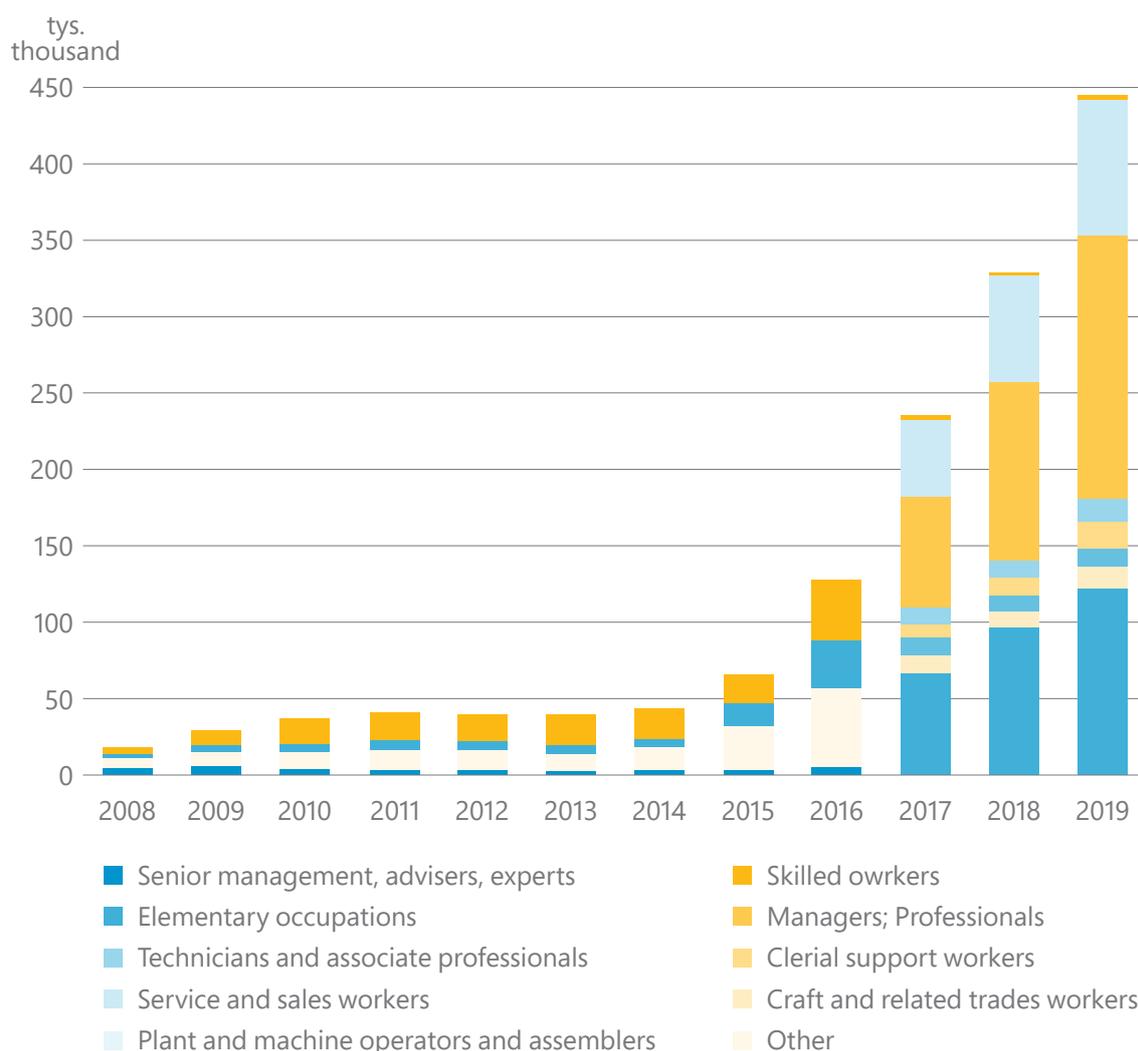
Figure 9: Structure of employed women and men aged 15-89 years by employment status in the main job in the fourth quarter of 2021 (in %)



Source: GUS 2022

In 2020, fewer work permits for foreigners were issued in Poland than in the previous year. The situation was different in the years 2015–2019, when a systematic increase in the number of permits issued was observed in Poland (GUS 2021c).

Figure 10: Work permits by groups of employees/groups of major classification of occupations and specials in 2008-2019



Source: GUS 2020b

2.4 EMPLOYMENT AND LABOUR MARKET OUTCOMES

Unemployment in Poland has declined consistently from over 14% in 2013 to only 5% in 2020. Like in other countries, the pandemic provoked an increase in unemployment which rose to 6.5% in January 2021, but returned to the low rate of 5.5% in February 2022 (Trading Economics n.d.). Overall, unemployment in Poland has been low over the past few decades, with Poland in 2018 already having exceeded the national target established in the Europe 2020 strategy in terms of the employment rate for the 20–64 age group set at 71% (EC n.d.-b).

Unemployment in 2020 of the working age population, those between 20 and 64, was 3.2%. Youth unemployment in 2020 was higher, with 10.9% of the population under 25 years old being unemployed (EC n.d.-b) (see Figure 11).

A larger share of men were employed compared to women. In 2020, of the 72.7% of people between 20 and 64 who were employed, 82.2% were men and 65.2% were women (Eurostat 2022c).

As for unemployment according to education level, in 2020, 1.7% of people with a tertiary education were unemployed; 3.7% of people with an upper secondary and post-secondary non-tertiary education were unemployed; and 8.8% of people with less than primary, and primary and lower secondary education were unemployed (Eurostat n.d.).

Territorial disparities in terms of unemployment have been considerable in Poland for years. These imbalances are due to variations in both the socio-economic development of regions and their geographical location. In March 2022, the Wielkopolskie, Śląskie, and Małopolskie provinces had low rates of unemployment (3.1%, 4.2% and 4.5% respectively), and Warmińsko-Mazurskie, Kujawsko-Pomorskie and Podkarpackie provinces had high rates (8.6%, 7.6% and 8.1 respectively) (Barometr Zawodów 2022).

Figure 11: Unemployment by age group in 2020

Age Group	Unemployment rate
15 - 24	10.9%
15 - 74	3.2%
20 - 64	3.2%
25 - 54	2.8%
25 - 74	2.7%
55 - 74	2.0%

Source: Prepared by the author on the basis of Eurostat data 2022c

2.5 EDUCATION SYSTEMS AND LEVELS

The Polish education system comprises pre-primary education, primary and post-primary schools for children, youth and adults. Pre-primary education includes schools for children ages 3-6, primary schools are for ages 7-14 and post-primary is for 15-21. Post-primary includes general and technical secondary schools as well as sectoral vocational schools for ages 15-19, as well as post-secondary schools, for ages 19-21. In the 2020/21 school year, 4.9 million children, youth and adults were enrolled in these schools, accounting for 12.9% of the country's population (GUS 2021e).

There has been an increase in the share of school pupils attending vocational rather than traditional secondary schools, with an increase in the share of attendance of all school students from 38.8% in

2016 to 41.2% in 2021. There has also been an increase in the number of special job training schools over the past decade (GUS 2021f).

The number of students as well as the number of graduates in higher education institutions has been gradually declining over the past decade. The number of foreign students in higher education has been increasing however, with 847,000 foreigners enrolled in the academic year 2020/21, representing a 3% increase from the previous year. The top three origin countries were Ukraine (385,000 — 45.4% of all foreigners), Belarus (97,000 — 11.5%) and India (26 000 — 3.0%). Nearly one third of all foreigners in higher education study in the Mazowieckie Voivodeship. The majority studied either Business, administration or law (GUS 2021g).

Recent reforms to the education and vocational training systems in Poland have been geared towards improving the responsiveness to the needs of the labour market. These reforms were made to address the fact that many graduates of vocational programmes have struggled to find employment despite labour shortages in vocational occupations, and also, the fact that many graduates of higher education had not found jobs that matched their educational background (OECD 2019). Lifelong learning, in areas such as digital skills, is promoted as a way to improve skills and retain working age adults so they can adjust to changes in the labour market (Eurydice 2019d). There are many lifelong learning programmes in Poland, which are targeted mainly at seniors (Eurydice 2022d).⁹ The priorities of lifelong learning policy are set out in the 2030 Integrated Skills Strategy, and are characterised by a shift in focus of education towards the development of basic, transversal and vocational/professional skills (Cedefop 2021).

In Poland, many graduates with higher education qualifications still struggle to find employment in jobs that match their skill level, since there are not a large number of positions available in highly skilled occupations (Gostomski and Michałowski 2017). In the past, graduates with degrees in social sciences, agriculture and teacher training have had the most difficulty finding appropriate employment, while graduates in mathematics and statistics, physics, engineering and engineering trades and health, have had the lowest levels of unemployment (Gostomski and Michałowski 2017).

Recognition procedures for foreign nationals' skills vary depending on whether or not a given profession is regulated in Poland. For non-regulated professions, a decision to recognise a foreign professional qualification is taken by the employer. The latter may require confirmation of the equivalence of an educational qualification with the relevant Polish award or a written information on recognition of a degree issued by NAWA (NAWA n.d.-a).

Regulated professions in Poland include the so-called sectoral professions (doctor, dentist, pharmacist, nurse, midwife, veterinary surgeon and architect) and professions such as lawyer and teacher (working in the school education sector). Qualifications in regulated professions obtained in EU member states, member states of the European Free Trade Association (EFTA) – signatories of the European Economic Area (EEA) agreement, and Switzerland are recognised in Poland. The legislation is based on EU directives 2005/36/EC and 2013/55/EU. A list of professions which are regulated in Poland is available in the [EU database of regulated professions](#).

9 Such programmes include: 'Active+' Programme; 'Senior+' Programme; 'Chance' Programme; and 'Accessibility' Programme.

For qualifications obtained in other countries, holders should first apply for the academic recognition of a qualification (diploma/degree), and, subsequently, for an authorisation to practise a given profession in accordance with the legislation applicable to a given profession (Eurydice 2022c).

NAWA is responsible for the recognition of academic qualifications, acting as the Polish ENIC-NARIC unit. It manages the multilanguage portal 'Ready, Steady, Go Poland' for foreigners interested to study in Poland (Eurydice 2022c). NAWA has a KWALIFIKATOR database which provides recognition statements of higher education qualifications obtained abroad. It can assess the level and status of qualifications in the country of issue and show how a given foreign diploma or degree is recognised in Poland. It also indicates the rights of the diploma holder and their legal basis.

While there are some systems in place for recognising foreign qualifications these are not sufficient in Poland. This is proving to be one of the main barriers in getting the new arrivals from Ukraine into work. In response to this issue, the Government has made amendments to the procedure for the recognition of qualifications for Ukrainians in order to speed up their entry to the labour market (Tilles 2022a). In the Praca public employment service, Ukrainian citizens can apply for funding to cover the fee charged by higher education institutions for the nostrification procedure or the recognition of foreign qualifications procedure. Furthermore, on 11 March 2022, the Minister of Family requested all ministries to make it easier for Ukrainians to have their education and professional qualifications recognised. For some regulated professions where there is a need to safeguard high standards, the relevant ministries have not amended the procedures for the recognition of qualifications. The Ministry of Health has introduced simplified access to selected medical professions (doctor and dentist, nurse and midwife and paramedic).

3. INSTITUTIONS AND AGENCIES WITH COMPETENCY ON LEGAL AND LABOUR MIGRATION

3.1 INSTITUTIONAL (STATE) ACTORS

The **Ministry of Interior and Administration** is one of the principal actors in the organisation of labour migration. Within the Ministry, the Department for International Affairs and Migration is the relevant department. The Department deals with migration and border policy, as well as cooperation with EU member states and third countries on security and the regulation of movement. The Ministry deals with regular and irregular migrants, and issues documents for those with a legal right to stay. As will be discussed in Section 3.3, the Ministry of Interior and Administration is not the leading state institution on migration policy, but operates in tandem with other institutional bodies. The Ministry also coordinates the Interministerial Migration Policy Team. The Interministerial Migration Policy Team has a working group that was responsible for drafting the 2011 and 2021 migration policy strategy documents (Grot 2013; Government of Poland n.d.-b.).

The **Office for Foreigners** deals with foreigners' entry into, transit through, stay in and departure from Poland, and is responsible for granting international protection in Poland. The Office for Foreigners is a separate agency to the Ministry of Interior and Administration, although the Ministry oversees its operation. The Office for Foreigners implements and is guided by the Act on Foreigners (ISAP 2020). It initiates the creation of national legal acts and has an influence on policymaking. In the case of a negative decision from the Voivodeship Office to grant a residence or work permit, the Office for Foreigners processes appeals made by migrants against the decision (Nurczyk 2017). The Office for Foreigners deals with residence permits, but not work permits.

The **Ministry of Family and Social Policy** plays a significant part in the organisation of labour migration, alongside the Ministry of Interior and Administration. Within the Ministry, the Labour Market Department is the most relevant, being responsible for creating the legal regulations concerning foreigners' access to the labour market. There are two principal aims of the Labour Market Department concerning labour migration.¹⁰ First, the Department seeks to satisfy the labour market needs of Polish employers by trying to fulfill labour market shortages.¹¹ Second, the Department tries to ensure that labour immigration into Poland does not result in any negative consequences for workers - such as unemployment or wage deflation - for those workers who are already in employment in Poland. Other relevant tasks the Department carries out include the management of social security and the secondment of workers. The Ministry's Department of Social Assistance and Integration is

¹⁰ Informant 9.

¹¹ This task is also carried out alongside the Ministry for Economic Development and Technology.

responsible for the integration of migrants, and has scaled up its integration services in light of the increased arrivals from Ukraine. The Ministry also runs the [Polish Return Portal \(Powroty\)](#), launched in 2008, which provides information on the administrative steps involved in returning to Poland, for those families who have already decided to do so (Segeš Frelak and Hahn-Schaur 2019).

The **Ministry of Foreign Affairs** engages in international cooperation on a range of different policy issues. It is the ministry involved in development cooperation with third countries; supporting Polish businesses in foreign markets; cooperation with the Eastern Partnership and Western Balkans countries; and on human rights and global security. Concerning legal migration, the Ministry of Foreign Affairs deals with visa policy issues, which is an important dimension of labour migration policymaking (CoR n.d.). It should be emphasized that Poland's overseas development does not play an important role in labour migration policy.¹²

Voivodeship offices issue work permits and residence permits and are part of the Ministry of Interior and Administration, representing the Minister on the regional level. They are responsible for the first decisions on whether to issue a work or residence permit, and they also decide whether to extend visas (Nurczyk 2017). Each of the Voivodeships has a labour office. The Voivodeships can also shape national legal solutions through consultations on national legal legislation, although its capacity for policymaking is limited. They also coordinate the integration of refugees and beneficiaries of temporary protection.

Powiat labour offices provide local-level assistance to refugees, such as organising language courses (CoR n.d.). The Powiat labour offices are responsible for issuing the employers' declarations, as well as seasonal permits. The Powiat labour offices connect job seekers with entrepreneurs and are only concerned with labour market issues (while the Voivodeships deal with a wide range of issues). Powiat labour offices are part of the Ministry of Family and Social Policy as well as the **Polish Public Employment Services**. They, however, have a limited role in shaping policy.

The [National Agency for Academic Exchange \(NAWA\)](#) plays a role in the promotion of return of Polish expatriates (EC 2017a). NAWA promotes the return of Polish scientists to take up employment in research in Poland. NAWA was founded in 2017 on the basis of the Act on the Polish National Agency for Academic Exchange of 7 July 2017, and the specific element of NAWA in relation to promoting return is the Polish Returns NAWA Programme (NAWA 2017; NAWA n.d.-b). The **Polish Public Employment Services** also play a role in promoting the return of Polish expatriates. However, the actual impact of the Government's strategies to promote return migration is unclear, since return migration to Poland has been limited (Kaczmarczyk et al. 2016).¹³ As such, these latter organisations involved in the returns of Polish expatriate workers are not key actors in the labour migration process.

The **Ministry of Science and Higher Education** issued a Regulation in 2015 which outlines the procedure for recognising higher education qualifications for beneficiaries of international protection and for foreigners who have been granted temporary residence permits for the purpose of family reunification. The final resolution on recognition of qualifications is carried out by a council of the

¹² Informant 11.

¹³ Informant 11.

higher education institution (EMN 2016). NAWA also plays a role in the recognition of foreign qualifications, acting as the Polish ENIC-NARIC unit (See Section 2.5).

The **Polish Investment and Trade Agency** (PAIH) is the main institution responsible for promotion and facilitation of foreign investment. The agency is responsible for promoting Polish exports, for inward foreign investment and for Polish investments abroad. The agency operates as part of the Polish Development Fund, which integrates government development agencies. The agency is involved in the organisation of the Poland. Business Harbour Programme (PBH) (see Section 5.13).

3.2 NON-STATE ACTORS

Employers' associations have been able to have a strong influence on labour migration policy-making, as policymakers have worked with employers' associations to ensure that labour migration policy corresponds with employers' labour needs.¹⁴ One of the key ways in which employers' federations can influence policy is through the Social Dialogue Council, which is a forum for tripartite dialogue between employers, workers and the government (see Section 3.3). Employers' associations are represented at the Social Dialogue Council by representative employers' associations. These associations are: the Employers of Poland (Pracodawcy Rzeczypospolitej Polskiej); Confederation Leviathan (Konfederacja Lewiatan); the Polish Craft Association (Związek Rzemiosła Polskiego); the Employers' Association Business Centre Club (Związek Pracodawców); the Union of Entrepreneurs and Employers (Związek Przedsiębiorców i Pracodawców); and the Federation of Polish Entrepreneurs (Federacja Przedsiębiorców Polskich).

Trade unions also have a role to play in labour migration in Poland, for instance, through promoting migrant workers' rights, working conditions and integration. However, while trade unions can, in theory, play a role in representing the interests of migrant workers, in practice, Polish trade unions do not dedicate a large amount of resources to migrant workers in Poland (Czerniejewska et al. 2014).¹⁵ There are many reasons for this. First, trade unions in Poland lack the capacity to have an influence across a broad range of worker-related issues (Hoff 2019). Second, trade unions in Poland often still view many migrant workers as temporary rather than permanent residents in Poland, and as such trade unions tend to focus more on permanent residents (Hoff 2019). Third, many migrant workers are unable to join trade unions because of the high membership fees. Fourth, trade unions are often less active in the sectors in which migrants are employed, particularly non-regulated sectors, such as construction and agriculture (Hoff 2019). As a result, there is an imbalance between the elevation of migrant workers' rights, working conditions and integration as a policy issue compared with the interests of employers. The main trade unions are: the Independent Self-Governing Trade Union 'Solidarity' (Niezależny Samorządny Związek Zawodowy 'Solidarność'); the All-Poland Alliance of Trade Unions (Ogólnopolskie Porozumienie Związków Zawodowych); and the Trade Unions Forum (Forum Związków Zawodowych). Trade unions are also a part of the Social Dialogue Council along with employers and government representatives (see Section 3.3).

¹⁴ Informant 9; Informant 10.

¹⁵ Informant 10; Informant 5.

Private recruitment and employment agencies employ people from abroad to work in Poland, and have a significant influence on labour migration in Poland. Temporary employment agencies recruit workers from abroad directly and register the employers' declarations. Intermediary employment agencies mediate between employers and foreign workers, and the employer is responsible for the employers' declarations (Hoff 2019). Recruitment can take place in the country of origin, but it more commonly occurs in Poland (Hoff 2019). The main sectors that recruitment agencies operate in are: construction, automotive and services (UMCS 2021). Recruitment agencies attempt to influence the national legal framework on labour migration as this is the main framework which governs their functioning. Their overall objective is to lobby for the recruitment of foreigners to be made easier, for example, by reducing the administrative requirements to recruit a foreigner and by speeding up the procedures to hire a foreigner for a work permit.¹⁶ Recruitment agencies have experienced major growth in Poland as a result of the important role of labour migration. In 2019, 42% of those who found work through agencies were foreigners (Government of Poland n.d.-b). Small enterprises in Poland often rely on recruitment agencies to find employees for them as they do not have the resources to look for themselves. One significant drawback of temporary employment agencies is that they can often contribute to labour exploitation since they do not always adhere to provisions on temporary workers (Government of Poland n.d.-b). Key recruitment agencies include: Raben; Randstad; AKCJA Job; Atoz Serwiz; and Orus Outsourcing.

NGOs also play a role in labour migration in Poland. NGOs are the principal providers of integration support for migrants in Poland (only refugees and beneficiaries of international protection are eligible for state-provided integration services). NGOs help foreigners to navigate the labour market as well as various other legal procedures. NGOs provide crucial direct support to migrants as well as do advocacy work and comment on legislative changes. However, many NGOs in Poland have struggled to access adequate funding and many have been forced to cease their activities in this area (see Section 3.3).¹⁷ Some of the more relevant NGOs include: the Helsinki Foundation for Human Rights; the Association for Legal Intervention; the Ocalenie Foundation; and the Polish Migration Forum.

3.3 INTERACTION BETWEEN ACTORS

According to Polish law, the Ministry of Interior and Administration should be the lead coordinator of migration policy in Poland, including labour migration policy, being responsible for the "coordination of activities related to state migration policy" (Dz.U.2021.1893, art. 29). In practice however, the responsibility is shared between various government ministries, with the Ministry of Family and Social Policy also playing a significant part.¹⁸ The fact that there is no one leading Ministry coordinating between the different actors nor one cohesive strategy has proven to have certain drawbacks. For example, it has greatly hindered Poland's ability to respond to the sudden influx of Ukrainians fleeing the Russian invasion in a coordinated manner. One of the key characteristics of Poland's response to the influx of Ukrainian refugees, aside from its welcoming attitude, has been

¹⁶ Informant 7; Informant 8.

¹⁷ Informant 10.

¹⁸ Informant 10.

a lack of coordination between government ministries and departments.¹⁹ The absence of a coordinating ministry is compounded by the fact that there is no comprehensive and clearly defined national strategy on migration (see Section 1.3). One interviewee for this study also claimed that ministries in Poland have different, and at times competing priorities, with the Ministry of Interior and Administration focusing more on securitisation of migration and the Ministry of Economic Development and Technology and the Ministry of Family and Social Policy prioritising the economy and filling labour shortages. This has hindered the state's ability to act coherently on migration.²⁰ While there is indeed an Interministerial Migration Team, which has produced the 2011 and draft 2020 national migration strategies, its role as a convening body is limited.

Not only is there poor coordination within the Government, there is also poor cooperation by the Government with non-state actors. Non-state actors play an important part in various aspects of labour migration and yet there has not been equal involvement in the policymaking procedure, particularly since the PiS came to power in 2015. Employers and employers' associations have been the most involved in the policymaking process, and policymaking on labour migration has adapted to the needs of employers over the last two decades.

Trade unions and NGOs on the other hand have not had the same access to the policymaking process. Trade unions have not had an influential role and have often struggled to have their voices heard in policy discussions on labour migration.²¹ One possible reason for the minimal consultation of trade unions by the Government is due to their low participation in the Social Dialogue Council (Rada Dialogu Społecznego) which convenes employers, employees and policymakers from various ministries, with the overall aim of ensuring the conditions for socio-economic development and competitiveness of the Polish economy. The Social Dialogue Council includes three workers' associations, five employers' associations and representatives from different government ministries.²² It is significant that workers' associations are underrepresented numerically in the Social Dialogue Council compared with employers' associations and this has resulted in a considerable imbalance of power.²³ However, broadly speaking, the Social Dialogue Council is not a significant body in the policymaking process, and this is not the only means for trade unions to have a dialogue with policymakers.²⁴

NGO involvement in policymaking has also been limited. Starting approximately in 2015 with the arrival of the PiS party into government, NGOs have been increasingly marginalised, being excluded from meetings with policymakers and finding it increasingly difficult to access funds. NGOs, in theory, should receive AMIF funding, however, since 2015 the calls for proposals to receive AMIF funding were cancelled twice before eventually going to the voivodeships (EC 2017c). Many NGOs have had to cease their activities in recent years due to lack of funding. The government's growing estrangement from NGOs in the field of migration policy is a real problem, especially since NGOs are entirely responsible for the integration of a majority of foreigners in the country (all types of mi-

19 Informant 10.

20 Informant 11.

21 Informant 10.

22 Trade unions are: NSZZ "Solidarity"; Nationwide Alliance of Trade Unions; Trade Union Forum. Employers' associations are: Employers of the Republic of Poland; Confederation Lewiatan; Polish Craft Association; Business Center Club; Union of Entrepreneurs and Employers; Federation of Polish Entrepreneurs.

23 Informant 10.

24 Informant 10.

grants without the status of refugee or subsidiary protection). The current influx of people coming from Ukraine is pushing government integration services to the limit, and the government may be forced to call on NGOs more in the future to support the integration of Ukrainians.²⁵

In terms of cooperation between non-state actors, there is very little cooperation between NGOs and trade unions on labour migration issues (Hoff 2019). As discussed, trade unions in Poland do not dedicate great resources to migrant workers, and as such, greater collaboration between NGOs working on migrant workers' rights issues and trade unions could be beneficial.²⁶ NGOs are well-placed to represent the views of migrants owing to their communication channels with migrants on the ground as well as their role carrying out integration services for the majority of migrants. Likely consequences of increased NGO and trade union involvement would be greater upholding of rights of migrant workers as well as better working conditions and integration services.

25 Informant 10.

26 Informant 10.

4. KEY SECTORS AND REGIONS IN DEMAND OF LABOUR, KEY ECONOMIC PARTNERS ABROAD

4.1 ECONOMIC SITUATION AND FORECAST

Over the past two decades the Polish economy has had a period of sustained economic growth. In the face of the COVID-19 pandemic, Poland proved to be one of the most resilient EU member states with only a 2.7% contraction in GDP in 2020 (the first output contraction since 1991) (World Bank n.d.). Unemployment in Poland has declined consistently from over 14% in 2013 to only 5% in 2020. Like in other countries, the pandemic provoked an increase in unemployment which rose to 6.5% in January 2021, but returned to the low rate of 5.5% in February 2022 (Trading Economics n.d.). In February 2022, inflation was at the high level of 8.2%, which represents a steady rise since the inflation rate of 2.4% in February 2021 (Sas 2022d).

However, Poland's economic growth has not been open to all to benefit from. While poverty has decreased, there is still significant inequality and social exclusion (Eurostat 2018). Many people, particularly the youth population, cannot find decent and stable employment, and often resort to undeclared or temporary employment (Hoff 2019). Although there has been a significant rise in the average real wages of Polish workers, the country still has one of the lowest minimum wages in the EU (Garbaciak 2018). Migrant workers, who are often concentrated in low-skilled and low-wage sectors, are among those groups adversely affected by inequality in Poland.

Projections of the Polish economy have changed as a result of the Russian invasion of Ukraine. Before the invasion, the GDP growth rate in Poland was projected to reach 5.2% in 2022 - faster than any other country in the EU - before levelling out in 2023 to 3.3% (OECD 2021b). However, the influx of people coming from Ukraine to Poland will have a significant impact on its economy, with latest predictions of GDP growth in 2022 at around 3.5% (Harper 2022). The invasion is also likely to make the already very high rates of inflation even higher, with predictions at around 10.8% in 2022 (Tilles 2022b).

Looking further into the future, there will also be sustained inflation during the period 2022 to 2030, which will likely occur due to the combination of sustained economic growth and a constricted supply of labour (Rajca 2022; OECD 2021b). Additionally, inflation in Poland will be due to employers struggling to employ workers in low-wage sectors as many workers are demanding higher wages (Wilczek 2019). Therefore, Poland's ability to sidestep looming high inflation will depend in part on its ability to address its labour shortages, particularly in low-skilled sectors.

Up until now, employment rates in Poland have risen consistently. This trend is predicted to reverse however, with an estimated decrease in employment by 1.5% expected between 2022-26, and by 1.1% between 2026-30 (Cedefop 2020). These changes in employment rates will be concentrated in certain sectors, so while some sectors will see employment shrinkage, others will see employment growth (Cedefop 2020). Importantly, some of the sectors which are likely to see a fall in employment rates happen to also be those in which a large number of migrants are currently employed, such as in agriculture and construction (see Section 4.2).

One long-term trend behind the decision of Polish employers to recruit foreign workers is the demographic ageing of Poland's population, which is having an impact on the age structure of the labour stock. Attracting foreign workers will continue to be essential in Poland, in order to fill the gaps in labour supply caused by demographic ageing, as well as contribute positively to the government's fiscal budget (since foreign workers in Poland have been a valuable contribution to the social security system) (Duszczuk and Matuszczuk 2018).

Finally, it is likely that Poland's structural labour demands will change as its economy attempts to transition from being based on low- to medium-technology sectors with a high share of low-skilled labour to a high-technology and high-income country and avoid the 'middle-income trap' (EC 2017b). As has been observed as a global trend, migrant workers in Poland tend to be employed in either low or high skilled professions, as these are the areas of the economy which have shown the largest share of economic growth and are expected to do so in the future.²⁷ The majority of migrant labour in Poland is concentrated in low-skilled occupations, although there are a small number of migrants who work in high skilled sectors, such as in IT. One of the many ways of doing this will be to increase the levels of human capital in its labour stock, which will likely be achieved in part by attracting high-skilled workers from abroad. As will be discussed later on, in order to attract highly skilled foreign workers, legal pathways will need to be reformed to facilitate ease of entry for this particular group.

4.2 KEY PRODUCTIVE SECTORS AND SECTORS FOR GROWTH

Poland has enjoyed a period of sustained economic growth over the past two decades and has cultivated various different productive sectors. **Agriculture**, despite only contributing around 2.5% to the country's GDP growth in 2020, is nevertheless one of Poland's key industries, and is responsible for 12.7% of Poland's labour force (EC n.d.-d; O'Neill 2022). **Industry**, especially including energy, manufacturing and construction, is another key sector, constituting 27.7% of the country's GDP growth in 2020 (O'Neill 2022). Within manufacturing, **automotive** production accounts for 4% of the country's GDP growth and employs 19% of the country's workforce (EC n.d.-d; GUS 2021d). The **construction** sector has shown strong growth in the number of enterprises, turnover, productive output and employment since 2010, and is expected to perform strongly in the medium and long term (EC n.d.-d). Poland's **energy** industry centres around coal mining and also increasingly renewable energy (Kiprop 2018). **Services** dominate the country's share of economic growth, estimated to amount to 57.8% of the country's GDP growth in 2020 (O'Neil 2022).

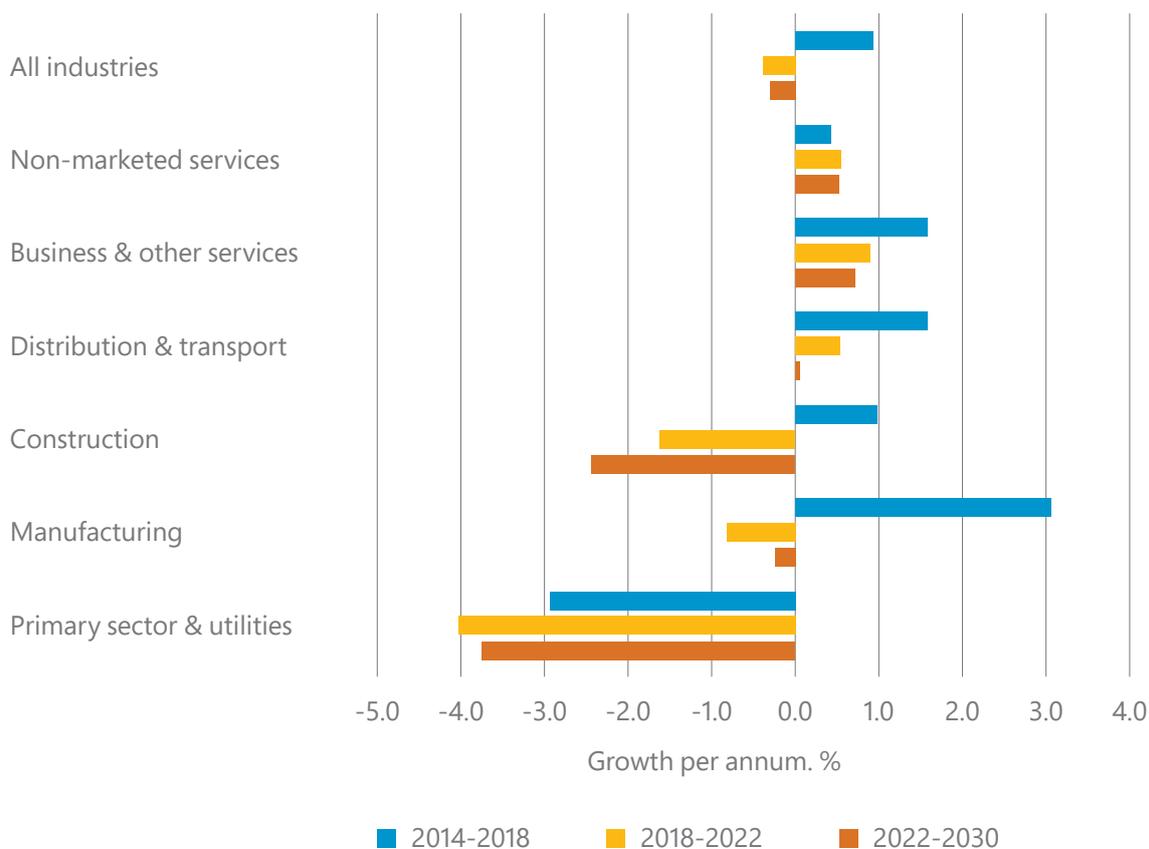
²⁷ Informant 9; Informant 1.

Migrant labour is essential to many sectors across the Polish economy. Of the sectors listed above, **agriculture, construction, manufacturing and services all employ significant numbers of migrant workers** (Duszczek and Matuszczyk 2018). In 2014, agriculture was the sector which employed the most foreign workers, mainly as a result of the simplification of the procedure for employers to hire foreign workers for the agricultural sector in 2006 (Radlinska 2019). The majority of agricultural and construction workers come from Ukraine and come as seasonal workers through employers' declarations (see chapter 5) (Duszczek and Matuszczyk 2018). Indeed, seasonal work is one of the main ways in which people are coming to work in Poland from abroad; between 2013 and 2016, the number of seasonal workers grew by more than 300% (Duszczek and Matuszczyk 2018). Within services, many foreigners work in catering, cooking, retail sales and domestic tasks. A more recent trend has been the increase in the number of foreign workers working in high specialist qualifications sectors such as in IT (Duszczek and Matuszczyk 2018).

Migrant labour continues to play a significant part in many of Poland's key sectors, and most migrant workers come through the employers' declarations scheme, although a large minority obtain work permits through other means (Duszczek and Matuszczyk 2018). To assess the future role of labour migration in certain sectors, rather than using economic growth as an indicator, it is more revealing to look at anticipated employment growth, since economic growth can sometimes result in job losses if there is greater mechanisation of work. Looking forward, Poland's key sectors (see above) will not change in the short term and these sectors will continue to require foreign workers. In the medium to long term however, there will be changes to the labour needs of Poland's key sectors, as well as changes in the key growth sectors of Poland's economy. In broad terms, Poland will make a gradual transition from an economy based on low- to medium-technology sectors with a high share of low-skilled labour to a high-technology and high-income country. Accordingly, there will be changes in the demand for labour. On the whole, low- and medium- skilled occupations will experience overall job losses (Cedefop 2020). Figure 12 shows projected changes in employment across different sectors.

Between 2022 and 2030, employment in agriculture (primary sector and utilities in Figure 12) will decline by 5.3% every year. While the agricultural sector is predicted to continue growing, the employment decline will be due to increasing mechanisation and modernisation, and so the many migrant workers working in this sector through the simplified permit scheme may no longer find work so easily (Cedefop 2020). In the construction sector, which has been and continues to be a significant employer of migrant workers, employment is expected to shrink by 2.4% per year. While, on the whole, employment in manufacturing, which is another employment sector for migrants, will shrink by 0.3% per year, the majority of job losses will occur in low-skilled manufacturing positions, while jobs in high-skilled occupations within the manufacturing sector will increase. Many migrants are also employed in the motor vehicles sector (manufacturing sector in Figure 12), and although this sector will see its employment decline by 0.8% per year between 2018 and 2022, between 2022 and 2030 employment in that sector is expected to remain stable (Cedefop 2020). A general trend then is of job losses in the future for low-skilled sectors, partly as a result of mechanisation. This was corroborated by two informants from the Labour Market Department who stressed that automation could potentially pose a risk for certain low-skilled jobs that are currently being carried out by migrant workers.²⁸

28 Informant 1; Informant 9.

Figure 12: Employment growth by broad sector of economic activity, 2014-30

Source: Cedefop 2020

Sectors which are likely to experience employment growth are overwhelmingly those associated with high-skilled occupations, such as: legislators, senior officials and managers, professionals, technicians and associate professionals - specifically: legal, social, cultural and related associate professionals, health professionals and administrative and commercial managers (Cedefop 2020). The computer programming and IT services industry (business and other services in Figure 12) is a key sector in the Polish economy, and there is projected employment growth, particularly in software development. Employment in computer programming and information services is expected to increase by 2.3% per year between 2018 and 2022 and by 0.4% per year between 2022 and 2030. Employment growth is also expected in research and development (business and other services in Figure 12) (approximately 1.7% per year), as well as in the healthcare sector (non-marketed services in Figure 12) (by 1.2% per year between 2022 and 2030) (Cedefop 2020). Of these employment growth sectors, migrant workers have typically only been employed in the IT industry in Poland.

In the short term, to cope with labour shortages and low unemployment, policymakers need to expand the recruitment of foreign workers that has fuelled many of its key sectors for many years. As has already occurred in some sectors, such as in the agricultural sector, employers will need to look beyond its neighboring European countries to find ways to meet the labour supply (Wilczek 2019). In the longer term, policymakers should bear in mind the expected changes in employment growth and work out ways to attract and facilitate the ease of entry of highly skilled migrants. As

one informant pointed out, while there are a large number of migrants employed in current growth sectors, this is less the case for more innovative sectors, which may show a greater share of economic growth in the future.²⁹

4.3 KEY LABOUR SHORTAGE SECTORS

Poland is currently experiencing major labour shortages, and this problem is expected to persist for the foreseeable future. In a 2019 survey, 49% of companies said they struggled to meet their need for workers, and it was forecast in 2019 that Poland would need to hire an additional 1.5 million people by 2025 to meet anticipated economic expansion (Wilczek 2019; PwC 2019). While policies aimed at improving vocational training for young people and delaying the retirement age will help labour shortages, experts have calculated that these will not be sufficient to fill these gaps in labour supply and therefore that greater recruitment of foreigners will be necessary (PwC 2019).

The influx of Ukrainian refugees since February 2022 will not solve Poland's labour shortages, in fact, the war is likely to exacerbate Poland's labour shortages in the short-term. The reason for this is because the overwhelming majority of Ukrainian refugees who have entered Poland are women and children, while men have either not been allowed to leave Ukraine, or have returned from Poland to Ukraine to contribute to the war effort. In the short term, this poses great risks for Poland's labour supply, since Polish industries rely heavily on Ukrainians, and the sectors with the most acute labour shortages happen to be those with occupations that are typically only filled by men. Indeed, in 2020, the vast majority (73.2%) of work permits issued to foreigners were to men (see Figure 7).

Labour shortages exist in many sectors of the Polish labour market. According to a survey commissioned by the Minister of Development, Labour and Technology, shortages existed in 2021 in construction; manufacturing; the medical and care industry; transport shipping and logistics; agriculture and the food industry; educational occupations; and other categories, including motor vehicle mechanics (EC n.d.-b). The key shortage occupations within these sectors were: manufacturing labourers; elementary workers; hand packers; stock clerks; building caretakers; building construction labourers; warehouse workers; processing industry labourers; sales workers; and cleaning workers (EC n.d.-b). Drivers, both for taxi services as well as long-distance heavy transportation of cargo, and IT specialists, such as graphic designers, are also key occupations the Government is looking to attract.³⁰ Importantly, many of these sectors and occupations with labour shortages are also those in which foreign workers have typically been, and continue to be, employed in Poland (see Section 4.2).

In the agricultural sector, most of the foreign workers come as seasonal workers. Indeed, in 2018, 97.95% of all seasonal workers worked in agriculture, fisheries or forestry, and Ukrainians constituted 99% of all agricultural workers (EMN 2020a). There are two legal routes for foreigners to come to Poland to work as seasonal workers: seasonal permits and employers' declarations (see Chapter 5). The most commonly used pathway for agricultural workers is through the employers' declarations.

²⁹ Informant 9.

³⁰ Informant 10.

In the construction industry, there are labour shortages of both unskilled and skilled workers (Deloitte 2020). In both the agricultural and construction sectors, many shortages occurred as a result of the pandemic owing to large numbers of foreign workers returning to their home countries (Deloitte 2020). Shortages deriving from the pandemic are predominantly short-term rather than structural shortages, although this will depend on how many of those who returned home will look to Poland again in the future. Shortages in the agricultural and construction sectors, which rely heavily on workers from Ukraine, have also been exacerbated by the war in Ukraine, owing to the fact that these sectors are male-dominated.³¹ The Polish Association of Construction Industry Employers estimates that before the war the industry relied on 480,000 foreign employers, of which four in five workers came from Ukraine (RFI 2022). The immediate impact on the agricultural sector is also likely to be severe, given that the overwhelming majority of foreign workers come from Ukraine, and given that the current spring-summer season is the period when most Ukrainians typically come to Poland to work on seasonal permits (APFG 2022).³²

Looking ahead, it is likely that many structural shortages in the labour supply in some sectors will be addressed by increased automation and mechanisation, especially for example in agriculture. However, mechanisation of agriculture in Poland is not currently very advanced and so the impact on labour supply will not be felt for many years. There are also digital skills shortages, with almost half of adults aged 16-74 not having basic digital skills (EC 2022b).

The war in Ukraine has altered the projections for labour supply to Poland. In terms of the long term impact of the war in Ukraine for Poland's labour supply, it may be too early to tell. Before the war, the Polish Government's 2020 migration strategy document anticipated that Ukrainian migration to Poland in the long term would decrease owing to increased living standards and wages in Ukraine as well as a decline in the working age population in Ukraine (Government of Poland n.d.-b). Given the enormous economic cost of the war for Ukraine, it is unlikely that the anticipated increase in living standards will occur and therefore migration will not be reduced for this reason. Poland is already thinking about the long-term integration of Ukrainian refugees, and it is likely that an extended war and prolonged economic poor performance will result in many Ukrainians staying in Poland in the short-term (Sally 2022). However, it is uncertain how many Ukrainians will remain in Poland on a permanent basis. One recent survey conducted by employers in Poland reported that 90% of recent Ukrainian arrivals do not plan on remaining in Poland on a permanent basis (MPI 2022).

31 Informant 9; Informant 10.

32 Informant 9; Informant 10.

4.4 KEY TARGET COUNTRIES FOR EXPORT AND INVESTMENT

Exports

Figure 13: Share (in %) of Polish commodity exports - Top ten countries in 2022

Top ten countries	Share of Polish imports in 2022 (%)
Germany	27.6
Czech Republic	6.6
France	5.8
UK	5.0
Italy	4.8
The Netherlands	4.5
USA	3.0
Slovakia	2.9
Sweden	2.8
Hungary	2.7

Source: Author's elaboration on the basis of data retrieved from [Statistics Poland](#)

Foreign Investment

In terms of greenfield FDI, in 2021 Poland had a record-breaking year for FDI, attracting €3.5 billion worth of investment (Lyttle 2022).³³ FDI into Poland has been increasing consistently since 2015. The main senders of FDI in 2021 were: Republic of Korea (€1.9 billion), United States (€364 million) and Germany (€155 million).

Of the FDI sent to the Polish Investment and Trade Agency in 2021, 38.5% was from Belarus. This amount of investment from Belarus is largely due to the relocation of much of its IT sector to Poland, which was kickstarted by the PBH Programme, started in 2020 to support Belarus-based tech entrepreneurs in relocating their operations to Poland (Lyttle 2022; see also Section 5.13).

In terms of Poland's investments abroad, the Polish Investment and Trade Agency has set ambitious goals for 2022, targeting investors in the electromagnetic, electronics and IT sectors, and plans to attract significant investment from the US and East Asia.

³³ Greenfield FDI is FDI by a parent company to set up an office in a partner country.

Poland also has a [Residency by Investment Programme](#), which provides a residence permit in exchange for a minimum investment of €100,000. These investor resident schemes have been criticised by the European Commission (EC) (EC 2019).

In June 2022, the Polish Investment and Trade Agency led an economic mission to Egypt to deepen business cooperation and expand trade between the two countries, particularly in the agriculture, energy and transport sectors (Polish Investment and Trade Agency 2022a). One outcome of this relationship has been to help Egyptian entrepreneurs expand in the domestic market. Given that Egypt is one of the target countries for Talent Partnerships, Poland could look to establish one of such partnerships with Egypt, possibly with employees and entrepreneurs from partner companies of some of its partner companies in Egypt, in the agricultural and energy sectors, which are key productive sectors in Poland.

The Polish Investment and Trade Agency has also made recent efforts to strengthen cooperation with Senegal, another target country of the Talent Partnerships scheme. In February 2022, Polish business leaders and government officials went to Senegal, which is considered to be one of Poland's key economic partners in Africa (Polish Investment and Trade Agency 2022b).

Development Cooperation

Polish development cooperation with third countries is not significant compared with other European donor countries. Moreover, Poland's development cooperation has rarely been used as a tool for achieving labour migration policy objectives.³⁴ The main obstacle to development policy becoming a tool of labour migration policy is the absence of a national strategy on migration.

The 2021 development strategy did name ten target countries for development cooperation: Belarus; Georgia; Ukraine; Moldova; Tanzania; Ethiopia; Kenya; Senegal; Lebanon; and Palestine (Government of Poland n.d.-e). However, migration is not one of the areas of development cooperation with these countries.

According to one informant, the draft migration strategy in 2019 included a suggestion to develop migration partnerships with third countries, notably the Philippines owing to it being a largely Christian country.³⁵ The proposal to systematically recruit workers from non-European countries was met with fierce opposition and was rejected (see Section 1.2). Nonetheless, the fact that potential candidate countries are being discussed for potential mobility partnerships is a sign that this could be a possibility for Poland in the future, depending on the political situation.

Of the relatively small engagement in development cooperation, one of Poland's key types of cooperation is through scholarship programmes organised by the Ministry of Science and Education and the NAWA. The majority of academic scholarships are for Ukrainians to come to Poland to study (Government of Poland n.d.-e). On 27 April 2022, the ['Study Visits Programme for Ukrainian Students and Doctoral Candidates at the University of Warsaw'](#), came into action to help students and doctoral candidates who had fled Ukraine since 24 February to study at the institution.

³⁴ Informant 10; Informant 11.

³⁵ Informant 11.

5. PATHWAYS OVERVIEW BY CATEGORIES AND THEIR USE AND EFFECTIVENESS

Poland does not have a tradition of participating in migration schemes or programmes that target workers with specific skill sets or for specific reasons. It has also not concluded any bilateral labour agreements or migration partnerships. Instead, to attract a foreign workforce, Poland has introduced its own domestic migration policy solutions and successfully adopted EU ones, such as seasonal work permits.

5.1 NATIONAL LEGAL PROVISIONS AND THEIR USE AND EFFECTIVENESS

Generally, third country nationals may take up employment in Poland either by applying for a **(work and related residence) permit** or by acquiring the right to free access to the labour market through **acquiring a relevant residence status**. The latter is granted, inter alia, in case of obtaining one of the following documents/statuses:

- a diploma of graduation from full-time studies in Poland;
- the Card of the Pole (which will be discussed in Section 5.1.3 in more detail);
- a permanent residence permit or a residence permit for a long-term EU resident;
- refugee status granted in Poland; and
- subsidiary protection granted in Poland.

5.1.1 Work Permits

A **Work Permit** entitles the holder to take up employment with a specific employer and may be issued for up to three years. Types of work permits issued in Poland are described in Table 3.

Table 3: Types of work permits in Poland

Work permit type	Description
A	If a foreigner will perform work in Poland on the basis of a contract with an entity whose registered office or place of residence, or a branch, plant or other form of organised activity is located in the territory of Poland.
B	If a foreigner will perform work in connection with the performance of a function in the management board of a legal person entered in the register of entrepreneurs or which is a capital company in organisation, or in connection with the management of the affairs of a limited partnership or a limited joint-stock partnership as a general partner, or in connection with the granting of a power of attorney for a period exceeding a total of 6 months within a consecutive 12-month period.
C	If a foreigner will perform work for a foreign employer and will be delegated in the territory of Poland for a period exceeding 30 days in a calendar year to a branch or plant of a foreign entity or an entity related, within the meaning of the Personal Income Tax Act of 26 July 1991, to the foreign employer.
D	If a foreigner will perform work for a foreign employer who does not have a branch, an establishment or another form of organised business activity in the territory of Poland and will be delegated to the territory of Poland to perform a service of temporary and occasional nature (export service).
E	If a foreigner will perform work for a foreign employer and is delegated to the territory of Poland for a period exceeding 30 days within the following 6 months for a purpose other than that indicated in the type B, C, D permits.

Source: Author elaboration on the basis of information provided on the [Government of Poland's website](#)

The procedure for obtaining a Work Permit usually includes a **labour market test** (conducted by poviats labour offices; as a result of the process the staroste issues an information about the possibility/impossibility of satisfying the personnel needs of your company on the local labour market) – the employer has to prove that for at least 30 days they have not been able to find an employee for a given position (a citizen of Poland or another EU member state). The procedure is often further prolonged because of the need to separately legalise the stay of a foreign national: an application for a national visa (type 06) authorising to work has to be submitted to a relevant consulate. An additional inconvenience has been the requirement to obtain a new permit when changing employers. The procedure to obtain a new permit is the same as the first time and is not a simplified procedure.

There are exceptions to the labour market test requirement, which are made according to labour shortages across the different sectors of the economy. The following foreign workers are exempt:

- citizens of Armenia, Belarus, Georgia, Moldova, Russia and Ukraine performing nursing and care work or working as domestic help for natural persons in a household;
- doctors and dentists undergoing training or completing a specialisation programme, pursuant to the provisions on specialisation of doctors and dentists; and
- foreign nationals who will perform work in a profession specified in the list published by the minister responsible for labour market issues (Duszczek and Matuszczyk 2018).³⁶

Interest in obtaining a work permit in Poland has been constantly growing, especially since 2014. The number of work permits issued has increased more than 10 times between 2011 and 2021. A slight slowdown due to the COVID-19 pandemic,³⁷ 2019–2020 has been compensated by a rise in permits issued in 2021 as shown in Table 4 and Figure 14).

Table 4: Number of applications for work permits and number of work permits granted in Poland in 2011-2021 (ABCDE types)

Year	Number of applications	Number of work permits (new and renewed) issued
2011	42 268	40 808
2012	41 619	39 144
2013	40 827	39 078
2014	46 905	43 663
2015	74 149	65 786
2016	139 119	127 394
2017	267 136	235 626
2018	366 898	328 768
2019	472 667	444 738
2020	411 902	406 496
2021	550 831	504 172

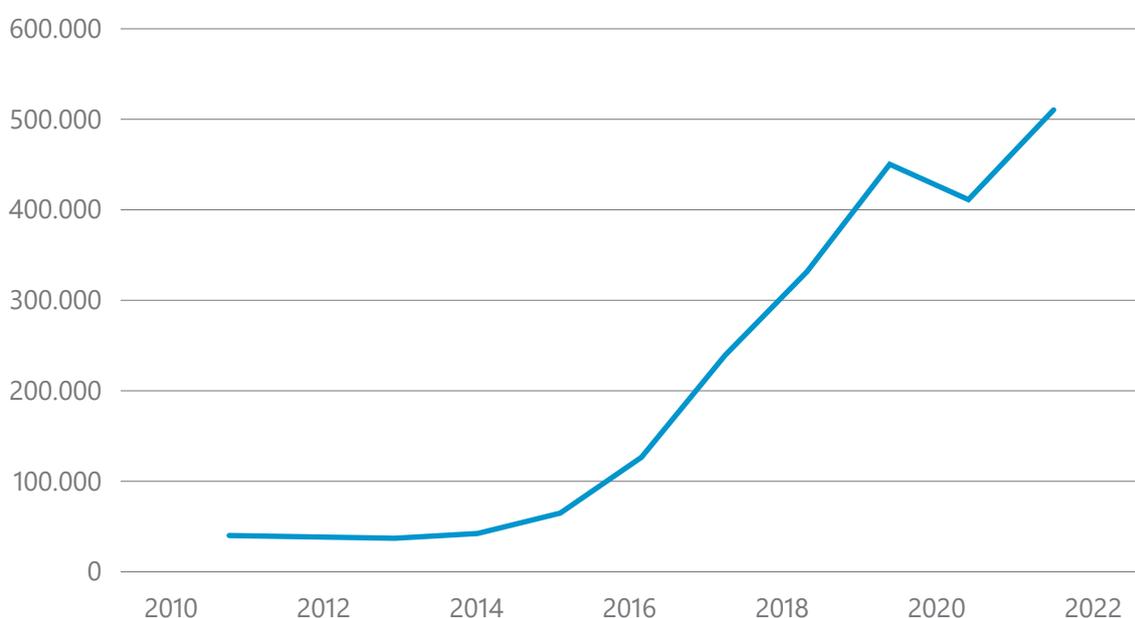
Source: Author elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

36 The full information on exceptions can be found on Voivodeship' websites; information for Mazovia can be available [here](#). On 1 May 2022, the ministerial list of professions exempted from the labour market test counted 288 professions.

37 The validity of work and stay permits has also been prolonged due to the COVID-19 pandemic.

Lengthy and highly bureaucratic proceedings for obtaining work (and residence) permits have been among the main concerns of employers and migrants in Poland. This is mainly, but not only, due to the fact that after 2014 the number of foreign nationals and thus the number of applications has increased several times, while the number of staff in the Voivodeship offices responsible for issuing work permits has not been adjusted accordingly (NIK 2019). In practice, the waiting time for issuing permits has been long, extending up to a dozen or so months, while in accordance with Art. 35 §3 of the Code of Administrative Procedure,³⁸ a case requiring an investigation should be resolved no later than within a month, and a particularly complex case – no later than within two months from the date on which the proceedings were initiated. This state of affairs has negatively impacted both foreign nationals who wished to take up employment in Poland as well as entrepreneurs who could not predictably (enough) plan their employment.

Figure 14: Number of work permits (all types) issued to foreign nationals in 2011–2021



Source: Author's elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

The introduction in February 2018 (through the amendment of Articles 114 and 126 of the Act on Foreigners) of a **single (work and stay) permit** addressed some of the inconveniences of the work permit application procedure. Foreign nationals who intend to take up or continue work of a non-seasonal nature (for at least three months) can obtain a residence and work permit for up to three years with the possibility of obtaining permits for further periods; thus, a separate work permit is not required. The single permit, however, did not allow migrant workers the changing of employers. In order to do that, another (single) work permit was required.

Major changes to single permits were introduced at the beginning of 2022 – on 29 January 2022, the Act of 17 December 2021 amending the Act on Foreigners and certain other acts (Journal of Laws

38 [Ustawa z dnia 14 czerwca 1960 r. Kodeks postępowania administracyjnego, Dz.U. 1969 Nr 39 poz. 168 z późn. zm.](#)

of 2022, item 91) entered into force. The intention of the legislator was to accelerate and simplify the procedures for granting temporary residence permits, and in particular, single permits. Protracted proceedings for the legalisation of residence and work of foreigners have been among the main concerns of employers and migrants in Poland. This has been mainly due to the fact that after 2014 the number of foreigners and thus the number of legalisation applications has increased several times, while the number of staff in the offices (mainly voivodeships but also poviats) has remained at the same level or increased just a little. The introduction of the single permit in 2018 improved the situation but did not solve the problem, as the influx of foreigners was increasing.

The amendment abandoned two conditions that foreign nationals had to meet in order to apply for the permit: having a stable and regular source of income sufficient to cover the costs of living of themselves and their dependent family members, and having a guaranteed place of residence in Poland.

Other main changes included:

- The requirement was introduced that the foreign national receives remuneration not lower than the minimum remuneration for work, regardless of the working time and the type of legal relationship constituting the basis for work performed by the foreigner. In practice this means that every foreign national applying for a single permit must receive at least the minimum remuneration (PLN 3010 gross in 2020).
- The possibility to change the temporary residence permit in the case of a change of employer or in the case where the foreigner has acquired the right to work without a work permit and holds a single stay and work permit in which the employer is indicated. In practice, this means that a foreigner changing employer will have to apply for a change of employer in the decision, not for a change of the entire single permit. The stamp duty for the change of the temporary residence and work permit will amount to PLN 220, i.e. half of the stamp duty envisaged for granting the single permit. The change of the permit can be made by submitting an application for a change of the single permit. The decision to change the permit shall be issued within 60 days.
- The possibility to obtain a single permit in connection with work for several entities at the same time. In such a case the requirement of the minimum remuneration concerns the sum of remuneration received from individual employers.
- Introduction of a priority path for the single permit applications for foreign nationals intending to work in entities strategic for the Polish economy. The minister responsible for economic matters determines a list of enterprises of strategic importance.

A significant change relating to single permits which deserves more attention is the extension of the catalogue of cases which do not require a change or a new permit. With the single permit introduction, a situation where the job title under which a foreign national performs work is changed, while retaining the same scope of duties, or cases in which the working time is increased, with a proportional increase in remuneration, no longer requires a change of permit. Moreover, as already indicated, in the case of a change of employer, it will not be necessary to apply for a new permit, but

only to amend it. While it is too early to assess the results of the changes introduced in 2022, they seem beneficial as they will considerably facilitate the procedure for employing foreign nationals and will relieve the voivodeship offices in processing applications and issuing new permits.

The most numerous population of foreign nationals who have been issued work permits are Ukrainians. Over the last few years the numbers of Belarussians granted work permits have been rising, and other nationalities, including from Asia such as India or Nepal, have become more represented. Table 5 below shows the top five nationalities in terms of work permits issued in Poland in 2021.

Table 5: Top ten nationalities in terms of work permits issued in Poland in 2021

No.	Citizenship	Number of work permits issued
1	Ukraine	325 213
2	Belarus	34 830
3	India	15 326
4	Uzbekistan	15 002
5	Philippines	13 279
6	Nepal	10853
7	Georgia	9267
8	Moldova	7958
9	Indonesia	7899
10	Bangladesh	7524

Source: Author's elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

In the years during 2019–2021, employers who obtained work permits for foreigners were mainly active in the following PKD (Polska Klasyfikacja Działalności, Polish Classification of Activities) sections: construction; manufacturing; administration and support activities; as well as transport and storage. The share of each of these sections in the total number of permits, depending on the analysed period, ranged from around 15% to around 25%. In 2020, the strongest decrease in the number of work permits was recorded in the construction industry, while the largest increase occurred in the health care and social assistance section (PARP 2021).

Table 6: Number of work permits for foreigners issued in H1 2021 in Poland, according to PKD sections

PKD section	Number of work permits issued	Share in %
Manufacturing	118,074	23.40
Construction	110,233	21.90
Administrative and support service activities	107,106	21.20
Transport and storage	105,435	20.90
Other	63,324	12.60
Total	504,172	

Source: Author's elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

The section 'administrative and support service activities' includes many activities that support economic activity but do not require specialised knowledge. Such activities are carried out usually by temporary work agencies, which, together with employment agencies, are now one of the most important stakeholders in the process of hiring foreign nationals in Poland. Temporary work is concluded on the basis of an agreement between three parties: the recruitment agency (temporary work agency); the employee; and the so-called user employer. The employee is hired by the agency, and then delegated to perform specific tasks for the employer. An employment agency, otherwise known as a recruitment office, mediates between jobseekers and employers, whether in Poland or abroad.

5.1.2 Employers' Declaration

Since January 2018, the simplified system of employing foreign nationals in Poland, separate from work permits discussed in the previous section, consists of two forms of permits: 1) employers' declarations, and 2) seasonal work permits. Until 2018, the system consisted only of the employers' declarations (the first of the above-mentioned forms). In 2018, due to the need to implement the Seasonal workers Directive into the Polish legislation, seasonal work permits were introduced.³⁹

In general terms, the most popular form of legalising employment of foreign nationals in Poland has been the simplified procedure in the form of the employers' declarations. The table below presents the number of employers' declarations registered by the poviats labour offices from 2018 to 2021:

39 For more on the Directive, please go to [Seasonal workers Directive \(europa.eu\)](#).

Table 7: Number of employers' declarations on entrusting work to a foreigner registered by poviats labour offices in 2018-2021

Year	Citizenship						Total
	Armenia	Belarus	Georgia	Moldavia	Russia	Ukraine	
2018	1,648	62,805	28,008	36,742	6,718	1,446,304	1,582,225
2019	2,302	66,045	45,137	39,414	11,262	1,475,923	1,640,083
2020	2,406	78,905	44,270	45,281	19,246	1,329,491	1,519,599
2021	6,998	98,623	129,830	74,293	35,038	1,635,104	1,979,886

Source: Author's elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

Employers' declarations, introduced in 2006,⁴⁰ constituted a breakthrough in the process of liberalisation of access of economic immigrants to the labour market in Poland (Piotrowski 2019). Until 2018, employers' declarations – then named declarations on intention to entrust work to a foreigner – could be issued also in relation to seasonal work and in sectors which could be regarded as seasonal.

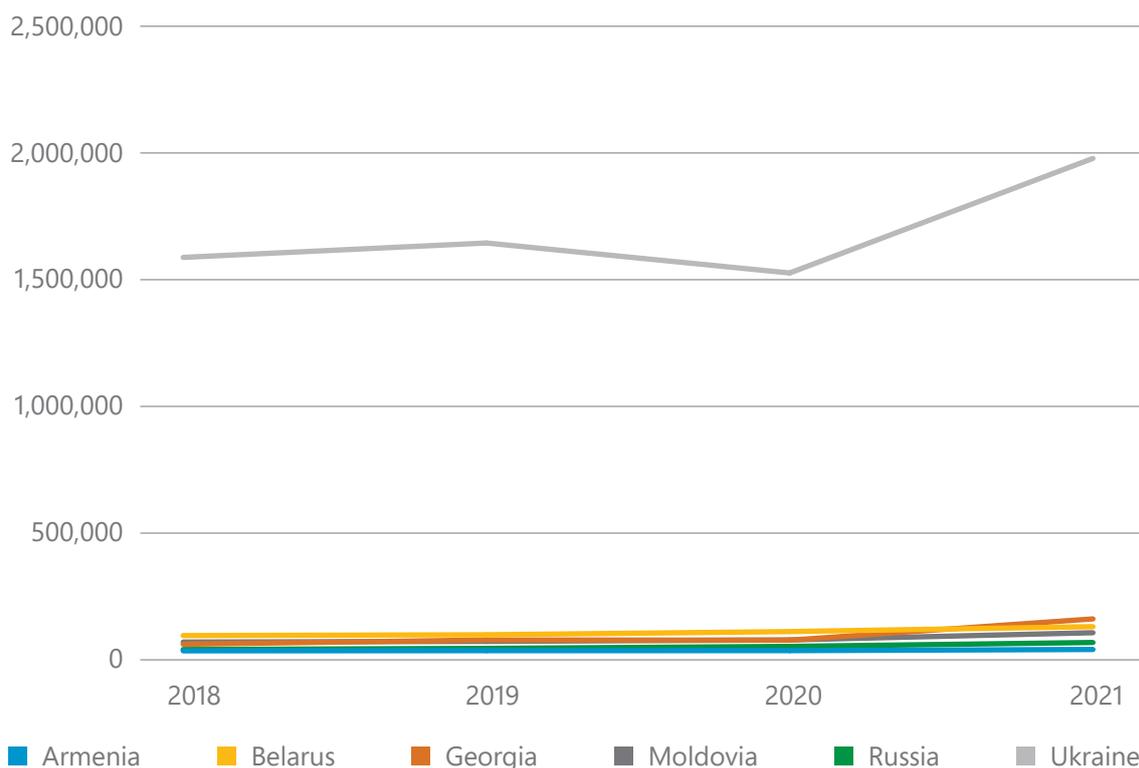
Employers' declarations are submitted by an entity entrusting work to a citizen of Armenia, Belarus, Georgia, Moldova, Russia and Ukraine to the district (poviat) labour office for registration. Until 2022, employers' declarations were issued for a period of no longer than 6 months within consecutive 12 months, for remuneration not lower than the minimum wage. The already mentioned *Act of 17 December 2021 amending the Act on Foreigners and certain other acts* changed the period of performance of work to 24 months. After this period, the foreign national may be entrusted with work on the basis of a new declaration, without having to wait 6 months, as was previously required.

Submitting the declaration requires paying a fee of PLN 30 and can be done electronically with the use of an electronic signature or a trusted profile. The declaration must contain personal data of the foreign national and information about the place, sector and position of work, as well as specify the start and end date and including the gross amount of remuneration. In most cases the district (poviat) labour office should examine the application within at least seven days. After making sure that the information contained in the declaration and attachments is correct and complete, the office enters the declaration into the register. In order to take up employment, a foreign national staying abroad then has to apply for a visa. To this end, they have to present a copy of the entry of the declaration in the register to the Polish consulate appropriate for the place of residence abroad. A change of employer requires another declaration, but does not necessarily require another visa.

40 In 2006, regulations were introduced simplifying the employment of foreigners from non-EU countries neighbouring Poland, but only in agriculture. In 2007, a possibility of short-term work (for three months within six months) in all sectors of the economy on the basis of a declaration of the intention to employ a foreigner, without the obligation to obtain a work permit, was introduced.

Since 2018, Ukrainian citizens have been the dominant group of foreign nationals taking up employment on the basis of employers' declarations as shown in Table 7 and Figure 15. This was also the case before 2018 (Górny et al. 2018; Duszczyk and Matuszczyk 2018). The share of declarations registered for citizens of other nationalities remains relatively marginal, although the absolute numbers of declarations registered for citizens other than Ukrainian have also been rising.

Figure 15: Number of declarations on entrusting work to a foreigner registered by poviats labour offices in 2018-2021



Source: Author's elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

The share of women and men in the use of the employer declarations until 2018 differed noticeably (Górny et al. 2018). Men were in the majority among the employees of companies in the industrial, construction and services sectors. Women, on the other hand, were highly represented in the agricultural sector and by far dominated in household employment. The vast majority of jobs performed by foreign nationals have been simple ones. Jobs of skilled workers, managers and specialists have been marginal among foreigners working on the basis of declarations.

Those proportions have not changed significantly since 2018. According to a 2019 survey, employees from Ukraine performed mainly physical work (75%), while 17% Ukrainians found employment in services, a little over 2% performed white-collar jobs and only 1% were managers (Personnel Service 2019). As in the case of work permits, declarations are registered most frequently for such PKD sections like manufacturing, construction, administrative and support service activities, as well as transport and storage. Table 8 below shows the breakdown of declarations registered in 2021 according to the most numerous PKD sections.

Table 8: Number of declarations on entrusting work to a foreigner registered in 2021 in Poland, according to PKD sections

PKD section	Number	Share in %
Manufacturing	688,899	34.79
Construction	370,521	18.71
Transport and storage	355,973	17.98
Administrative and support service activities	310,876	15.70
Other	253,617	12.81
Total	1,979,886	-

Source: Author's elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

According to a 2021 report, almost half of economic immigrants from Ukraine spend three months in Poland and about 30% come for a period from three to six months; every fifth Ukrainian employee works in Poland for more than half a year (PARP 2021). Employers in Poland are well assessed by the majority of Ukrainian employees: in 2021 57% of them had a good or very good attitude to their bosses, and 39% had a neutral attitude. Almost 60% of employees from Ukraine felt satisfied with their work in Poland.

Despite the satisfaction with work, the research conducted in Poland clearly indicates a low level of matching the foreigners' competencies to the needs of the labour market. In relation to declarations, the vast majority of Ukrainian workers believe that they perform work below their qualifications (PARP 2021).

5.1.3 Seasonal Migration Pathways (Work Permit S)

Seasonal work permits may be granted to all groups of foreign nationals, allowing them to work for nine months during a given calendar year but only in selected sectors (agriculture, horticulture and tourism).

The seasonal work permit (so-called S permit) is a special type of work permit. It differs from the most popular work permit (the so-called A-type permit), among others, by the place where it is obtained. A work permit (type A, B, C, D and E) is applied for in a voivodeship office. The seasonal work permit is obtained in the poviats labour office competent for the seat or place of residence of the employer. An employer may apply for a seasonal work permit both for a foreign national already staying in Poland and holding a residence title allowing work, who entered for a purpose other than seasonal work, and for a foreign national who will only apply for entry into Poland to perform seasonal work. The procedure for issuing the seasonal work permit differs in both cases. In the first

case it does not require an entry in the register of applications for seasonal work and issuance of a certificate of such an entry.

The labour market test in case of seasonal work permits does not apply to citizens of Armenia, Belarus, Georgia, Moldova, Russia and Ukraine. The remuneration cannot be lower than the minimum wage (PLN 3010 gross in 2022).

The number of seasonal work permits has been relatively stable over the years, with a slight decrease in 2021 (Table 9). The vast majority of seasonal work permits are issued for work in agriculture. Ukrainian citizens dominate, while other nationalities are represented modestly – out of 113,435 seasonal work permits issued in 2021, 111,061 (97.90%) were issued to Ukrainians.

Table 9: Number of seasonal work permits issued in Poland in 2018–2021

Year	Number of applications
2018	134,601
2019	131,446
2020	137,403
2021	113,435

Source: Author's elaboration on the basis of data retrieved from the [Ministry of Family and Social Policy \(Poland\)](#)

5.1.4 The Card of the Pole

The Card of the Pole (Karta Polaka) was adopted by the Polish Parliament in 2007. Its main aim at the time was to facilitate the maintenance of cultural links between Poland and the Polish kin-minorities living in the former Soviet Union (Pudzianowska 2021). Over the years, the function of the Card of the Pole has evolved and now the main function of this instrument is to facilitate migration to Poland by people of Polish ethnic origin or cultural affinity. This instrument is also important from the labour market point of view as it provides its holders full access to the Polish labour market (Keryk 2021).

The Card of the Pole is a document confirming belonging to the Polish Nation. It may only be issued to a person who does not have Polish citizenship or a permanent residence permit in Poland or who has a stateless status. The Card may be granted to a person who fulfills jointly, inter alia, the following conditions:

- demonstrates their connection with Polishness through at least basic knowledge of the Polish language, and knowledge and cultivation of Polish traditions and customs;
- in the presence of a consul of the Republic of Poland, makes a written declaration of their affiliation to the Polish Nation; and

- demonstrates that at least one of their parents or grandparents or two of their great-grandparents were of Polish nationality or had Polish citizenship or presents a certificate from a Polish community/minority organisation confirming their active involvement in activities promoting the Polish language and culture for at least the last three years.

The Card of the Pole is issued for 10 years and can be renewed. According to the 2019 regulations,⁴¹ it is possible for people of Polish ethnicity from all over the world to apply for the Card, not only from the countries of the former USSR. The Card exempts its holder from the obligation to hold a work permit (legalisation of stay is still necessary) in Poland and allows it to take up and pursue economic activity on the same principles as Polish citizens.

The Ministry of Foreign Affairs does not publish systematic statistics on the number of the Cards issued. Between March 2008 and June 2018, 253,455 Cards of the Pole were issued.⁴² Some sources declare that since the instrument was launched, approximately one million Cards have been issued to Ukrainian citizens.

5.1.5 Schemes Targeting High-Skilled Entrepreneurs

Poland has developed schemes targeting high-skilled entrepreneurs, which were initially targeted solely at workers from Belarus. These specific solutions addressed to Belarusian citizens to facilitate their immigration to Poland were implemented in response to the presidential elections held in Belarus in 2020 and the following crisis in that country. These schemes were later opened up to citizens from other countries.

The principal scheme to address high-skilled entrepreneurs is the **Poland Business Harbour (PBH)**, which is aimed at IT specialists and high-skilled workers. The PBH was launched on 1 December 2020, when the amendments to the Act on Foreigners made on 28 October 2020 came into force, thereby expanding the catalogue of groups of foreigners who can take up employment without the need to apply for a work permit to include those visas through the PBH.

PBH is a programme facilitating smooth relocation to Poland for freelancers, start-ups, SMEs as well as large firms. The programme is organised by:

- GovTech Centre at the Chancellery of the Prime Minister;
- Ministry of Foreign Affairs;
- Ministry of Development, Labour and Technology;
- Polish Investment and Trade Agency; and
- Polish Agency for Enterprise Development.

The programme aims to inform how to set up a business in Poland, get support in relocating employees and their families or receive legal and visa assistance in the formula of a 'business concierge'. In addition, individuals and companies can benefit from facilitated contacts with local governments

41 Introduced by amendments to [Ustawa z dnia 7 września 2007 r. o Karcie Polaka, Dz.U. 2007 Nr 180 poz. 1280](#).

42 Please check this [interpellation](#).

or Special Economic Zones, which actively participated in preparing the offer for reallocated workers and their families, creating temporary office and housing space. One of the elements of the package is also support in the form of connecting entrepreneurs with investors and grants for R&D activities.

Moreover, several dozen technology firms have prepared special job offers for the incoming, combined with a fast-track visa path. The catalogue of companies is still open. Holders of the PBH visa can work in Poland without obtaining a work permit during the visa validity period. Participation in the PBH programme allows obtaining visas for family members of IT specialists or relocated company employees.

The programme was first aimed at Belarusians only, but now citizens of Armenia, Azerbaijan, Georgia, Moldova, Russia and Ukraine can also participate. The expansion of the programme was advocated by the IT industry, which has been suffering from a shortage of professionals. Initially, the results of the programme were rather limited: in the first few months of the programme, until the end of 2020, 2,500 visas were issued for Belarusian citizens, and by the end of 2021, the Polish Investment and Trade Agency closed 37 Belarusian projects which were realised in the frame of the programme (Supernak 2022). Yet, between the visa's launch in September 2020 and February 2022, 24,121 Belarusians had come to Poland through this visa scheme (Braw 2022).

5.1.6 Solutions Addressed to Ukrainian Citizens (2022)

In response to the war in Ukraine – which started with the Russian aggression on 24 February 2022 – and the related massive influx of refugees into the Polish territory, a special Act on assistance to citizens of Ukraine in connection with the armed conflict on its territory was adopted on 12 March 2022.

Following the entry into force of the provisions of this Act, **it is possible to entrust work to a Ukrainian citizen on the basis of a free notification**, which should be submitted electronically via praca.gov.pl. Work of a foreign national in relation to the submitted notification will be legal provided that:

- he/she is a citizen of Ukraine legally residing on the territory of Poland; or
- he/she is a citizen of Ukraine who entered the territory of the Republic of Poland legally from the territory of Ukraine in connection with military operations conducted on the territory of this country in the period from 24 February 2022 and declares an intention to stay on the territory of the Republic of Poland (stay on the territory of the Republic of Poland is considered legal in the period of 18 months counted from 24 February 2022).

There is no fee for submitting a notification of employment for a Ukrainian citizen. A change of employer requires a new notification. In addition, with each conclusion of a new contract with a foreign national, it is necessary to submit a new notification on taking up employment.

On the basis of the Act, Ukrainian citizens fleeing the war can also apply for a PESEL number in a special mode (i.e. on application containing only basic data). The number provides access to a number of public services, as well as for a trusted profile.

The Ministry of Family and Social Policy does not provide official statistics on the number of those who took up employment on the basis of the 12 March 2022 Act, but according to the figures revealed in early April 2022, 66.8 thousand people have found work, mostly in the voivodeships: mazowieckie (14.1 thousand); wielkopolskie (7 thousand); and śląskie (5.8 thousand). Almost half of Ukrainians performed simple jobs, 8.5% were office workers, and 4% were professionals; about 14% were industrial workers and craftsmen, and more than 10% were service workers and salespeople (Theus 2022). Around 25% were employed under a contract of employment, 73% had commission agreements.

5.2 EUROPEAN LEGAL PROVISIONS AND THEIR USE AND EFFECTIVENESS – BLUE CARDS

For years Poland has been among top countries issuing Blue Cards in the EU. In 2020 for example, the majority of those permits were issued in Germany (5,600; 47.1%), followed by Poland (2,250; 19.0 %) and France (1,300; 10.9%) (Eurostat 2009). At the same time the number of Blue Cards issued has been very low. This permit does not have the intended significance for attracting high-skilled workers to Poland.

In order to obtain the Blue Card, the following conditions must be met:

- completion of at least three years of higher education or possession of at least 5 years of professional experience at a level comparable to the level of qualification obtained as a result of higher education, which is necessary to perform the job;
- producing an employment contract of at least 1 year's duration;
- ensuring a minimum gross monthly remuneration of not less than the equivalent of 150% of the amount of the average salary in the national economy.

In case of a change of employer or employment conditions, this permit can be changed at any time at the request of a foreigner. At the same time, after two years of residence under the Blue Card, a foreigner obtains free access to the labour market. This means that a foreigner may change the employer, job title without waiting for the permit to be changed, but such a change may be made after the change of employment conditions.

A foreigner staying for 18 months on the basis of a Blue Card issued by another EU Member State may move to the territory of Poland to take up employment in a highly qualified profession.

There are certain advantages to obtaining the Blue Card. For example, periods of residence within the European Union include all stays in other Member States. In practice, this makes it possible to

obtain the title of a long-term EU resident more quickly. Certain benefits of the EU Blue Card also apply to the family members of its holder. Family members are entitled to take up studies at Polish public universities free of charge. Also, a temporary residence permit entitles them to work without the need to obtain a work permit.

5.3 POSSIBILITY OF STATUS CHANGE

Persons who have been granted international protection in Poland (including refugees) have free access to the Polish labour market, excluding those professions or positions where Polish citizenship is required. However, there is no data available to estimate how many beneficiaries of international protection are still living in Poland and how many of them have settled and work in the country. This is a group of workers whose situation in the labour market remains unrecognised. The experience of UNHCR and non-governmental organisations supporting refugees shows that due to the lack of knowledge of the Polish language and significant cultural differences, they face various barriers and difficulties in the labour market and experience discrimination from employers.

Following the crisis in Belarus, Poland also simplified the procedures for issuing humanitarian visas for Belarussian citizens. The amendment to the Act on Foreigners of 28 October 2020 expanded the catalogue of groups of foreigners who can take up employment without the need to apply for a work permit, to include Schengen visas or national visas issued for the purpose of “arrival for humanitarian reasons, on grounds of national interest or international obligations international obligations” (humanitarian visas).

6. SUGGESTIONS FOR FUTURE ADAPTATIONS TO LABOUR MIGRATION OPPORTUNITIES

6.1 RECOMMENDATIONS TO IMPROVE ACCESS TO LEGAL MIGRATION PATHWAYS

Expand the List of Eligible Countries for Employers' Declarations

The countries from which foreign workers can come to Poland with an employer's declaration are: Armenia, Belarus, Georgia, Moldova, Russia and Ukraine. The recent amendments which came into force in January 2022 did not expand this list of countries eligible for employers' declarations. Many interviewees saw this as a wasted opportunity to address the gaps in the Polish labour market.⁴³ Other research has also stressed the need to expand the list of countries from which foreign workers can come to Poland through employers' declarations, arguing that Poland's current and projected labour needs cannot be fulfilled without employing labour from beyond these countries (PwC 2019). Given that employers' declarations are the most commonly used means of obtaining work by foreign workers, expanding the list of countries would have a large impact on the labour supply.

The PBH programme could serve as good inspiration for how the employers' declarations initiative could broaden its geographical range. The programme has recently expanded its list of eligible countries to include Azerbaijan, and it has been forecasted that further countries will be added to this list in 2022 (Wieczorek and Grochowski). Possible candidates for this expansion include highly-skilled employees from the Western Balkans and countries of the former USSR, such as Azerbaijan, Uzbekistan, Kazakhstan (EMN 2021c). As an additional sub-recommendation, policymakers should follow through with plans to expand the list of countries eligible for the PBH programme, in order to attract global talent for its growing high-skilled sectors.

Extend the Period of Validity of Other Permits

The January 2022 amendment to the Act on Foreigners, which extended the period of stay permitted under the employers' declarations from six months to two years, was a useful step towards encouraging foreign workers to stay in Poland for longer time periods. The impact of the recent amendments are not possible to assess at this stage, however, because of the short time period since the amendments came into force, and more importantly, the disruption caused to the reception of immigrants by the war in Ukraine.

⁴³ Informant 7.

As previously mentioned, labour shortages partly derive from the fact that much migration to Poland is temporary (although a significant portion is also permanent). While the extension of the employers' declarations should have a significant impact, given that they are the most commonly used means for foreigners to work in Poland, it would also be beneficial to extend the possible duration of other work permits. Recruitment agencies are among those calling for other work permits to be extended in order to encourage more workers to stay in Poland.⁴⁴ In terms of validity periods of the alternatives to employers' declarations: Seasonal permits are valid for up to nine months, work permits and single permits can last up to three years.

6.2 RECOMMENDATIONS TO ACCOMPANY CHANGES TO LEGAL PATHWAYS

Speed Up and Increase the Flexibility of the Procedure to Issue Work Permits

While the procedure for issuing employers' declarations has been successfully made much shorter, other permits take a long time for a decision to be issued. Many interviewees spoke of the need to speed up the procedure for issuing other types of permits.⁴⁵ Indeed, the principal reason for the difference in usage of other permits, such as seasonal and work permits, compared with employers' declarations is due to the bureaucratic hurdles in the decision-making procedures (Duszczuk and Matuszczyk 2018). This has been backed up in other research that has also shown that, for companies in Poland's services sector, the greatest barriers to hiring foreign workers are the lengthy and complex administrative procedures (PwC. 2019).

Lengthy procedures to hire workers dissuade prospective foreign workers from coming to Poland, hamper companies' abilities to respond quickly to labour shortages, and may cause migrants already in Poland to leave either to return home, seek work in other countries or in the informal labour market.⁴⁶ Speeding up the procedures for other types of permit would broaden the labour supply across different sectors, since different permits tend to attract workers in different sectors to that of employers' declarations, which are typically used for employment in agriculture and construction. Speeding up the procedures for other types of permit would mean that Poland would be able to attract workers to fill a broader range of occupations, such as those interested in working for a longer period of time, which will become more important as Poland transitions towards an economy based on high income sectors, since it will move away from a high proportion of temporary and seasonal employment towards seeking more permanent workers.

One strategy Poland could adopt to speed up the procedure for issuing a decision for foreigners coming to Poland to work, would be to further introduce pragmatic exemptions for labour market tests, which greatly increase the bureaucracy involved in recruiting foreign workers. Labour market tests are not required for employers' declarations, but are for other pathways (work permits, seasonal permits and Single permits). Trade unions would be strongly against the complete abolishment

44 Informant 8.

45 Informant 8; Informant 6; and Informant 2.

46 Informant 6.

of labour market tests, but certain flexibility already exists which could be built upon. The Ministry of Family and Social Policy has already made some progress in cutting out labour market tests for specific groups: the employers' declarations are exempt from labour market tests, and in 2018, the Ministry of Labour produced a list of nearly 200 professions for which labour market tests were not necessary in order to receive a Work Permit (EC 2018b). Labour market tests have been justified in Poland due to the need to protect Polish workers, however one study claims that foreign workers have not caused job displacement of Polish citizens (Duszczuk and Matuszczyk 2018).

Alongside greater flexibility of labour market tests, several interviewees called for more efficient systems for issuing permits and recommended greater digitisation of procedures as a way to speed up the decision on whether to issue a permit. While the recent amendments to the Act on Foreigners did introduce greater digitisation to certain aspects of the permit application procedures - communication between authorities and applicants, as well as between the relevant authorities can take place electronically - these changes were long overdue and there is still room for greater digitisation of procedures (DLA Piper 2022). While permit procedures at Powiat labour offices have been digitised, procedures at Voivodeship offices are not digitised. For example, persons wishing to change single permits are required to go to the office in person. Also, administrative documents are often in paper versions rather than in digital format. Where digital procedures are used, traditional paper formats are also used, thereby creating double the work for officials. To address these procedural constraints, investments could be made in the infrastructure of Voivodeship offices as well as in the interoperability of systems of data gathering and processing. Officials could also receive training in these areas of data processing.

One caveat to this recommendation is that the amendments in January 2022 to the Act on Foreigners did put in place measures to streamline the procedures for issuing different work permits, including through increased digitisation of procedures and through the capacity to prioritise processing work permits in labour shortage sectors, however, not enough time has elapsed to observe the impact of these amendments, especially also due to the disruption caused by the war in Ukraine.

There have been some recent steps towards the increased flexibilisation of procedures to issue work permits. The Ministry of Family and Social Policy has been working on a draft law on the employment of foreigners, which includes some provisions related to the bureaucracy of permit issuing processes (Government of Poland 2022). The draft proposes that the procedures for issuing work permits is fully digitised, and that the labour market test procedure will be de-bureaucratised.

Improve Dialogue Between Policymakers and Social Partners

Dialogue between policymakers and social partners, such as trade unions and NGOs, should be improved so that social partners have more opportunities to provide input into the policymaking process. By expanding the role of trade unions and NGOs, migrant workers' interests would be better represented and their welfare improved, which would make attracting and retaining foreign workers easier. Furthermore, trade unions work to ensure that migrant workers are not paid below the national minimum wage, which also mitigates downward pressure on wages for Polish workers which indirectly would improve retention of Polish workers.

Specific improvements for labour migrants that could result from greater involvement of social partners in labour migration policymaking include: better access to labour rights, including through provision of information; better working conditions; adequate pay; better integration services; and better accommodation. Trade unions in Poland not only engage in advocacy work around these objectives, but also provide direct support to migrant workers, for example, through referrals to relevant stakeholders in the case of labour abuse. Altogether, these improvements would improve the lives of foreign workers in Poland, and would make Poland a more attractive place for foreigners to come and work.

In terms of how to achieve better dialogue and involvement of social partners, one way would be to allow trade unions greater space within the Social Dialogue Council to represent their interests to the same extent as employers (employers outnumber trade unions at the SDC [see Section 3.3]).⁴⁷ Further measures are necessary, however, since the SDC is not a primary actor in labour migration policymaking and since trade unions often do not work on migrant-related issues (see Section 3.2). One way to encourage trade unions to work on migrant-related issues would be to increase the capacity of trade unions, since one of the reasons they do not work on migrant-related issues is due to a lack of financial resources. Second, trade unions should make use of the knowledge and experience of NGOs in Poland, who do have a greater focus on migrant-related issues. At present, NGOs and trade unions in Poland do not collaborate much on such issues, so increased collaboration, for example, in the form of greater exchanges of best practices and training, could be an effective way for trade unions to incorporate this into their work (Hoff 2019).⁴⁸ Third, the Ukrainian Migrant Workers Trade Union, founded by the OPPZ in 2016, should be used as a model to also promote the rights of migrant workers originating from other countries (ETUI 2016). To encourage other migrant-worker trade unions to be created the government could open calls for proposals for a similar model for migrants from other countries or sectors.⁴⁹

Facilitate Migrant Entrepreneurship

One further barrier, which the government recognises itself, is the fact that many foreigners would like to open up their own businesses in Poland, however, they are unable to do so (Government of Poland n.d.-b). Legalising one's own business is not possible for people with temporary residence permits. Not only is this preventing foreign entrepreneurs in Poland from setting up a business, this is likely to dissuade people from coming to Poland, or persuade them to leave. By not allowing foreigners to set up their own businesses, future innovation is being threatened. Temporary residence permits could include provisions to allow foreigners to set up their own business. Measures have already been taken to foster migrant entrepreneurship such as the Start in Poland programme, which was launched in 2016 and then extended for a second phase from 2018.

47 One problem is that only representative trade unions - trade unions which represent a certain number of employees - can have their seat in the council, however, not many employees in Poland are members of trade unions. Policy makers will need to find ways to ensure that workers' interests are not overlooked due to administrative barriers such as these.

48 Two relevant projects include: 'MIGRIGHT: Improving social dialogue for decent work of migrants and refugees in Poland', carried out by the Centre for Social and Economic Research, which looks at ways to improve collaboration between social partners, specifically through training of trade unions on the issues of decent work for migrants (CASE n.d.), and BARMIG: Bargaining for Working Conditions and Social Rights of Migrant Workers in Central East European Countries, which assesses the role of established industrial relations institutions in addressing the effects of migration on changing labour markets.

49 Informant 10.

Improve Integration Services

Integration services should be improved in order to encourage those foreigners already working in Poland to stay, as well as to attract more migrant workers to Poland. Improving migrant integration in Poland could also help to address anti-immigration sentiment among the Polish population. Several interviewees spoke of the need to improve the integration of migrants in Poland, which the government has reportedly overlooked, preferring to focus instead on satisfying the needs of employers.⁵⁰

Poland's integration services are only available to migrants with refugee status or subsidiary protection, and as such, the vast majority of foreign nationals living in Poland cannot benefit from any kind of government integration support (Klaus et al. 2017). NGOs in Poland are the principal providers of integration support for migrants (without refugee status), and for many migrants, the support provided by NGOs is the only support they can rely on (Klaus 2017). However, NGOs, which depend heavily on EU AMIF funding, have found it increasingly difficult to access funding for migrant integration since the PiS came into power in 2015 (see Section 3.3). NGOs claim that the PiS Government has deliberately made it difficult to access integration funding, which the Government has instead channeled through the voivodeships (Hoff 2019).⁵¹ The integral role of NGOs should be honoured by the Government, and access to funds should be made readily available. The Government should re-start this process of collaboration with NGOs to address the large influx of Ukrainian refugees, for whom the current government integration infrastructure is wholly insufficient.

Aside from labour market orientation, two specific improvements in integration services could be the improvement of Polish language classes and childcare services for migrant workers and their families (as well as for all Polish citizens). A lack of Polish language skills was frequently pointed to by interviewees as significant barriers to labour market participation of migrant workers, particularly in more highly skilled occupations. Childcare services in Poland are not comprehensive enough and therefore do not afford, in particular, migrant mothers with the freedom to work. This has been mentioned as a critical factor in improving the labour market participation of the many women fleeing Ukraine.

Improving integration services could also be an effective strategy to encourage Polish emigrants to return to Poland, however, only if integration services were extended to returning families, which is currently not the case in Poland. As has been demonstrated in Portugal, providing adequate integration services to returning expatriates - who often have the same needs as migrant workers - can be an effective means to attract people to return as well as guide them through the labour market (Segeš Frelak and Hahn-Schaur 2019).⁵² This is especially important given that Polish returnees have not performed as well as expected on the Polish labour market ((Kaczmarczyk et al. 2016).

In order to improve integration efforts, a clear national integration strategy elaborating a vision on how to provide services for all migrant groups and drawing together all relevant ministries should be formulated by the Government. In the meantime, the continuation of NGO funding is vital to ensure the survival of existing integration services to migrants who are not covered by the state programmes.

50 Informant 9.

51 Informant 10.

52 Portugal expanded its Immigrant Mentoring Programme to include returnees as well.

Promote Migrant Workers' Rights and Address Risks of Exploitation

Migrant workers in Poland are often victims of labour exploitation by their employers. One of the reasons for this is because many workers are employed in temporary and seasonal work, which is typically one of the sectors most affected by exploitation. By addressing the serious problem of labour exploitation, Poland would be a more attractive destination for prospective foreign workers, and migrants already working in Poland would be more likely to remain.

One factor behind labour exploitation is the fact that labour inspectorates conduct their investigations into reports of exploitation in the workplace in accompaniment of immigration authorities, which means that migrant workers sometimes do not file complaints through fear of consequences affecting their status. Another reason for labour exploitation is the fact that employers' declarations are not required to be based on contracts that are subject to the provisions of the Labour Code, thereby giving more flexibility to the employer but making migrant workers more vulnerable to exploitation. Similarly, temporary employment agencies also exacerbate vulnerability to exploitation since they often do not adhere to provisions on temporary workers. Employers' declarations also make migrant workers vulnerable to exploitation because migrants' legal status is tied to their employer, which therefore creates a dependency on the employer since migrants do not have the freedom to change employers (Hoff 2019; Czerniejewska et al. 2014). One further factor behind exploitation in Poland is the lack of awareness migrant workers have of the rights as workers. Migrant workers often do not know when their rights have been violated and therefore the work of NGOs and trade unions to educate them of their rights is vital. A good example of this is the 'I work legally' campaign (2017-2020) organised by the Polish National Labour Inspectorate which raised awareness among employers and workers of labour rights (EMN 2020c).⁵³

Of the many possible changes that could be made to protect migrant workers from labour exploitation, one step that would help, therefore, would be to end the involvement of immigration authorities in labour inspections in cases of complaints of exploitation. Second, work and residence permits could not be tied to employers and should allow migrant workers to change employers or leave a job without having to face immigration consequences. Third, and perhaps most importantly, the provision of information to migrant workers of their labour rights by NGOs should be supported.

There have been some recent steps towards the improvement of rights for migrant workers. The Ministry of Family and Social Policy has been working on a draft law on the employment of foreigners, which includes some provisions related to the rights of foreign workers (Government of Poland 2022). The draft proposes that: only employers who pay taxes or Social Security should be allowed to employ foreigners; the working hours of a foreign worker are allowed to be increased only if their salary increases proportionally; the employer must declare how much they intend to pay a foreign worker to the regional authority, which in turn will issue a decision on whether to permit this employer by comparing the salary offer with average local job offers on the Central Job Offer Database on the [Praca](#) portal.

53 A further example is a similar project which provides information to employers and foreigners on legal work, implemented by [Center for Social and Economic Research](#), the Association for Legal Intervention and voivodeship labour offices.

Improve Recognition of Foreign Qualifications

Poland does not have effective mechanisms for recognising foreign qualifications. This is proving to be one of the main barriers in getting the new arrivals from Ukraine into work. In response to this issue, the Government has expedited the procedure to recognise qualifications for Ukrainians (Wądołowska 2022). The absence of efficient recognition of qualifications systems creates excessive bureaucratic barriers to hiring foreign workers, making the process more burdensome for employers. Recognition procedures should be made more efficient and timely in order to prevent delays in recruitment.

At the same time, recognition of qualifications is also needed to ensure that migrant workers do not work below their skill level. Currently, Poland does not have effective systems in place, and as a result, it is common for migrants in Poland to work in jobs lower than their qualification (Matusz and Aivaliotou 2020; Hofmann 2022). Because of this, there is a large amount of untapped potential of foreign workers already in Poland. To mitigate the brain waste of those migrants already in Poland and more broadly to attract workers in highly skilled professions, mechanisms to recognise foreign qualifications will need to be developed. Many of the occupations which migrants work in are not regulated professions, meaning that their qualifications do not have to be recognised by the NAWA as being equivalent, instead employers decide on whether to recognise migrants' qualifications. While this reduces the burden of bureaucracy for hiring migrants in non-regulated professions, it also means that migrants who do not work in the narrow list of regulated professions (see Section 2.4) cannot have their qualifications recognised by the NAWA and as such, they rely on employers to hire them in jobs that match their skill level. The list of professions that can have their qualifications recognised not by employers but by the Ministry of Science and Education and the NAWA should be broadened to mitigate brain waste and ensure that migrants can work in jobs at their skill level.

Recognition of foreign qualifications for workers in low-skilled sectors also requires attention. While many occupations in low-skilled sectors do not require formal qualifications, there are some occupations within these sectors which do require formal skills, such as in construction (see Section 4.3). At the same time, since one of the principal barriers to hiring workers is the length and complexity of application procedures, the recognition of foreign qualifications should not create further burden to the already slow procedure.

Address Anti-Immigrant Sentiment of the Polish Public

One of the largest obstacles to addressing labour shortages with foreign workers is the lack of popular support for accommodating migrants, particularly those not from European countries i.e. those with a different skin colour. Anti-immigration politics have garnered popular support in Poland, particularly since the large numbers of migrants coming to Europe from Syria in 2015. The incumbent PiS government has played off and exacerbated the public's concerns about immigration. Anti-immigrant sentiment has prevented policy on labour migration to address labour shortages from being accepted. In order to meet the needs of the labour market, as well as protect migrants' rights and improve the overall cohesion of Polish society, effective communication campaigns that demonstrate the positive influence of migrants in Poland are needed.

Given that the PiS party has always been an anti-immigrant party, and indeed that its mandate to rule is predicated on anti-immigrant politics, it is unlikely that PiS will implement effective campaigns itself. Nevertheless, the 2021 [Polish Migration Policy](#) draft document did acknowledge the need for improved strategic communication to Polish society on the question of migration, showing that there is an awareness within Polish policy circles for the need for better communication. Strategic campaigns should feed off the outpouring of support from the Polish population towards recent Ukrainian arrivals to engender a change in opinion towards all foreigners, and boldly reject the differential treatment of foreigners. Addressing anti-immigrant sentiment should also be achieved through improved integration support to all migrants, which may be a less visible strategy than public campaigns.

Implement a Regularisation Mechanism for Undocumented Migrants

The principal reason for regularising undocumented migrants should be to honour human rights obligations and prioritise migrant welfare. Unfortunately, this is not enough of a justification for many governments and Poland is no exception with undocumented migrants being acutely vulnerable to various kinds of abuse. In 2019, there were 30,900 migrants found to be illegally present in Poland, although the number is likely to be greater in reality (EMN 2020b).

Aside from protecting migrants from abuse, implementing regularisation mechanisms would hold great benefits for Poland. By providing undocumented migrants with legal status, migrants can take up declared work, which, in turn, would provide a significant contribution to the fiscal budget through increased taxable income. By regularising undocumented migrants, labour market participation would also increase, since undocumented migrants often do not take up work through fear of being reported to the authorities.

Not only should regularisation be made available to those already in Poland, but work permits should also offer pathways to future regularisation for migrant workers. Moreover, all periods of residence should contribute towards permanent residence.

Regularisation is particularly important given the war in Ukraine. While the Temporary Protection Directive covers all Ukrainian citizens who fled Ukraine after the Russian invasion, providing them with access to the labour market, Ukrainians who left their country and were in Poland before the war started are not covered. This means that there are many Ukrainians across Europe, and in Poland, whose permits may expire but are unable to return to Ukraine and are therefore unable to carry out legal work. While many Ukrainian men who were working in Poland before the war have returned to Ukraine to fight, some may remain in Poland and will therefore be in need of a legal right to stay and work in Poland.

6.3 EXPLORING EU TALENT PARTNERSHIPS AS AN OPTION TO ADDRESS LABOUR SHORTAGES

One way for EU member states to explore addressing labour needs is to pilot skills and mobility partnerships with third countries within the context of the EU Talent Partnerships framework. The EU envisages Morocco, Tunisia, Egypt, Senegal, Nigeria, Bangladesh and Pakistan as possible pilot countries for talent partnerships.

Given the possibilities to test and pilot such schemes at a small scale before designing larger or more permanent partnerships, it may not be necessary to wait for the arrival of a Polish national migration strategy document. Policymakers could still experiment with setting up pilot programmes in the meantime, possibly partnering with another EU member state. When the national migration strategy document is eventually agreed upon, it could include plans to make use of the Talent Partnership scheme. One way to facilitate entry for migrants from these pilot countries could be to offer them access to existing legal labour pathways, such as the employers' declarations. The next section provides suggestions for how Poland could make best use of the Talent Partnership scheme.

Choose a Partner Country According to Diplomatic and Cultural Ties

Polish attitudes towards immigrants from non-European countries have become increasingly hostile. This reality may make setting up large-scale Talent Partnerships with non-European countries more challenging and possibly politically less feasible. Interviewees for the study thus questioned whether the current pilot countries are appropriate partners for Poland. Moreover, there are very few migrants from the pilot countries already in Poland (only 1,978), meaning that there is not a significant diaspora to build upon, compared to other European member states.⁵⁴ Poland could however establish Talent Partnerships with (non-EU) European countries.

Poland has already created legal labour pathways for migration from several Eastern European countries, and so setting up Talent Partnerships with pre-existing migration partner countries would be relatively straightforward. Moreover, there are some Eastern European countries - Belarus, Georgia, Moldova and Ukraine - which have already been targeted as key countries for Poland's development cooperation in its latest development strategy document (Government of Poland n.d.-e). Establishing Talent Partnerships with such countries would enable Poland to build on the foundation of its development cooperation, as well as allow Poland to work towards some of its development cooperation objectives with these countries.

Despite the political opposition to immigration from non-European countries, there have been some tentative steps in this direction in previous strategy discussions on migration. As mentioned in section 4.4, a bilateral agreement with the Philippines on labour migration has already been discussed: the 2019 draft migration strategy reportedly mentioned the Philippines as a possible partner owing to it being a largely Christian country.⁵⁵ Although these suggestions to recruit labour from

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55 Informant 11.

non-European countries were rejected (see Section 1.2), revisiting this idea of a partnership with the Philippines could be an interesting solution in the future. While trade cooperation with the Philippines is not significant, diplomatic relations have been strengthened in recent years, especially after the reopening of the Polish Embassy in the Philippines in 2018. The majority of migrants from the Philippines are women who work in low-skilled sectors. One of the principal economic sectors of the Philippines is agriculture, which would match Poland's labour needs.

Build on Existing Economic Ties with Talent Partnership Countries

Of the Talent Partnership pilot countries, Bangladesh would be the most suitable for a Talent Partnership with Poland, due to the fact that Bangladesh is already in the top ten countries for work permits issued in Poland, with 7524 in 2021 (see section 5.1.1).

Another avenue for establishing Talent Partnerships could be to build on the economic ties Poland already has with two of the key Talent Partnership countries, Egypt and Senegal (see section 4.4). In 2022, Poland strengthened its economic cooperation with Egypt through expanding business and trade, particularly in the agriculture, energy and transport sectors (Polish Investment and Trade Agency 2022a). Poland also strengthened economic cooperation with Senegal in 2022, a country which is already one of Poland's key economic partners in Africa (Polish Investment and Trade Agency 2022b). The recent push to strengthen economic relations with these two countries represents an opportunity to establish Talent Partnerships, even if they are non-European countries.

While Senegal has a relatively low unemployment rate, Egypt has a high rate (15.09% in 2021), making it more suitable for a mobility scheme.⁵⁶ However, this high rate is mainly due to female rather than male unemployment, and Poland's labour needs are mainly in occupations typically carried out by men. Another reason that makes Egypt a relatively good candidate for a mobility scheme is the fact that Egypt is the most common country of origin for migrants in Poland compared to the other partner countries. A Talent Partnership with Egypt would be able to build upon these pre-existing labour mobility pathways, and the diaspora already existing there would aid long-term integration in the country. That being said, although the number of Egyptians in Poland is high compared to the other Talent Partnership countries, the number is still very low compared with other European countries, and while the presence of a diaspora would aid integration in Poland, migrants from Senegal and Egypt nevertheless are met with hostility in Poland.

Finding Matches Between Poland's Labour Needs and Partner Countries' Labour Supply

For Talent Partnerships to make economic sense and address labour market needs, partner countries' labour supply would need to match labour needs in Poland. Of the proposed Talent Partnership countries, Pakistan's and Egypt's stock of workers and their skills corresponds most closely to Poland's economic needs. In Poland's key sectors in need of migrant labour - agriculture, construction

⁵⁶ MPF internal database

and manufacturing - Pakistan and Egypt have the largest numbers of workers compared with other Talent Partnership countries. In Egypt, there are approximately 21,000 agriculture workers, 26,000 construction workers, and 26,000 manufacturing workers, while in Pakistan, there are approximately 18,000 agriculture workers, 30,000 construction workers, and 38,000 manufacturing workers.⁵⁷

An important point for Poland's policymakers to bear in mind when designing Talent Partnerships is to ensure that the skills needs of the country of origin are also taken into account, in order to mitigate possible brain drain effects. Designing Talent Partnerships that protected and even improved - through training and education - partner countries' labour supply would also allow for Poland to fulfill some of its development objectives. Poland could also look to tailor its educational scholarship programmes abroad, organised by the Ministry of Science and Education and the NAWA, towards its domestic skills needs as well as the skills needs of the partner countries.

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Funded by the European Union