

Poland (Lewiatan) (last update December 2022)

Overall approach and state of play

Poland has taken in more than 8.05 million refugees fleeing Russia's invasion of Ukraine. Nearly 2 million of them stayed in Poland until today¹. Overall, approximately 3 million Ukrainians currently stay in Poland. More than 90% of refugees are women with the average age of 39 years. 60% of them came to Poland with children. Refugees who came to Poland after February 24 are better educated than labour migrants entering the country before the war: 46% of them have higher education².

Poland has recorded the highest number of refugees from Ukraine. The potential inflow of refugees depends on the development of events in Ukraine. Refugees from Ukraine often treat their stay in Poland as a temporary solution and hope to come back home as soon as possible. The overall number of refugees who stay in Poland is decreasing. Approximately 20,000 Ukrainians cross the Polish-Ukrainian border daily returning to home³. Every third refugee from Ukraine declares they want to stay in Poland for longer⁴. Some recently conducted research shows that the number of refugees who declare the intention to stay longer in Poland is increasing, which is related to the drawn-out nature of the war and the lack of prospect of a return home. A potential inflow of refugees is expected due to the winter season.

Coordination of joint social partner or social partner and government actions

On the national level, specific regulations on temporary protection of Ukrainian refugees are included in *The Act of 13 June 2003 on granting protection to aliens within the territory of the Republic of Poland* (Article 105 and 106) and *The Act on assistance to Ukrainian citizens in connection with an armed conflict in the territory of that state* (entered into force on 12 March this year and apply retroactively from 24 February 2022). It was important to introduce special measures before the shortest period of legal stay of refugees (15 days according to Article 32(1) of the Act on Foreigners) has come to an end. *The Act on assistance to Ukrainian citizens in connection with an armed conflict in the territory of that state* was not discussed with social partners during the governmental legislative process. However Polish Confederation Lewiatan provided its opinion at the phase proceeding it by the Parliament. Some concerns were related to compliance of the new regulations with the Temporary Protection Directive. *The Act on assistance to Ukrainian citizens* implemented in Poland excludes third-country nationals or stateless persons residing legally in Ukraine and their family members from the list of the persons eligible for temporary protection by this act. However, other third country nationals may apply general rules in accordance with Temporary Protection Directive.

In September, the Polish government introduced a proposal on the Employment of Foreigners Act. A discussion on the new regulations is currently conducted within the Social Dialogue Council. Social Partners in Poland are working on a joint statement.

Company impact

Among the departures of Ukrainians men to fight in the conflict, the most affected economic sectors are construction and transport, to some extent also production. From the beginning of the war more than 500,000 workers left Poland. It is estimated that approximately 20-30% of

¹ Data provided by the Polish Border Guard.

² Ukrainian refugees – vocational activation in Poland and in Germany, EWL.

³ Data provided by the Polish Border Guard

⁴ Ukrainian refugees in Poland, EWL.

workers in the construction sector returned to Ukraine. It is a crucial problem especially for SMEs in the building industry.

Even though refugees from Ukraine are well-educated, the area of education (frequently humanities) does not fulfil current needs of the local labour market. Moreover, a lack of language knowledge could be a serious obstacle to the use of competences in future jobs. Many refugees will be forced to work below their level of competence until they have learnt Polish. Developing activation, mobility and reskilling programmes for refugees is necessary in order to move them into prioritized sectors and geographic areas where they can help meet skills and labour shortages. Polish Confederation Lewiatan has developed a labour activation program in collaboration with the outplacement agency. The pilot project was aiming to prepare potential candidates from Ukraine to enter the labour market and to match their skills with employers' requirements. Support was provided not only to refugees but also to enterprises. The assistance concerns legal matters of the employment of foreign candidates. The programme helped to identify the main difficulties faced by both sides during and after the recruitment process.

Ukrainians have helped to fill shortages in other sectors which usually report a higher demand of season workers, especially in the tourist destination regions. Over 430,000 refugees from Ukraine found a job in Poland after fleeing the Russian invasion. Majority of them are employed in hospitality and catering industry or services sector. About 2/3 of the working-age refugees from Ukraine were able to get a legal job in Poland, the number of legally working refugees is constantly increasing⁵.

⁵ Ukrainian refugees – vocational activation in Poland and in Germany, EWL.