

# Mobility: Immigration alert

November 2021



## Poland

### New draft law on the employment of foreigners submitted to the Polish Parliament

#### Executive summary

The Polish Government recently submitted a new draft law on the employment of foreigners to the Polish Parliament. The draft law aims to facilitate the recruitment of non-Polish nationals into the Polish labor market and reduce government requirements and processing times for certain applications. The Polish Parliament will now review and amend the draft proposed by the Government before passing it into law.

#### Key issues

The new draft law proposes to amend the Foreigners' Act by:

- ▶ Creating "priority admission paths" that expedite the application process for specific applicants and citizens of specific countries (which have yet to be announced)
- ▶ Accelerating the issuance of residence and work permits to applicants who are sponsored to work in entities of particular strategic importance to the Polish economy
- ▶ Ensuring that all applications for permanent residence permits and EU long term residence permits are processed by the Government in six months or less
- ▶ Ensuring that all applications for temporary residence permits are processed by the Government in 60 days or less, and that all appeals of Government decisions (e.g., denials of temporary residence permit applications) are processed within 90 days
- ▶ Eliminating some of the requirements for obtaining temporary residence permits (e.g., proof of stable and regular income while in Poland)
- ▶ Eliminating the need to obtain new residence and work permits in some instances where foreigners change employers or roles while in Poland, and facilitating the

process of obtaining new residence and work permits following changes in employers or roles (where required)

- ▶ Creating a simplified procedure for processing temporary residence permit applications that were filed with the Polish Government before 1 January 2021 and are not processed by the time the new law goes into effect

The new draft law also seeks to amend the Act on Employment Promotion and Labor Market Institutions by:

- ▶ Accelerating the issuance of work permits to applicants who are sponsored to work in entities of particular strategic importance to the Polish economy
- ▶ Enabling Polish companies to use Declarations on Entrusting Work to a Foreigner (i.e., a simplified procedure for obtaining work authorization) for nationals of Armenia, Belarus, Georgia, Moldova, Russia and Ukraine who work in Poland for up to 24 months (up from 6 months in a 12-month period, previously)

#### Key steps

The Polish Parliament will now begin its process of reviewing and amending the draft law proposed by the Government before passing it into law. EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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**[ey.com](https://ey.com)**

### **Marek Jarocki**

Partner - People Advisory Services, Global Immigration  
Tel: +48660440189  
Email: [marek.jarocki@pl.ey.com](mailto:marek.jarocki@pl.ey.com)

### **Agnieszka Rak**

Senior Manager - People Advisory Services, Global Immigration  
Tel: +48517882417  
Email: [agnieszka.rak@pl.ey.com](mailto:agnieszka.rak@pl.ey.com)

### **Rafal Rogala**

Manager - People Advisory Services, Global Immigration  
Tel: +48573005829  
Email: [rafal.rogala@pl.ey.com](mailto:rafal.rogala@pl.ey.com)