

## New rules for hiring foreign workers

The Act on Conditions of Assigning Work in the Republic of Poland to Foreign Workers came into force on 1 June 2025. Although the rules on work permits and assigning work based on declarations mostly remain the same, there are some important changes. You will find them below.

The main objectives of the amendment are to:

**tighten up the labour market** by reducing abuse

**streamline procedures** and reduce backlogs at government offices

**make procedures fully digital**

### Tightened up labour market

A voivod will refuse to issue a work permit or register a declaration on assigning work if he/she deems that:

- › an entity that is not a temporary work agency wants to hire a foreign worker, who would work **for another entity** (the so-called outsourcing of workers),
- › an entity that assigns work to a foreign worker is engaged in **facilitating the entry of foreigners** to Poland,
- › an entity that assigns work to a foreign worker **is late** paying taxes and/or social security and health insurance contributions,
- › a work permit is probably sought to **ostensibly assign work** to a foreign worker, or the foreign worker will not work in Poland under the conditions specified in the permit.

### New duties of employers

Any entity that assigns work to a foreign worker must:

- › send the contract concluded with the foreign worker to the voivod or starost before assigning work to the worker,
- › inform the foreign worker in writing that he/she has the right to join trade unions,
- › keep a certified translation of the contract concluded with the foreign worker if it is in a language other than Polish.

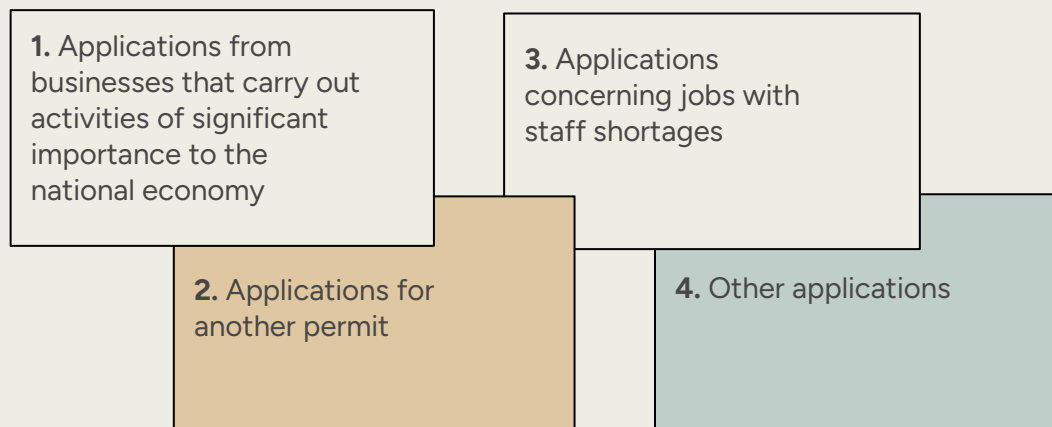
## Digital procedures

Applications for work permits may only be filed **via the portal [praca.gov.pl](https://praca.gov.pl)**. Special help desks for people without Internet access will be set up in government offices.

The portal will also be used to:

- › file a copy of the contract concluded with the foreign worker,
- › submit notifications that the foreign worker failed to start working or stopped working before the date specified in the declaration of assigning work to him/her,
- › file appeals,
- › monitor the status of the procedure,
- › monitor the legality of foreign workers' stay and work.

## Order of examining applications for work permits



## Tougher consequences for assigning work illegally



The amendment extended the powers of the State Labour Inspectorate and the Border Guard, which can hold inspections without prior notice.

Also, the fine for illegally assigning work to a foreign worker has been increased; it may range from PLN 3,000 to PLN 50,000 and be imposed in proportion to the number of foreign workers who have been assigned work illegally.

## Practical problems

When the new legislation entered into force, a number of practical problems caused by the changes were highlighted.

### **Sending a copy of the contract concluded with the foreign worker**

There is no ICT system through which copies of contracts should be sent to a voivod or starost. Hence, it is currently impossible to fulfil one of the key new duties imposed on employers. The Chief Labour Inspector has instructed labour inspectors not to draw consequences until the system is operational.

## Data security

Although documents containing sensitive data are not always required, employers are concerned about data security, especially when they provide the data to foreign workers rather than directly to the authorities. The authorities may obtain the documents themselves, but more often they choose to require a party to the procedure to obtain them. In that case, it is worth ensuring that data are properly secured or supported by an external entity that will assist the foreign worker and ensure that the company's confidential data are not exposed.

## Personnel posting

To obtain a work permit on the grounds of posting an employee, it is necessary to document his/her employment with the posting employer. The definition of the Polish host entity is also problematic, as it excludes the possibility of posting an employee to a sister company. The Ministry of Family, Labour and Social Policy is to take a stance on this matter.

## Key advisers

### Experts from the Labour Law and Social Security Practice

If you have any questions concerning the changes in hiring foreign workers or their potential consequences, or need any assistance, please do not hesitate to contact us.



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