



Global Immigration alert

August 2024

Poland

Increased compliance controls on foreign business visitors and workers

Executive summary

The Polish National Labor Inspectorate (PIP) announced as part of its action plan for 2024 that it will increase the number of immigration compliance controls, as well as controls in connection with the [EU Posted Worker Directive](#), relating to foreign business visitors and workers in Poland.

Background

The PIP was established to combat abuse of workers and respond to cases of illegal activity related to the posting of workers. Among other activities, the PIP conducts inspections of processes related to the delegation of foreign workers to Poland. Employers are generally considered responsible for fulfilling any obligation in relation to such delegations and are subject to controls conducted by the PIP.

Key developments

The announced increase in controls impacts foreign nationals who are currently in Poland on business trips or for work purposes (e.g., assignments). It also applies to those who have left Poland in the two years leading up to the compliance control by the PIP (i.e., the PIP may review documentation regarding foreign business visitors and workers who were previously in the country to identify instances of past non-compliance).

Depending on several factors (e.g., circumstances of the case, degree of fault, attitude of the accused), employers and employees (e.g., board members, HR representatives) may be subject to the following penalties:

- ▶ Fines of up to PLN 30,000 per offense

- ▶ Warnings, reprimands or instructions by the PIP
- ▶ Bans on sponsoring business visitors and foreign workers

Detected instances of non-compliance may also result in reputational damage for sponsoring organizations and individuals (e.g., company personnel, business travelers).

Impact on employers

Employers may assess each case and ensure that they fulfill all applicable immigration, Posted Worker and other requirements when sponsoring the entry of business visitors and foreign workers to ensure compliance and minimize business disruptions.

Key steps

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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