

Global Immigration alert

April 2025

Poland

Poland to introduce new Act on Employment of Foreign Nationals

Executive summary

Poland's new Act on Conditions for Employing Foreign Nationals is expected to take effect on or after 1 May 2025. The Act introduces significant changes for non-EU nationals including digital work permit processes, restrictions on employment visa types and heightened governmental controls.

Key developments

The new Act includes the following changes:

- **Elimination of labor market test:** Employers will no longer need to prove that no Polish citizens are available for the position.
- **Work permit consolidation:** Work permits will be consolidated into three categories: local hire, performance within a management board and intra-corporate transfers.
- **Expanded grounds for work permit refusal:** Additional grounds for mandatory refusal will be introduced to eliminate abuse and circumvention of the law.
- **Restrictions on intra-corporate work permits:** New regulations will be implemented to govern intra-corporate transfers, including requiring a direct shareholding or management link between the home and host entities, as well as the operation of genuine business activities in the home country.
- **Fast-track processing for certain work permit applications:** Priority processing rules will be established for work permit applications submitted by Polish entities that sponsor local hires.
- **Shorter work permit validity period:** Work permits for newly established entities will be valid for up to one year (down from up to three years previously).
- **Complete digitalization of procedures:** All work permit applications will be processed [online](#). This transition aims to reduce administrative burdens and processing times and enable real-time tracking of applications.
- **Stricter compliance checks for employers:** The Border Guard and National Labor Inspectorate will strengthen their inspection protocols by conducting simultaneous, unannounced inspections of company workplaces to ensure compliance with local regulations.
- **Stricter employment contract requirements:** Employers will be required to submit employment contracts signed by foreign nationals to the authorities to ensure transparency and protect employees' rights. Contracts must be in Polish and translated into a language the employee understands. Additionally, employers will be required to retain foreign employees' data for the entire duration of employment and two years after the end of the employment.
- **Free access to the Polish labor market for Polish university graduates:** All graduates from Polish universities will receive unrestricted access to the labor market, regardless of whether they completed full-time or part-time studies. Currently, only full-time graduates have free access to the labor market.
- **Expanded notification requirements:** Companies employing foreign nationals on a temporary residence permit for work (i.e., single permit) will be required to notify the immigration office within 15 working days if a foreign national loses their job. Currently, this requirement applies to employees holding single permits or Blue Cards.
- **Restrictions on work without proper residence title:** Foreign nationals entering Poland on tourist visas, family visit visas, study visas (for purposes other than university studies), temporary protection visas, medical treatment visas, visas



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issued for “other purposes,” or visas issued by another Schengen state, as well as those entering without a visa (unless exceptions apply), will not be eligible to work in Poland, even if they hold a valid work permit. These individuals must obtain a visa specifically for work purposes, in addition to a valid work permit.

- **Restrictions on residence permit applications:** Certain groups of foreign nationals will have limited eligibility to submit residence permit applications. For example, individuals holding student visas will only be allowed to apply based on their studies and will not be allowed to submit applications based on employment.
- **Fast-track visa processing:** Priority processing may be introduced for certain visa applications. This includes applications for foreign nationals employed by entities that conduct business activities of significant importance to the national economy, as well as those working in professions identified as experiencing labor shortages. These changes would be introduced through a separate regulation.
- **Increased penalties for irregularities related to the employment of foreign workers:** Under the new Act, sponsoring companies that engage foreign nationals in unauthorized work may incur fines ranging from PLN 3,000 (or approx. USD 793.50) to PLN 50,000 (or approx. USD 13,225).

Impact on employers

Employers may review and update their internal policies and processes to ensure compliance with the new regulations, avoid penalties 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.

Marek Jarocki

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

Rafal Rogala

Senior Manager - People Advisory Services, Global Immigration
Tel: +48573005829
Email: rafal.rogala@pl.ey.com

Ben Willis

Partner - People Advisory Services, EMEA Immigration Leader
Tel: +44 20 7951 9589
Email: ben.willis@uk.ey.com

Seema Farazi

Partner - People Advisory Services, EMEA Immigration Leader
Tel: +44 20 7951 7122
Email: seema.farazi@uk.ey.com

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