

Global Immigration alert

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Poland

Poland proposes new work permit exemptions and employer compliance measures

Executive summary

Poland has recently proposed comprehensive amendments to its framework governing the employment of foreign nationals. The draft legislation introduces new work permit exemptions for selected nationalities/residents and extensive procedural and compliance obligations for employers.

The proposed amendments aim to increase labor market flexibility, streamline administrative processes and strengthen regulatory oversight.

Background

The proposed amendments follow a review of the Act of 20 March 2025 on the employment of foreign nationals, which identified ambiguities and operational challenges in practice. The reform also reflects Poland's migration policy priorities by facilitating labor market access for nationals/residents of selected highly developed jurisdictions, including Australia, Canada, Israel, Japan, New Zealand, Singapore, South Korea, Taiwan, the United Kingdom and the United States, while enhancing regulatory clarity and enforcement.

Key developments

Key proposed changes include:

- Introduction of a legal basis allowing selected foreign nationals to work in Poland without a work permit, with eligible jurisdictions to be specified in a separate regulation
- Flexible implementation of work permit exemptions determined based on labor market needs and migration policy priorities
- Clarification of key definitions and concepts, including "place of residence" and "entity assigning work" to eliminate inconsistencies in interpretation
- Introduction of stricter procedural requirements, including mandatory payment of application fees, for applications to be processed
- Expansion of grounds for refusing employer-based work permits, including obstruction of administrative

proceedings (e.g., submission of false documents) and failure to pay wages

- Requirement for employers to provide written information on trade union rights to employees within seven days of commencing work
- Establishment of deadlines for submitting copies of employment contracts through an electronic system
- Introduction of minimum and maximum monthly working-hour limits for foreign nationals engaged under civil law contracts
- Clarification of rules governing the continuation of work during permit renewal process
- Introduction of additional sanctions and clarification of existing penalties, including fines calculated per foreign national
- Introduction of a new work permit exemption for non-EU drivers performing short-term international road transport assignments for up to 30 days in a calendar year. This covers temporary cross-border driving activities involving Poland, such as transporting goods or passengers into, out of, or through Poland.

Timelines and transitional rules

At this stage, the publication date has not been announced; however, the draft legislation is expected to be adopted in Q3 2026 and, if enacted, would enter into force 60 days after publication. Administrative proceedings initiated before the effective date will continue under the existing rules. Relevant IT systems are expected to be updated within six months of the Act's entry into force.

Who is affected?

The proposed changes are expected to affect employers engaging foreign nationals in Poland, foreign nationals currently working or seeking to work in Poland, particularly those who may benefit from future exemptions, and foreign service providers and entities that second or assign employees to Poland.

Impact on employers

The proposed changes may simplify the hiring of certain foreign nationals through work permit exemptions, while introducing new compliance obligations, stricter reporting requirements and enhanced enforcement measures. Employers may need to update onboarding, contract management and reporting processes to meet new deadlines and electronic submission requirements, although workforce planning could become more flexible if administrative barriers are reduced for selected nationalities/residents.

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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