

# Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

***Country Fiche – Poland***  
**February 2023**

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# 1.0 Legal and institutional framework

## 1.1 Legal framework

### 1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)<sup>1</sup> and Council Implementing Decision (EU) 2022/382<sup>2</sup>

[Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland](#), in force since 1 September 2003, is the main act transposing the Temporary Protection Directive.

[Act of 12 March 2022 on assistance to Ukrainian Nationals in connection with the armed conflict on the territory of that country](#) (Act on Assistance to Ukrainian Nationals), in force since 12 March 2022, as amended by the [Act of 8 June 2022 amending the Act on Assistance to Ukrainian Nationals and certain other acts](#) and by the [Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts](#) is the main instrument framing the protection granted to certain displaced persons from Ukraine, this is Ukrainian nationals, who have arrived on the territory of Poland directly from the territory of Ukraine in connection with hostilities conducted in the territory of this country, and Ukrainian nationals who have the Pole's Card, who together with their closest family arrived to the territory of Poland, as well as spouses of Ukrainian nationals who have arrived to Poland in connection with hostilities conducted in the territory of this country (Article 1(1) and 1(2)). However, as not all persons displaced from Ukraine are covered by this law, the [Act of 12 December 2013 on foreigners](#), in force since 1 May 2014, is also relevant for the purposes of the implementation of the Council Implementing Decision.

[Regulation from 1 April 2022 on establishing of the Government Plenipotentiary for war refugees from Ukraine](#), in force since 1 April 2022, tasked the Government Plenipotentiary with the coordination between various unspecified branches of the government and civic society.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

In what regards access to employment and the labour market, the following acts are relevant:

- ▶ [Act of 20 April 2004 on the promotion of employment and labour market institutions](#), in force since 1 June 2004;
- ▶ [Act of 6 March 2018 - provisions introducing the Entrepreneurs Act and other acts concerning economic activity](#), in force since 30 April 2018;

<sup>1</sup> Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

<sup>2</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

- ▶ [Act of 6 March 2018 on the rules for the participation of foreign entrepreneurs and other foreign persons in economic transactions on the territory of the Republic of Poland](#), in force since 30 April 2018.

In respect of access to healthcare, the [Act of 27 August 2004 on health care services financed from public resources](#), in force since 1 October 2004, should be mentioned.

In what regards access to education, the [Act of 20 July 2018 on Higher Education and Science](#) (Law on Higher Education and Science), in force since 1 October 2018, with the changes introduced in the [Act from 23 March 2022 amending the Act on assistance to Ukrainian nationals in connection with the armed conflict on the territory of that country and the Law on Higher Education and Science](#), which entered into force on 26 March 2022, establishes the relevant framework.

In respect of social security and social welfare, the following acts are relevant:

- ▶ [Agreement between the Republic of Poland and Ukraine on social security, concluded in Kiev on 18 May 2012](#), in force since 1 January 2014;
- ▶ [Act of 13 October 1998 on social security system](#), in force since 1 January 1999;
- ▶ [Act of 17 December 1998 on old-age and disability pensions from Social Insurance Fund](#), in force since 1 January 1999;
- ▶ [Act of 19 December 2008 on early pensions](#), in force since 1 January 2009;
- ▶ [Act of 30 October 2002 on social insurance against accidents at work and occupational diseases](#), in force since 1 January 2003;
- ▶ [Act of 27 June 2003 on social rent](#), in force since 1 October 2003;
- ▶ [Act of 28 November 2003 on family benefits](#), in force since 1 May 2004;
- ▶ [Act of 11 February 2016 on state assistance in upbringing of the children](#), in force since 1 April 2016;
- ▶ [Act of 12 March 2004 on social assistance](#), in force since 1 May 2004;
- ▶ [Regulation of the Council of Ministers of 15 June 2021 on the detailed conditions for the implementation of the government program "Good Start"](#), in force since 1 July 2021;
- ▶ [Act of 17 November 2021 on family child capital](#), in force since 1 January 2022;
- ▶ [Act of 27 August 1997 on professional and social rehabilitation and employing disabled persons](#), in force since 1 January 1998.

### 1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals ▶ Residing in Ukraine	Yes

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<ul style="list-style-type: none"> <li>▶ displaced from 24 February 2022</li> </ul>	<p>Article 1.1. and Article 2(1) of Act on Assistance to Ukrainian Nationals.</p>
<p>Family members</p> <ul style="list-style-type: none"> <li>▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</li> <li>▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</li> </ul>	<p>Yes</p> <p>The Act on Assistance to Ukrainian Nationals provides a higher level of protection with more rights within the temporary protection regime for Ukrainian nationals and to spouses of Ukrainian nationals who are not Ukrainian nationals and came to Poland as a result of war actions and who are not Polish citizens (Article 1(2)). Spouses of Ukrainian nationals who are not Ukrainian nationals and came to Poland as a result of war actions and who are not Polish citizens are treated in the same way as Ukrainian nationals.</p> <p>Moreover, the Act is applied <i>mutatis mutandis</i> to the "members of the closest family of a Ukrainian national who has a Pole's card" (Article 2(2)). The "Pole's card" is a document confirming that a foreigner belongs to the Polish nation, e.g. on the basis of being a descendant of Poles/member of Polish community living outside of Poland, which facilitates obtaining a national visa, allows for the submittal of an application for granting citizenship or an application for permanent residence permit free of charge, and an easier access to a family relocation visa, allows to resort to the help of Polish embassies in some cases, undertake work and conduct entrepreneurial activity in Poland without the need for a work permit, use free healthcare in Poland in emergencies, benefit from cheaper tickets to rail travel and museums.</p> <p>There's no definition of "members of the closest family" in the Act on Assistance to Ukrainian Nationals. However, it is possible to refer to the definition provided in the Act on Foreigners which defines "members of family" (not of "closest family") as, i.e.: (i) a spouse; (ii) a minor child of a foreigner and person married to a foreigner, such marriage being recognised under the Polish law in force, including an adopted child; (iii) a minor child of a foreigner, including his/her adopted child, if the foreigner exercises actual parental control over the child; and (iv) a minor child of a person referred to in p.1, including his/her adopted child, if they support and exercise actual parental control over the child.</p> <p>All other persons designated in the Council Implementing Decision (EU) 2022/382 of 4 March 2022 are under standard</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	temporary protection under Article 106(1) of the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes  Article 106(1) of the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes  Article 106(1) of the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> <li>▶ stateless persons and</li> <li>▶ nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</li> </ul>	Yes  Temporary protection under the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland can be granted to all foreigners who have fled from their country of origin or from a particular geographical area as a result of invasion, war, ethnic conflict or human rights violations regardless of whether they came spontaneously or as a result of aid provided by Poland or international community (Article 106(1)). The law does not mention the status under which the displaced person was living in the affected area.
Any additional category of beneficiaries (i.e. persons who arrived from Ukraine before 24 February 2022)	Yes  The Act on Assistance to Ukrainian nationals applies also to "members of the closest family of a Ukrainian national who has a Pole's card" (Article 2(2)).  Also, it covers a child of a Ukrainian national born on Polish territory while the mother is under temporary protection (Article 2(2)).

## 1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in Section 2)	Office for Foreigners	<i>Urząd do spraw cudzoziemców</i>	<a href="https://www.gov.pl/web/udsc/urzad-do-spraw-cudzoziemcow">https://www.gov.pl/web/udsc/urzad-do-spraw-cudzoziemcow</a>
	Coordination programme by Chancellery of the Prime Minister #HelpUkraine	<i>#PomagamUkrainie</i>	<a href="https://pomagamukrainie.gov.pl/">https://pomagamukrainie.gov.pl/</a>
Employment rights	Labour Inspectorate	<i>Chief Labour Inspectorate</i>	<a href="https://www.pip.gov.pl/en">https://www.pip.gov.pl/en</a>
Social welfare and social security rights	Office for Foreigners	<i>Urząd do spraw cudzoziemców</i>	<a href="https://www.gov.pl/web/udsc/urzad-do-spraw-cudzoziemcow">https://www.gov.pl/web/udsc/urzad-do-spraw-cudzoziemcow</a>
	Social Security Institution	<i>Zakład Ubezpieczeń Społecznych</i>	<a href="https://lang.zus.pl/en/">https://lang.zus.pl/en/</a>
	National Health Fund	<i>Narodowy Fundusz Zdrowia</i>	<a href="https://www.nfz.gov.pl/dla-pacjenta-z-ukrainy/">https://www.nfz.gov.pl/dla-pacjenta-z-ukrainy/</a>
	Public Employment Services	<i>Publiczne Służby Zatrudnienia</i>	<a href="https://lang-psz.praca.gov.pl/uk/">https://lang-psz.praca.gov.pl/uk/</a>
	Ministry of Education and Science	<i>Ministerstwo Edukacji i Nauki</i>	<a href="https://www.gov.pl/web/edukacja-i-nauka">https://www.gov.pl/web/edukacja-i-nauka</a>

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Regulation from 1 April 2022 on establishing of the Government Plenipotentiary for refugees from Ukraine established a Government Plenipotentiary tasked with coordinating various unspecified branches of the government and civil society at different levels (including self-governments and NGOs). It is unclear how this cooperation works as the Government Plenipotentiary does not publish reports, but communicates its operations on [social media](#).



## 2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection<sup>3</sup> under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Ukrainian nationals, their spouses who are not Ukrainian nationals, and members of the closest family of a Ukrainian national who has a Pole's card are not subject to the provisions of Chapter 3 of Section III of the Act on granting protection to foreigners within the territory of Poland, where the more beneficial provisions of Act on Assistance to a Ukrainian nationals apply. These persons can benefit from: (i) easier access to labour market, including additional support in terms of access to employment (support from voluntary labour corps for persons between age of 15 and 25); (ii) support from centres for social integration; (iii) other rules for establishing temporary guardians for Ukrainian minors; and (iv) additional social benefits. On the basis of Article 2(1) of Act on Assistance to Ukrainian nationals, spouses of a Ukrainian national who has a Pole's card who are not Ukrainian nationals, and members of their closest family, as well as children born to Ukrainian nationals on the territory of Poland while the mother benefits from temporary protection, can legally reside on the territory of Poland during 18 months, from 24 February 2022 onwards. Other beneficiaries of temporary protection (including displaced persons from Ukraine who do not fall under the regime in the Act on Assistance to Ukrainian nationals) are subject to the general temporary protection regime under the provisions of the Act on granting protection to foreigners within the territory of Poland. These persons can work and conduct entrepreneurial activity without having a work permit, as well as benefit from healthcare, accommodation, meal support, and financial support. Temporary protection under the general protection regime under provisions of the Act on granting protection to foreigners within the territory of Poland is granted until the foreigner can return to their previous place of living, but for no longer than a year. If after a year, the foreigner cannot return, in safe and durable conditions, to their original location, the period of temporary protection may be extended twice for 6 months. If the beneficiary of temporary protection cannot return to their country of origin or geographical area from which they came due to their health condition, in particular when it would lead to stopping medical treatment, the Head of the Foreigners' Office can issue a temporary residence permit until the circumstances that prevent the return cease to exist.

The Act on Assistance to Ukrainian nationals applicable to Ukrainian nationals and other categories of persons on Polish territory before 24 February 2022, whose right to stay expired after that date, foresees the following extensions:

- ▶ If visa expired after 24 February 2022, the validity of the visa is extended *ex lege* until 24 August 2023. The visa does not allow to pass Polish border except for Ukrainian nationals who are working in cross-border transportation (Article 42(1)(3)(3a));
- ▶ If the last day of validity of temporary residence expires after 24 February 2022, the validity of this temporary residence is extended until 24 August 2023 (Article 42(5a));
- ▶ If the Ukrainian national was obliged to leave Poland and the period for leaving is due after 24 February 2022, this period is extended *ex lege* until 24 August 2023 (Article 42(6));

<sup>3</sup> 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

- ▶ If the date of voluntary leaving in the decision issued for the Ukrainian nationals obliging them to leave Poland is due after 24 February 2022, this period is extended *ex lege* until 24 August 2023 (Article 42(7)).
- ▶ If a Ukrainian national or other person to whom the Act on Assistance to Ukrainian nationals applies does not meet the criteria for being issued a temporary residence permit under regular provisions, after 24 August 2023 such a person is being issued a one-year temporary residence permit (Article 42a(1)) as amended by the Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Under the Act on Foreigners, beneficiaries of temporary protection cannot apply for temporary residence permits, uniform residence and work permits or EU Blue Card status while they are residing in Poland under the temporary protection status (Article 99, 116 and 131) nor can they apply afterwards since application for such status requires that the applicant is legally residing in Poland, which will not be the case once the temporary protection has expired (Articles 105 and 139(t)).

The Act of 13 January 2023 amending the Act on Assistance to Ukrainian Nationals and certain other acts has removed Article 38, which established an exception to this general rule, providing that Ukrainian nationals and other categories of persons under the temporary protection granted by that Act may request a temporary residence and work permit. Article 42 of the Act from 12 March 2022 on Assistance to Ukrainian Nationals and certain other acts, as amended by the Act of 13 January 2023, provides that Ukrainian nationals or other person to whom the Act on Assistance to Ukrainian nationals applies who reside on the basis of Article 2(1), can apply for the following permits: (i) temporary residence and work permit; (ii) temporary residence permit for highly-qualified worker; (iii) temporary residence permit for the purpose of conducting business activity. The application for temporary residence permit filed under previous Article 38 are left unprocessed, as provided by the Article 25 of the Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts.,

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to temporary residence permit:

The conditions set in the legislation to apply for such a status change while remaining in the country:

The Act of 13 January 2023 amending the Act on Assistance to Ukrainian Nationals and certain other acts has removed Article 38 from the Act from 12 March 2022 on assistance to Ukrainian nationals which established an exception to this general rule, providing that Ukrainian nationals and other categories of persons under the temporary protection granted by that Act may request a temporary residence and work permit. The applications for temporary residence permit filed under previous Article 38 is left unprocessed, as provided by the Article 25 of the Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts.

Article 42 of the Act from 12 March 2022 on assistance to Ukrainian nationals, as amended by the Act of 13 January 2023 provides that Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies, who reside on the basis of Article 2(1), can apply for (i) temporary residence and work permit; (ii) temporary residence permit for highly-qualified worker; or (iii) temporary residence permit for

the purpose of conducting business activity. The permits are issued in a regular procedure as provided by the Act on Foreigners. Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies will be able to apply for these permits from 1 April 2023.

If Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies do not meet the criteria for being issued a residence permits under regular provisions, after 24 August 2023 these persons are issued one-year temporary residence permit (Article 42a(1)) as amended by the Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts).

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

There is no difference. Regular provisions of issuing residence permits apply. However, when the Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies do not meet the criteria to issue temporary residence permit, the temporary residence permit is issued for the period of one year except in the situations where (i) Ukrainian national or other person to whom the Act on Assistance to Ukrainian nationals applies is on a list of foreigners whose residence on the territory of Poland is not desirable; (ii) this is necessary from the point of view of defence or safety of the state, or protection of security and public order.

Any alteration of rights with respect to

residence: No alteration with respect to residence.	employment rights: No	social welfare and social security rights: No
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- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Persons who already benefit from temporary protection in another EU Member State cannot benefit from the status provided by Article 2(1) of the Act on Assistance to Ukrainian Nationals, accordingly to the amended Article 2(3) and Article 11(4), as amended by the Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts.

Also, Article 23 of the Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts provides that persons who have already received the temporary protection on the territory of another EU Member State lose the right to reside in Poland on the basis of Article 2(1).

Under the general framework, foreigners under temporary protection can be transferred to another Member State with their consent (Article 117b of Act on granting protection to foreigners within the territory of the Republic of Poland). A person under temporary protection who leaves the Polish territory loses their visa (Article 117b.4 of Act on granting protection to foreigners within the territory of the Republic of Poland).

In case of Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies, Article 11(2) of the Act on assistance to Ukrainian nationals provides that a Ukrainian national or other person, who leaves Poland for a period of 30 days loses the right to stay in Poland, except if posted (explained in Section 6.0).

### 3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

All persons enjoying temporary protection can undertake work and conduct entrepreneurial activity under the same conditions as Polish nationals (Article 87(6) of the Act of 20 April 2004 on the promotion of employment and labour market institutions and Article 116 of the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland), with standard rules pertaining to equal treatment, non-discrimination, etc., applying (e.g. Article 11 of the Labour Code that prohibits any direct and indirect discrimination in employment, Article 18 of the Labour Code that establishes principle of equal treatment in employment, prohibits discrimination while concluding and terminating employment relationship, and Article 94(2)(b) of the Labour Code that obliges employers to counteract discrimination).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

All persons under temporary protection can undertake work and conduct entrepreneurial activity without a work permit (Article 116 of the Act from 13 June 2003 on granting protection to foreigners within the territory of Poland).

Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies can undertake work and conduct entrepreneurial activity in the same conditions as Polish nationals without additional requirements, after receiving a national identification number (PESEL) (Article 23(1)(2) of the Act from 12 March 2022 on assistance to Ukrainian nationals).

- II. Recognition of qualifications/diplomas

Special rules are provided in the Act from 12 March 2022 on assistance to Ukrainian nationals, applicable to Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies (all references to Act from 12 March 2022 on assistance to Ukrainian nationals):

- ▶ Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies can be hired in public administration without knowledge of Polish language except for certain positions (Article 23(a));
- ▶ Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies who have qualifications to undertake jobs in the mining sector regulated in Ukraine can apply for the recognition of qualifications accordingly to the procedure set in the Act of 22 December 2015 on the recognition of qualifications acquired in the EU Member States (Article 23(b));

- ▶ Academics teachers who are Polish nationals returning from Ukraine or Ukrainian nationals can be hired within academic institutions (universities, research institutes, Polish Academy of Sciences) without normally required job competitions (Article 46-49);
- ▶ Teachers without Polish citizenship and with adequate knowledge of Polish (unspecified but not formalized) can be hired as assistant teachers (Article 57);
- ▶ Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies who have acquired qualifications to work as medical staff (doctors, dentists, nurses, midwives) and who meet standard criteria can be given a right to work in the profession following standard procedure but without the requirement of knowledge of Polish language, necessary tenure, and training in Poland; the right can be granted for 18 months from 24 February 2022 onwards (Article 61-64);
- ▶ Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies who are psychologists certified in Ukraine can provide psychological services for Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies in Poland, including health care services in the area of psychiatric care and addiction treatment psychologists for 18 months from 24 February 2022 onwards (Article 64a); the right is granted *ex lege*, without necessity of any application/decision.

No other special exemptions for persons under temporary protection on the basis of Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland exist.

### III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Beneficiaries of temporary protection may benefit from the general services available to all jobseekers (Article 87(6) of the Act of 20 April 2004 on the promotion of employment and labour market institutions and Article 116 of the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland).

Further to this, for Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies the following also applies:

- ▶ persons above 60/65 years old can benefit from job seeking assistance;
- ▶ there are additional services from voluntary labour corps for persons between age of 15 and 25.

### IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Beneficiaries of temporary protection may benefit from the general educational/training opportunities available to all jobseekers (Article 87(6) of the Act of 20 April 2004 on the promotion of employment and labour market institutions and article 116 of the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland).

Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies can additionally benefit from training conducted by centres for social integration (Article 24a of Act from 12 March 2022 on assistance to Ukrainian nationals). Additional funds for teaching Polish language were

provided by the Act of 8 June 2022 amending the Act on Assistance to Ukrainian Nationals and certain other acts that entered into force on 1 July 2022.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

## 4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

### I. Types of benefits with description and coverage

The Polish social security system includes old-age insurance, disability insurance, sickness insurance, and accident insurance.

On the basis of Act from 12 March 2022 on assistance to Ukrainian nationals, Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies have access to:

- ▶ family benefits (various benefits depending on income) (Article 26);
- ▶ child benefit independent from income (so called “500+” PLN 500 per month per child for parents until the child is 18 years old) (Article 26);
- ▶ benefit “good start” independent from income (one time PLN 300 benefit for parents of a child that starts attending the school) (Article 26);
- ▶ family child capital independent from income (PLN 500 for 24 months or PLN 1000 for 12 months for a child that is 12-months old) (Article 26);
- ▶ co-financing of preschool childcare (Article 26)
- ▶ additional one-time benefit of PLN 300 per person (requires motion to be filed without additional eligibility criteria) (Article 31);
- ▶ free psychological help (Article 32);
- ▶ meals within Fund for European Aid to the Most Deprived (Article 33);
- ▶ support for disabled persons within National Disabled Persons' Rehabilitation Fund on the basis of the decision of the Fund (Article 34);
- ▶ programmes supported by the Solidarity Fund (Article 36);
- ▶ social stipend and student credit if they were studying (Article 41(10));

- ▶ social support while undertaking education (Article 53);
- ▶ additionally, local governments can provide additional housing aid, meals, transportation, access to cleaning supplies (Article 11);
- ▶ full access to healthcare services with the exception of access to health resorts, spa rehabilitation, and provision of health products within the health programmes run by Health Ministry (Article 37). Costs are covered by the Polish state from the part of the budget assigned to the disposal of minister of health and financed directly by the National Health Fund, with rules to be determined.

On the basis of Act from 13 June 2003 on granting protection to foreigners within the territory of Poland, other persons under temporary protection can benefit from:

- ▶ healthcare, accommodation, meal support, and financial support on the basis of the decision by the Head of Foreigners' Office (Article 112);
- ▶ regular financial aid to purchase cleaning supplies or supply of cleaning supplies (Article 112(6));
- ▶ support in learning Polish and purchasing basic materials to learn Polish (Article 112(6));
- ▶ teaching aid for children who learn in schools (Article 112(6));
- ▶ financing of public transportation to heal or vaccinate and in other justified cases (Article 112(6)).

Costs are covered by the Polish state from the part of the budget assigned to the disposal of the Ministry of Interior and financed directly by the Head of Foreigners' Office.

According to the Article 12(17a-17g), as amended by the Act of 13 January 2023 amending Act on Assistance to Ukrainian Nationals and certain other acts, after 120 days of the date of first entry of Ukrainian national or other person to whom the Act on Assistance to Ukrainian nationals applies on Polish territory, such persons must cover (in advance) 50 % of the cost of the aid (housing, accommodation, food, transportation, cleaning supplies, healthcare) but no more than PLN 40 per day. After 180 days this can go up to 75 % costs of the aid but no more than PLN 60 per day. This does not apply to persons with disabilities, women above 60, men above 65, pregnant women and women taking care of a child under 12 months, persons taking care of three or more children, underaged persons, or persons who are in a difficult situation.

## II. Eligibility conditions

The eligibility conditions to access social security benefits are, in principle, the same as in case of Polish nationals.

Participation in social security system is tied to the status and mostly dependent on the type of contract/employment status a person has. The particular status indicates whether contribution is compulsory (C), voluntary (V) or person is not covered at all (N)

Status⇒ Type of insurance↓	Employment contract	Contract for mandate	Contract for a specific task	Entrepreneurial activity	Maternity allowance	Membership in the supervisory board
Old age	C	C	N	C	C	C

Disability	C	C	N	C	C	C
Accident	C	C	N	C	N	N
Sickness	C	V	N	V	N	N

Old-age pension: Same rules as for Polish nationals (reaching retirement age of 60 for women and 65 for men with numerous exceptions for early retirement). On the basis of the Agreement between the Republic of Poland and Ukraine on social security, concluded in Kiev on 18 May 2012, Ukrainian nationals who have a combined seniority at work of 20 (women) or 25 (men) years in both of these countries can receive guaranteed minimum old-age pension in Poland (Ukrainian national must have worked at least a month in Poland to be eligible for a minimum old-age pension).

Benefits for persons with disabilities: Same rules as for Polish nationals – eligibility from the moment of coverage after confirmation of disability.

Benefits for accident at work or occupational disease: Same rules as for Polish nationals – eligibility from the moment of coverage after confirmation of an accident/ occupational disease.

Sickness benefit: Same rules as for Polish nationals – in order to claim sickness benefit, person must pay sickness insurance contributions for at least 30 days (in case of compulsory coverage) or 90 days (in case of voluntary coverage).

Regarding social welfare benefits, the following criteria apply:

*Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies:*

- ▶ eligibility criteria the same as in case of Polish nationals;
- ▶ exceptions: child benefit “500+”, benefit “good start”, family child capital, co-financing of preschool childcare – eligible only if parent lives with a child on the territory of Poland.
- ▶ access to healthcare is provided *ex lege*. Full access is granted after being provided with a national identification number (PESEL).

*Other persons under temporary protection*

- ▶ if income of such persons is above the thresholds from the Act on social benefits, person loses benefits except for accommodation, support in learning Polish and purchasing basic materials to learn Polish, teaching aid for children who learn in schools;
- ▶ access to healthcare, accommodation, meal support, and financial support on the basis of the decision by the Head of Foreigners' Office.

Regarding healthcare, provided for no less than two months but no longer than the period of temporary protection. Healthcare is provided to the extent that "funds are available". Healthcare is not provided if a person is covered as an employee or self-employed (Article 112 of Act from 13 June 2003 on granting protection to foreigners within the territory of Poland) where general rules apply (i.e. person is already covered as employee/self-employed).



- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No exceptions exist.

## 5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The [Public Employment Services run a comprehensive website](#) with information on the labour market, on rights and entitlements, and also job offers (in Polish, English, Ukrainian, Belarussian, Russian). The Public Employment Services also runs a [Green Line](#) to support job-assistance for displaced persons coming from Ukraine (help provided in Polish, English, Ukrainian, Russian).

[Employment Offices at the local level organise](#) Polish language programmes as trainings for unemployed, with the right to receive unemployment benefit.

The [Office for Foreigners provides coordination](#) in terms of free legal aid for displaced persons coming from Ukraine, covering both access to public free legal aid services and free services provided by NGOs/civil society.

The Labour Inspection [provides free legal aid](#) for displaced persons coming from Ukraine in Ukrainian. The Labour Inspection also provides [additional information](#) in Ukrainian regarding their rights and entitlements at work, including Polish-Ukrainian labour contracts, etc.

The website [#PomagamUkrainie](#) coordinates help where private persons & NGOs can organise collections, financial help, help with transportation, accommodation, volunteer for different types of tasks, including translation, while persons seeking help can seek for accommodation, material help, transportation, health services, legal services, job offers, translation, and other forms of help (website in Polish, English, Ukrainian, Russian).

Polish residents who provide help to Ukrainian nationals and other categories of persons to whom the Act on Assistance to Ukrainian nationals applies can benefit from a daily lump-sum to claim some of their costs back (Article 13 of the Act from 12 March 2022 on Assistance to Ukrainian Nationals).

The Ministry of Family and Social Policy established a programme for foreigners [“Together we can do more”](#) with financing for projects improving labour market participation and integration of displaced persons coming from Ukraine.

Other relevant websites providing coordination at the level of employers' organization with regard to job seeking for displaced persons coming from Ukraine : <https://pracodawcyrp.pl/ukraina>; <https://lewiatan.org/przedsiębiorcy-ruszyli-z-pomoca-dla-ukraincow/>; <https://www.pol-ukr.com/en/>

[Another helpful website containing information about changes in the legislation and practical tips is https://www.ukrainianinpoland.pl/ which is a bottom-up initiative.](#)