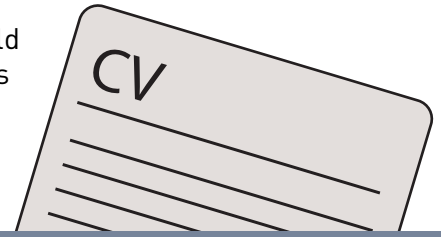


# WORK LEGALLY IN POLAND



## Information for foreigners planning to get employment in Wroclaw agglomeration

If you are a foreigner and you are considering taking up employment, you should become familiar with the basic regulations pertaining to the work of foreigners in the Polish territory. Knowledge of key regulations will allow you to smoothly complete the process of legalization of residence and employment, so you can freely enjoy the pleasures of life and work in Wroclaw.



## FOREIGNER, MEANING ...?

The procedure depends on the country of origin – 3 BASIC GROUPS:



**GROUP 1** - citizens of the EU, Norway, Liechtenstein, Iceland and Switzerland

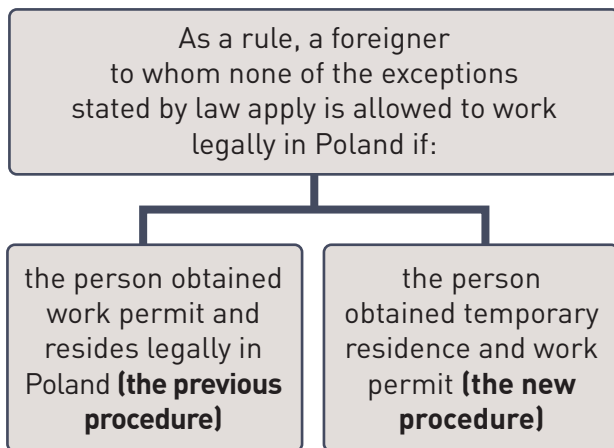


**GROUP 2** - citizens of Russia, Moldova, Georgia, Armenia, Belarus and Ukraine



**GROUP 3** - citizens of third countries, not listed above

### What are the possibilities of legalising the work of a foreigner from the 3rd group in Poland?



According to law, a foreigner is any person who **does not have Polish citizenship**. Please remember that Polish law differentiates between the situation of foreigners, depending on their country of origin. There are basically three groups that differ from one another in terms of rules concerning employment:

### 1 If you belong to the 1<sup>st</sup> group

You can legally work in Poland on the same conditions as the citizens of Poland. But remember, if you plan to stay in Poland for more than 3 months, you are required to register your residence.

### 2 The 2<sup>nd</sup> and 3<sup>rd</sup> group: more requirements

Foreigners classified in groups two and three have many more conditions to meet regarding legalization of their residence and work in Poland. The general rule is that to be able to work in Poland, they need to legalize both their residence and work by obtaining appropriate permits. A certain relaxation in requirements is provided for the citizens of Russia, Moldova, Georgia, Armenia, Belarus and Ukraine. Polish law enables them, under certain conditions, to make use of **the simplified procedure**.

## THE SIMPLIFIED PROCEDURE IN SHORT

The citizens of the countries listed in **the 2<sup>nd</sup> group** can make use of the simplified procedure if:

- ➔ They intend to work in Poland for **a maximum of 6 months in the following 12 months** based on a written contract, and
- ➔ **A statement of the future employer about the intention of entrusting the job to the foreigner** is registered in the regional labour office.

If all the above conditions are met, the foreigner can work in Poland **without the work permit**.

inf.

**Please remember that making use of the simplified procedure does not remove the obligation of registering your residence in Poland!**

# TEMPORARY RESIDENCE AND WORK PERMIT – why the new procedure?

The **temporary residence and work permit** is a relatively new type of permit, introduced in May 2014. It allows a foreigner **to legalize their work and residence in Poland** via a one-step procedure. It is granted when the purpose of the residence of a foreigner in Poland **is to perform work**, and the circumstances which are the basis for applying for this permit justify the foreigner's residence on the Polish territory for a period longer than three months.

**inf.** The application for **issuing a temporary residence and work permit** needs to be submitted **by the foreigner in person**, no later than on the last day of their legal residence on the Polish territory. **Therefore, when submitting their application, a foreigner needs to be in Poland legally.**

Thus, unlike in the previous procedure, **in the new procedure it is you, and not your employer**, who is the applicant. What is also important, this type of permit **is not available for all foreigners intending to work in Poland**. For example, a foreign employee delegated to the territory of Poland to work in the Polish branch of a foreign business still must first obtain a work permit and, on that basis, can then legalize their residence in Poland.

## TEMPORARY RESIDENCE AND WORK PERMIT: THE PROCEDURE







As in the case of **the work permit**, the proceedings for issuing a temporary residence and work permit are carried out by **the Voyvod's Office**.

To obtain a temporary residence and work permit, the foreigner should fill out an application (available on the Voyvod Office website), and submit it to the Voyvod Office, **along with the required documents**.

**Contact details of the Lower Silesia Voyvod Office are available in the box at the bottom of the page.**

### ! What documents should I attach to the application?

The application should include the following attachments:

-  **1** 4 photos
-  **2** a copy of a travel document
-  **3** a stamp duty receipt (PLN 440)
-  **4** information from the Starost about the impossibility to satisfy the employer's staffing needs (usually)
-  **5** documents confirming the fulfillment of the conditions mentioned in the adjacent box 

Remember that including all the required documents is a prerequisite for accepting the application by the Office! If you are not sure what documents to submit - seek advice.

### Contact details of the Lower Silesia Voyvod Office:

Dolnośląski Urząd Wojewódzki - Wydział Spraw Obywatelskich i Cudzoziemców  
pl. Powstańców Warszawy 1, 50-951 Wrocław

 +48 71 340 67 02  [www.duw.pl/pl/obsługa-klienta/cudzoziemcy](http://www.duw.pl/pl/obsługa-klienta/cudzoziemcy)

### The previous procedure: what is it all about?

The previous procedure envisages, first and foremost, obtaining a **work permit**, and then, on this basis, **legalizing residence in Poland**, for example, by obtaining a visa with permission to work.

Thus, these are **two-step** proceedings which first require the action of an employer who intends to employ a foreigner in Poland. **It is the employer who submits an application for a work permit at the Voyvod's Office, and it is he who is the applicant in the proceedings!**


**inf.** More information about the previous procedure can be found in a brochure for employers!

**★ In general, before the Voyvod (Voyvod's Office) issues a temporary residence and work permit, they will check if the following conditions have been met:**

- ▶ You have medical insurance or a confirmation of medical cost coverage in Poland;
- ▶ You have a source of stable and regular income;
- ▶ You have a place of residence in Poland;
- ▶ Your employer has no opportunity to satisfy their staffing needs on the local labour market (a special procedure carried out by the Starost is used to prove that fact);
- ▶ Your intended remuneration will not be lower than that of the employees performing similar work within the same working hours.

**AR** Wrocław Agglomeration  
**AW** Development Agency

This brochure was prepared by Wiewiorski Law Firm that specializes in providing services for foreign businesses and foreigners, especially regarding legalization of work and stay in Poland.

 **Contact:**  
Kancelaria Prawna Wiewiórski  
ul. Joachima Lelewela 8  
53-505 Wrocław  
[kancelaria@wiewiorski.pl](mailto:kancelaria@wiewiorski.pl)

 +48 71 77 63 630

 [www.wiewiorski.pl](http://www.wiewiorski.pl)

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