SITUATION OF UKRAINIAN CITIZENS IN THE POLISH LABOR MARKET – CHALLENGES AND OPPORTUNITIES

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ABSTRACT

This article investigates the employment of Ukrainian citizens in Poland in the light of recent influx caused by the Russian aggression against Ukraine. The article introduces the historical labor migrations of Ukrainians to Poland and focuses on the increase in migration following the outbreak of war. The purpose of this study is to analyze legal frameworks, especially the special act designed to facilitate the employment of Ukrainians and underscores the significance of these measures for both the polish economy and administrative efficiency. The article aims to contextualize the challenges and opportunities presented by the integration of Ukrainian workers into the Polish labor market amidst a humanitarian crisis

Key words: Ukrainian migration, Polish labor market, temporary protection, employment facilitation.

1. Introduction

The outbreak of war in Ukraine was of geopolitical significance and triggered a massive influx of displaced persons that has not been observed in Poland in the past decades. While a stream of migration from Ukraine existed in past years, the war reshaped its dynamics in unprecedented ways. The main purpose of this article is to analyze the situation of Ukrainian citizens who came to Poland due to the ongoing armed conflict on the territory of this country, on the Polish labor market. Using data from official sources and registries, the study explores how the conflict has reshaped employment dynamics, highlighting the effects of this unprecedented migration on the Polish labor market. It is argued that while the

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war-induced influx has provided Poland with a larger labor force, it has also introduced complexities regarding their legal status, access to employment, and the introduction of adequate administrative proceedings. This paper contributes to understanding these evolving employment patterns and their broader implications for how Poland may address future migration crises, highlighting opportunities for administrative adaptation and potential legislative reforms.

2. Pre-war Background

Before the outbreak of war on 24 February 2022, Poland was a popular destination for many migrating Ukrainians. A notable event that fuelled a visible wave of migration was the year 2014. The first reason behind this was establishing the European Union – Ukraine Association Agreement that resulted in visa-free movement between Member States of the European Union and Ukraine. The provision came into power on 11 June 2017 and allowed traveling without a visa in all Schengen member countries. Poland, as a neighboring country, was a very popular choice – either as a transit as a destination country (E. Łaźniewska, D. Trojczak, K. Prytula, 2023).

On the other hand, after Poland accession to the EU, many Poles left their homeland to perform work in other countries, mainly due to higher salaries. In the following years, a phenomenon of substitution could be observed, where migration politics focused on attracting foreigners to supplement domestic labor resources. Most branches that needed employees were the ones with no specific qualifications needed like infrastructure, hospitality, and recreation. However, vacancies were also available in other branches, for qualified workers, such as IT, administration or finance, and insurance (A. Gorny *et al.*, 2018, p. 18). This shift in migration patterns emphasizes the role of labor migration as a key component in balancing workforce supply and demand in Poland, where foreign workers have increasingly filled gaps across various sectors, both low-skilled and highly specialized, contributing significantly to the country's economic development.

Another factor contributing to higher numbers of migrating people was the military conflict in the eastern part of Ukraine which included annexation of Crimea by the Russian forces. Considering the economic and political situation, many Ukrainians decided to leave the country. In the years 2014–2021, a trend of increasing immigration from Ukraine was observed. For many Ukrainians, the main purpose of arriving was employment. This phenomenon is well reflected in the number of issued work permits for citizens of Ukraine. For seven years before outbreak of the war, they have remained most common work permit holders. Also, the number of issued work permits has grown significantly during the years. Considering just the number of issued work permits for Ukrainians, there was a 1236% increase from 2014 to 2021.

Specification	2014	2015	2016	2017	2018	2019	2020	2021
Number of issued work permits for Ukrainian citizens	26 315	50 465	106 223	192 547	238 334	330 495	295 272	325 213
Percent of general number of work permits issued	60%	77%	83%	82%	73%	74%	73%	65%

Table 1. Number of Polish work permits issued for Ukrainians in the years 2014-2021

Source: Developed by the Authors based on data accessed on: Zezwolenia na pracę cudzoziemca wydane w latach 2015–2021.

In a study "The population of foreigners in Poland during COVID-19", conducted by Statistics Poland in 2020, Ukrainians were the biggest migrant in Poland, consisting of 1 351 418 people living there as of 31 of December 2019. This number was estimated by analyzing various registries existing in Poland and not considering whether they held residence documents or not. (Główny Urząd Statystyczny, Populacja cudzoziemców w Polsce w czasie COVID-19, 2020).

3. Impact of the 2022 War

The outbreak of Russo-Ukrainian war on 24 February 2022 created an unprecedented massive influx of people fleeing Ukraine. According to the data published by Polish Border Guards (Komenda Główna Straży Granicznej, 2022), just in the first quarter of 2022, around 3 million Ukrainians arrived in Poland, mainly by land border. To provide context, in the same quarter of 2021, less than a million Ukrainian people crossed the border during that time. Overall, during 2022, 9,5 million citizens of Ukraine had at some point arrived in Poland. In 2023, numbers were very similar and oscillated around 9,5 million people again (Komenda Główna Straży Granicznej, 2023). It is worth mentioning that according to Border Guards, this is not the number of individuals who crossed the border, but individuals who arrived. This is not necessarily reflected in the later collected data of people enrolled to the National Security System or other registries, as for many the situation in Ukraine was very uncertain and temporary enough to travel back and not necessarily have the need to settle down in Poland.

Ukrainian citizens arriving in Poland due to the Russian military invasion of Ukraine represent the first such large group migrating to the Republic of Poland in search of refuge due to escalating armed conflict. The sudden influx of such a

large population into Polish territory has highlighted the main shortcomings of the country's existing migration policy. The reception of several million Ukrainian citizens, along with the support they received from the Polish population, has led to the spontaneous, not observed before, integration policy. Therefore, it is crucial to analyze the factors influencing both social behaviors and political decisions, as these play a significant role in shaping the country's evolving migration policy.

Despite initial shock and rapid situation development, many Ukrainians ended their migration route in Poland and decided to stay there. This may occur for various reasons: geographical closeness, similar culture, or already well-established Ukrainian society due to large subpopulation of Ukrainian citizens. With a high number of people arriving for several consecutive months, this created a challenge never seen before in Polish policymaking – accommodating and integrating into Polish life, especially the labor market, massive influx of foreigners fleeing a country at war. As expected in such critical situations, many administrative procedures known before fail and prove to be ineffective with high volumes, thus blocking necessary processes of – in this case – fast introduction and integration of masses of displaced persons into daily life aspects, and most importantly, labor market, which allows for economic personal freedom.

4. Government Reaction

Massive migration since 24 February 2022 proved to be challenging not only at the operational but also at the administrative level. The first systemic reaction came from the Council of the European Union, which adopted the Implementing Decision of the Council of the European Union UE 2022/382. This was the first time when the mechanism of temporary protection was implemented since adopting the Council Directive 2001/55/EC. The document covered mechanisms of proceeding with a massive influx of displaced persons and minimum standards of temporary protection. Parallelly, to ensure fast resolution of most pressing issues such as the legality of stay, work, and social allowance, Polish legislative bodies adopted a special act on 12 of March 2022 (Ustawa z dnia 12 marca 2022 r. o pomocy obywatelom Ukrainy w związku z konfliktem zbrojnym na terytorium tego państwa. Dz.U. 2022, No. 583.) that covered all those issues for those who arrived and stayed in Poland fleeing Ukraine. As a country, most affected and hosting the majority of displaced Ukrainians, the act was considered important and praised by the President of Ukraine, Volodymyr Zelenskyy (V. Diachenko, 2024).

The Act on Assistance for Ukrainian Citizens due to Armed Conflict in Ukraine (also known as a special act – *specustawa*) has high importance not only due to the rapid processing time but most importantly the complexity and coverage of all most important issues that allow quick reception of masses of displaced people. First thing ensured was legal stay. Equally important was also

the need to create a system that would swiftly legalize employment and ensure that such a large social group arriving in Poland could become professionally active as soon as possible. By facilitating rapid access to the labor market, the act aimed to prevent administrative bottlenecks and promote economic integration, may enable Ukrainian refugees in contribution to the Polish economy immediately after their arrival.

4.1. Legalization of Stay

The Act on Assistance for Ukrainian Citizens due to Armed Conflict in Ukraine grants UKR status which is equivalent to temporary protection status. The procedure is designed for citizens of Ukraine and members of their families who meet all the conditions, such as arriving to Poland after February 24, 2022, in connection with the ongoing armed conflict in the territory of Ukraine and declaring their intention to stay in Poland. The initial period of legal stay on the territory of Poland provided for Ukrainian citizens was planned for 18 months (Ustawa z dnia 12 marca 2022 r. o pomocy obywatelom Ukrainy w związku z konfliktem zbrojnym na terytorium tego państwa. Dz.U. 2022, No. 583). This was designed for persons who arrived on 24 February 2022 or later. Holders of regular residence permits issued before that date were not meant to be the recipients of support covered by this statute. However, if their residence permit validity expired during these 18 months, they could still remain legally even if they did not submit a renewal application on time.

The procedure of registering the people was handled in a very effective manner – the fact of entry was registered by the Security Guards, but the fact of registering for stay and applying for PESEL with the annotation "UKR" was delegated to municipal offices. As Poland has almost 2500 municipal offices, this allowed for less pressure on already overburdened voivodship offices. The fast and time-effective procedure of assigning a PESEL UKR number allowed us, firstly, to have the information and statistics of Ukrainians arriving after 24 February, and secondly, was designed to give them access to necessary systemic solutions of aid.

Based on the data presented above, it can be observed that since the beginning of the war, approximately 50% of individuals applying for temporary protection status have been women aged 18 to 66. On the other hand, due to the mobilization of Ukrainian forces and the restricted ability of men of conscription age to leave the country, applications for temporary protection submitted by men aged 18 to 66 constituted only 5.2% of all applications in the first month of the armed conflict in Ukraine. As of September 9, 2024, the number of applications submitted by this demographic has more than doubled, currently accounting for 14.1% of all applications. The remaining applications are submitted on behalf of minors and individuals over the age of 66.

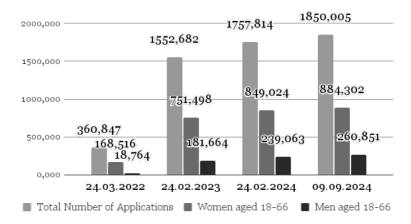


Figure 1. Registered Applications for Temporary Protection (UKR Status) in Poland Source: Ministry of Digital Affairs, Statistical data on applications for UKR foreigner status in connection with the conflict in Ukraine.

Considering that the responsibility for ensuring the safety of migrating children and the elderly has largely fallen on Ukrainian women, any analysis of employment-related issues concerning Ukrainian citizens in Poland must take into account the burden of unpaid caregiving work, which is primarily borne by the largest group seeking refuge in Poland. The situation of Ukrainian migrant women simultaneously assumes sole responsibility for caring for children and the elderly and presents challenges for both employers and the national government. A key priority in employment activation policies for social groups particularly burdened by unpaid caregiving work should be increasing access to childcare facilities, such as nurseries and preschools, as well as enhancing the flexibility of working hours.

Given this, it was also crucial to ensure access to social benefits that would support these incoming groups, particularly children who are unable to earn a livelihood independently. Providing such support, including family benefits and social assistance programs, was a key part of the act to secure the well-being of vulnerable groups, ensuring that they had the necessary resources for a stable and safe life in Poland.

In this vein, PESEL UKR gave access to family benefits such as the 800+ program providing monthly funds for every child in the family, access to public healthcare, partial financing for nursery costs, and benefits from social assistance, or exemption from tuition fees for university students. Beside fast proceeding,

the act covered the most important issues and gave the displaced Ukrainians a sense of safety and stability after fleeing their homeland. This wide variety of solutions allowed many to quickly start living independently. Legal employment and protection of stay helped to avoid a situation with masses of displaced people forced to stay in temporary reception camps with less prospects for integrating with the society and remaining in both factual and legal situations.

With the passing of time and the need to address different situations, legal acts also were amended to match the current reality. Firstly, the Council of the European Union prolonged the temporary protection for Ukrainians all around Europe till 4 March 2026 in an Implementing Decision 2024/1836 from 25 June 2024 (Official Journal of the European Union, L 167, 26.06.2024). It is estimated that 4.19 million displaced persons from Ukraine are benefitting from the protection given by the EU. The Council also reported that despite numbers staying on a stable level, a further upward trend cannot be excluded as the situation in Ukraine remains unstable, including repetitive air attacks by the Russians targeted at civilians in the whole country.

The Polish Act on Assistance for Ukrainian Citizens due to Armed Conflict in Ukraine had also undergone a few amendments with time. The most recent came into power on 1 July 2024 (Ustawa z dnia 12 marca 2022 r. o pomocy obywatelom Ukrainy w związku z konfliktem zbrojnym na terytorium tego państwa. Dz.U. 2022, No. 583, as amended by Dz.U. 2024, No.167). The most important change is the possibility to convert the temporary protection into temporary residence, which was previously known from the Act on Foreigners. Application for temporary residence permit for Ukrainians with temporary protection status is more simplified comparing to standard procedure for third country citizens. PESEL UKR holders have an open way to apply for temporary residence permit in a new manner of application which is supposed to be processed fully online. Bearing in mind the duration of war in Ukraine and the uncertainty of the future, providing ability to apply for residence permit is another step in establishing administrative solutions that can help those who plan to stay for a longer time and settle down in Poland. The possibility of applications also covers children. Although the procedure has yet not been introduced in practice by the authorities reviewing and issuing the residence documents, it has been a solution awaited by many refugees. The massive influx of people arriving to Poland and later on, staying there, proved that the administration needs digitalization as a necessary tool to avoid overburdened administration and lengthy processes, which are also costly and simply inefficient in uncertain times.

Due to the lowering trend in influx of people arriving to Poland every day, like it was in February 2022, the focus has been shifted from reception of Ukrainians to daily life regulations like legalizing whole families stays or schooling of children. The special law was amended in terms of the statute and changed some of the provisions such as access to 800+ program. As of 1 September 2024, every parent who wishes to receive benefits for their children, must ensure that the child is enrolled in a Polish educational entity. In reference to employment, access to the labor market remained unchanged with some minor amendments regarding the content of notification of employment such as minimum monthly or hourly wage. The purpose of the amendment of the act was

to identify and erase potential loopholes as well as provide solutions for displaced persons but now require procedures allowing them to build a stable legal situation in Poland, while their country is still at war (Ustawa z dnia 12 marca 2022 r. o pomocy obywatelom Ukrainy w związku z konfliktem zbrojnym na terytorium tego państwa. Dz.U. 2022, No. 583, as amended by Dz.U. 2024, No. 167).

While we are still observing how the procedures are working and some more time is required to assess whether they proved effective because the act remains

a very complex tool in managing the massive influx of displaced persons. Multiple amendments may provide an impression that the act has many faults and loopholes, at the same time, bearing in mind the speed of processing and dynamic situation, yet on the other hand, stays up to date with the current need to provide protection and introduction of systemic solutions allowing handling such influx.

4.2. Legalization of Work

Before the war, as the numbers of Ukrainians coming to Poland started to grow systematically, the government noticed the need to create procedures allowing smooth legalization of employment. One of procedures was introduced in the 2018 Declaration of entrusting work to a foreigner in polish called *Oświadczenie o powierzeniu wykonywania pracy cudzoziemcowi* (Ustawa o promocji zatrudnienia i instytucjach rynku pracy, Dz.U. 2004 No. 99, item 1001). This procedure was designed to ease the pressure on Provincial Offices and allow District Labor Offices (*Powiatowe Urzędy Pracy, PUP*) to issue documents legalizing work for citizens of particular countries, which generated the majority of work permit applications. The procedure was designed to be less time-consuming and require less documentation. The Ministry of Labor is in power to assign citizens from particular countries that are permitted to use this track of work legalization. Ukraine has remained on the list of benefitting countries since the beginning.

After the outbreak of war in 2022, due the influx of people that appears on the Polish labor market at the same time, the need for even more efficient solutions to legalize employment and integrate the rapidly growing population of Ukrainian refugees into the labor market became critical. The special act from 2022 simplified the process even further, ensuring that displaced Ukrainians could enter the labor market rapidly and address the pressing economic challenges. This act allowed Ukrainian citizens fleeing the war to start working without needing a work permit, provided their employer notified the relevant District Labor Office (Ustawa z dnia 12 marca 2022 r. o pomocy obywatelom Ukrainy w związku z konfliktem zbrojnym na terytorium tego państwa. Dz.U. 2022, No. 583). This immediate access to the labor market ensured that displaced Ukrainians could become economically active as soon as possible, addressing both humanitarian and economic needs.

Following this, the labor market was fully opened without restrictions for all Ukrainian citizens who have a legal stay in Poland. The process required employers to notify the relevant labor office via the praca.gov.pl system, allowing the foreign national to be employed for up to 24 months. With an amendment to the Law on Assistance to Citizens of Ukraine, the notification deadline was shortened from 14 to 7 days, further speeding up the integration of displaced Ukrainians into the Polish workforce (Ustawa z dnia 12 marca 2022 r. o pomocy obywatelom Ukrainy w związku z konfliktem zbrojnym na terytorium tego państwa. Dz.U. 2022, No. 583, as amended by Dz.U. 2024, No.167). There is no option in the online form to select a retroactive date beyond the time allowed by the legislature to make the notification which imposes fast action on the employer to legalize the work of a foreigner and reduces the possibility of illegal employment.

In the case of failure to fulfill the obligation to submit a notification of the employment of a foreign citizen within the statutory deadline, the foreigner is considered to be employed illegally. Typically, in cases of illegal employment, both the employer and the employee are subject to a fine. However, the legislator, in order to provide additional protection to Ukrainian citizens who arrived in Poland due to the armed conflict, excludes criminal liability for illegal employment in relation to employees. Nevertheless, employers who fail to meet the obligation to notify the district labor office remain subject to a fine ranging from 1,000 to 30,000 PLN.

The described procedure is fast, intuitive, and conducted fully online. By following this procedure, there is no need to go through the lengthy procedure of obtaining a work permit. The notification process for employing a Ukrainian citizen requires detailed information about both the employer and the employee. Notification is available only in the Polish language version which may be a difficulty and barrier for non-Polish speakers. Employers, referred to as the entities entrusting work, must provide specific details that allow for their identification, including the entity's full name, address, contact details, tax identification number (NIP), number from the National Official Business Register (REGON) or PESEL number, and the classification of the activity conducted by the entity (PKD). In addition, personal data of the Ukrainian citizen to whom the work is being entrusted must be provided. Crucially, the notification must include comprehensive details regarding the terms of employment. This involves specifying the type of contract between the employer and the Ukrainian worker (e.g. employment contract or civil law contract), the working hours, the job position or type of work being assigned, the monthly or hourly remuneration, and the designated place of work. Moreover, the employer is required to disclose the number of individuals employed under both employment contracts and civil law

contracts as of February 23, 2022, and the number of such employees at the time the notification is submitted. This information is crucial for maintaining transparency and ensuring accurate tracking of the workforce, especially in relation to the employment of foreign workers.

The collected data is shared with several institutions as necessary for the execution of their statutory duties, including the Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego), the National Labor Inspectorate (Państwowa Inspekcja Pracy), the Head of the National Revenue Administration (Szef Krajowej Administracji Skarbowej), the Border Guard (Straż Graniczna), the Social Insurance Institution (Zakład Ubezpieczeń Społecznych), and the Central Statistical Office (Główny Urząd Statystyczny). This exchange of information ensures that the government can effectively fulfill responsibilities related to labor regulations, tax administration, social security, and statistical reporting.

From the enactment of the Act of 12 March 2022 on Assistance to Citizens of Ukraine in Connection with the Armed Conflict on the Territory of that State (Journal of Laws 2022, item 583) until the end of 2022, 784,545 notifications of employment offer to Ukrainian citizens were recorded. Of these, 521,789 notifications concerned jobs offered to Ukrainian women, and 262,756 to Ukrainian men. This dramatic increase is likely due to the mass migration of Ukrainian citizens following the Russian aggression and the introduction of the special act, which facilitated the rapid employment of Ukrainians in Poland.

The first half of 2023 saw a lower increase with 542,210 notifications, but the total reached 1,078,041 by the end of 2023 of which 641,989 concerned women starting work and 436,052 concerned men, showing continuous integration of Ukrainians into the Polish labor market.

Women consistently outnumbered men in the employment notifications across all periods. This can be linked to the fact that a significant number of men stayed in Ukraine due to conscription rules and a willingness to defend the country, leaving women as the primary group migrating for work. Men's employment notifications showed an increase as well but at a slower pace compared to women. By the end of 2023, men represented 40.5% of employment notifications, showing a growing participation in the labor market as the situation evolved.

In the first half of 2024, the total dropped to 505,876 notifications, which is a decrease of 7% compared to the previous year, indicating a potential stabilization or decline in new employment registrations, which could suggest that a large portion of the workforce has already been absorbed into the market or that fewer people are choosing Poland as a country of refuge during this period.

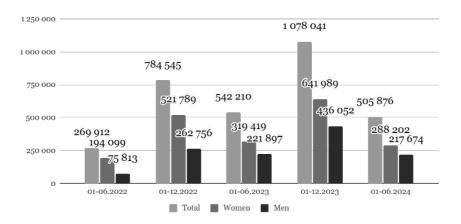


Figure 2. Number of Notifications on the Employment of Ukrainian Citizens in Poland Source: Department of Labor Market, Notification on the Entrustment of Work to a Ukrainian Citizen.

However, it is important to note that the number of notifications submitted does not fully reflect the number of Ukrainian citizens entering employment. Due to the inability to edit or correct a submitted notification, in the event of an error, the correction can only be made by resubmitting the notification to the office. There is also no mechanism to report the termination of employment. In cases of promotion or change in position, employers are required to submit a new notification. Similarly, when a foreign worker changes employers, the new employer is obliged to notify the authorities about the employment of the Ukrainian citizen. Given the limitations of the system, there may be a discrepancy between the number of employment notifications submitted and the actual number of Ukrainian citizens in the Polish labor market.

However, it is worth to mention that even with simplified procedures for the Ukrainians to participate in a Polish labor market, significant amount of refugees is struggling with finding employment. Report of the Questionnaire Survey conducted by the National Bank of Poland shows that the position of Ukrainian refugees in the labor market in Poland is much more complicated than of Ukrainian people who arrived in Poland before the outbreak of the war in 2022 (Narodowy Bank Polski, 2024). In May 2022, a significant portion of Ukrainians who arrived to Poland after the war (30%) were unemployed – looking for full-time job. Another 20% were unemployed – looking for part-time work and 22% remained inactive on the labor market (mostly due to the caring duties performed for family members). In July 2023 percentage of unemployed refugees from Ukraine in Poland dropped to 11% of people looking for a full-time job and 13% of those looking for part time job. At the same time number of refugees inactive on the labor market dropped to 12%. This number remained the same next year,

in July 2024, however the number of unemployed refugees dropped to 9% of those looking for full time job and 10% that was looking for part time employment (Narodowy Bank Polski, 2024).

Through the time, refugees who came to Poland after outbreak of the war in 2022 became more integrated into the labor market. However, still percentage of people looking actively for job is a much higher than the average unemployment rate in Poland. At the same time, Ukrainians who already had work experience in Poland from before February 2022, are more likely to be employed in full-time jobs and receive better, stable offers. According to the Report of the Questionnaire Survey conducted by the National Bank of Poland employment rate among the immigrants who came to Poland before the outbreak of the war was 93% whereas the refugee's employment was 68% (Narodowy Bank Polski, 2024).

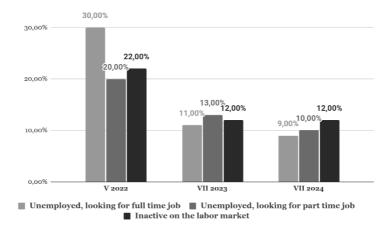


Figure 3. Labor activity of war refugees from Ukraine in Poland

Source: Narodowy Bank Polski, Sytuacja życiowa i ekonomiczna migrantów z Ukrainy w Polsce w 2024 r.: Raport z badania ankietowego.

5. Conclusion - Challenges and Opportunities

Although Ukrainian citizens already formed a significant group migrating to Poland before the war, the shift in the nature of migration – from voluntary, mostly for economic reasons, to forced migration due to the ongoing conflict, and the scale of people who began arriving en masse presented a major challenge for the Polish government.

It might seem that the administrative mechanisms we described above, such as legalizing the stay of Ukrainian citizens through the granting of temporary protection and introducing an easy procedure for notifying district labor offices about the employment of a Ukrainian citizen, would ensure an efficient system

facilitating participation in social life in Poland. However, the complexity of the issue is much greater and requires in-depth legislative intervention. For this reason, the Act on Assistance for Ukrainian Citizens due to Armed Conflict in Ukraine attempts to cover topics related to integrity, education, social, and welfare policies while also focusing on creating opportunities to use the skills and work experience of refugees or providing them with tools for professional retraining.

After more than two and a half years after the outbreak of the war, it is time for the Polish government to restructure their migration policy. Facing the consequences of the Russian invasion of Ukraine providing temporary protection and ad hoc solutions might not be enough for the new reality with which we have come to face. As the Russian occupation continues, uncertainty is growing among groups of people who have left the country in connection with it. It is crucial to focus more on long-term solutions that would allow refugees to rebuild their stability in host countries. Focus on integration of arriving individuals who plan long-time stay at the territory of Poland combined with making residence legalization procedures more effective and transparent might be crucial. Switching from temporary to long-term solutions might be crucial to create opportunities for Ukrainians to have a meaningful impact on the economy and labor market.

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