



Guidance for European Companies on Hiring Refugees From Ukraine

November 2022



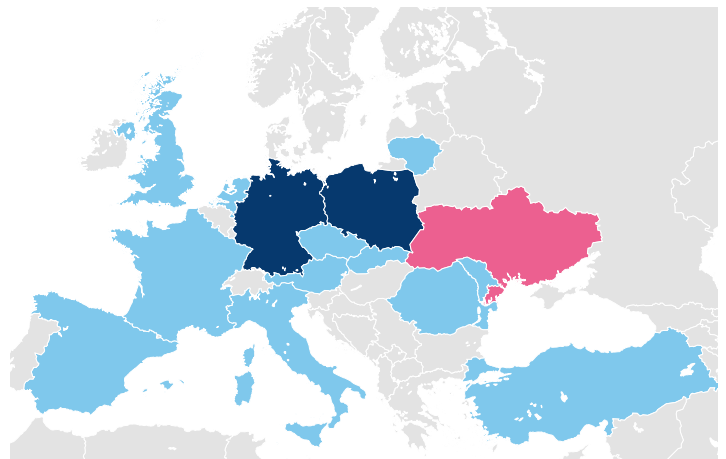
Nine months after Russia's invasion of Ukraine on 24 February 2022, more than 7.8 million refugees from Ukraine have been recorded across Europe.¹ This mass exodus of people is one of the fastest forced displacement crises in history and the largest since the Second World War.²

As of 8 November 2022, millions of refugees from Ukraine have crossed borders into neighbouring countries, with Poland hosting the most people (1.5 million).³

Many other refugees have moved on to western and southern European countries, including Germany, Spain, the UK, France, Austria, and the Netherlands.⁴ Recorded refugee numbers ebb and flow as people return to Ukraine either permanently or temporarily to reunite with family, pick up supplies, or because they perceive their home to be safe.

The table below shows the top 15 locations in Europe where refugees from Ukraine have been recorded:⁵

Country	Data date	Refugees from Ukraine recorded in country
Poland	8/11/2022	1,489,155
Germany	8/11/2022	1,019,789
Czech Republic	8/11/2022	458,679
Italy	31/10/2022	171,456
Spain	7/11/2022	151,786
Turkey	19/5/2022	145,000
UK	8/11/2022	143,100
France	31/10/2022	118,195
Slovakia	8/11/2022	100,041
Moldova	8/11/2022	95,928
Romania	06/11/2022	88,861
Austria	08/11/2022	85,868
Netherlands	30/09/2022	79,250
Lithuania	8/11/2022	69,522



About the EU's Temporary Protection Directive

To help countries deal with such high numbers of displaced people arriving at their borders, the European Union (EU) activated the Temporary Protection Directive (TPD) on 4 March 2022 to enable EU Member States to move rapidly to offer protection and rights to people fleeing Ukraine. It grants individuals immediate protection, as well as access to housing, employment, medical care, education, and more for up to three years. According to the UN's Refugee Agency (UNHCR), there are currently 4.7 million refugees from Ukraine registered for temporary protection across Europe.⁶ The UK, which is no longer an EU Member State, has not adopted the directive, instead implementing alternative national protection schemes.

1 <https://data.unhcr.org/en/situations/ukraine>

2 <https://reporting.unhcr.org/ukraine-situation>

3 <https://data.unhcr.org/en/situations/ukraine>

4 <https://data.unhcr.org/en/situations/ukraine>

5 <https://data.unhcr.org/en/situations/ukraine>

6 <https://data.unhcr.org/en/situations/ukraine>



What educational and professional backgrounds do refugees from Ukraine have?

With Ukraine's general mobilisation order requiring men aged 18 to 60 to stay within the country, 87% of refugees from Ukraine are estimated to be women and children, according to a UNHCR survey that analysed the intentions and perspectives of refugees from Ukraine between August and September 2022.⁷

7 in 10 survey respondents have "completed higher levels of education" (i.e., have a bachelor's degree or higher)

63% were employed or self-employed before leaving Ukraine, with "diverse professional and occupational backgrounds"

The table below shows the top 10 skills backgrounds of refugees from Ukraine:⁸

Skills background*	%
Education	16
Trading	12
Professional services	10
Health and social services	7
Other services	6
Accommodation and food	5
Financial services	5
Personal services	5
Construction	3
Agriculture	3

* Multiple responses were possible



Have refugees from Ukraine successfully integrated into host countries' labour markets?

While the vast majority (81%) of this disproportionately female group plans to return to Ukraine at some point in the future, most intend to stay in their host country for now.⁹ However, only 28% of refugees from Ukraine are currently employed or self-employed, with 4% undertaking professional training, or doing apprenticeships or volunteer work. Sixty-eight percent are not economically active, including 36% who are unemployed, 17% who are engaged in family responsibilities, 6% who are retired, and 2% who are students.¹⁰

According to the UNHCR report, refugees from Ukraine not currently working cited a "lack of knowledge of the local language" as the most frequent barrier to employment (65%). Respondents also highlighted "limited access to language courses", "absence of recognition of work skills", and "limited access to childcare" as common challenges.¹¹



7 <https://reporting.unhcr.org/document/3268>

8 <https://reporting.unhcr.org/document/3268>

9 <https://reporting.unhcr.org/document/3268>

10 <https://reporting.unhcr.org/document/3268>

11 <https://reporting.unhcr.org/document/3268>



What role can business play?

Refugees from Ukraine need support to be included into host countries' labour markets. Employment opportunities are key to helping refugees to build lives of dignity, become self-sufficient contributors to the economy and society, and to reduce the risk of them becoming exploited or abused.

Companies can help by hiring refugees from Ukraine, and offering them training and mentorship. More than simply a moral imperative, the business case for doing so is clear and growing:

- Refugees are highly resilient and motivated employees
- Refugee employees are known for lower turnover¹²
- Hiring refugees has been found to strengthen the employer's brand¹³
- Companies with diverse workforces out-innovate and out-perform others¹⁴

What's next for the Ukraine crisis?

According to the Regional Refugee Response Plan, refugee flows into neighbouring countries are expected to continue "due to the ongoing situation inside Ukraine, with an increased number of new arrivals in the case of any significant escalation". The onset of winter may also trigger further displacement, with millions of people in Ukraine "currently living in damaged homes or buildings ill-suited to provide sufficient protection from harsh winter conditions". The country's government is beginning to prepare for winter, but this may fall short, "triggering further cross-border displacement".¹⁵

What this resource is, and who it is for

This resource provides potential employers in Europe with information about the rights that refugees from Ukraine have to work in the following countries: Poland; the Netherlands; Germany; France; and the UK. It includes:

A general overview of the EU's TPD, including the rights it offers, to whom, and for how long

Information on how individual EU Member States have applied the directive, as well as how the UK's alternative national protection schemes work

What employers need to know about the legalities of hiring refugees from Ukraine

More countries will be added to this resource in the near future.



¹² <https://www.tent.org/resources/good-retention-strong-recruitment/>

¹³ <https://www.tent.org/resources/helping-refugees-helps-brands/>

¹⁴ https://coqual.org/wp-content/uploads/2020/09/31_innovationdiversityandmarketgrowth_keyfindings-1.pdf

¹⁵ <https://reliefweb.int/report/poland/ukraine-situation-recalibration-regional-refugee-response-plan-march-december-2022>

What is the Temporary Protection Directive?

The TPD was developed by the European Commission (EC) in 2001 in the aftermath of the conflicts in former Yugoslavia. It is a measure that enables EU Member States to move rapidly to offer protection and rights in the event of a mass influx of displaced people, and to avoid overwhelming national asylum systems.

The TPD remained unused for more than 20 years until it was activated for the first time on 4 March 2022 following Russia's invasion of Ukraine on 24 February 2022. Due to a "clear risk that the asylum systems of EU countries would be unable to process applications within the deadlines set", the European Council unanimously adopted the EC's proposal to activate the directive, granting individuals fleeing Ukraine immediate protection.¹⁶

By implementing the TPD, the EU, which was in deadlock for years over common action over asylum, has shown remarkable and resolute support for Ukraine, as well as its citizens and residents displaced by Russia's invasion.

What rights does the directive offer?

The TPD defines the decision-making procedure needed to initiate, extend, or end temporary protection. It also lists the rights for beneficiaries, which are:

- ✓ A residence permit for the entire duration of the protection (which can last from one to three years, although the EC has recommended that EU Member States grant residence permits for two years from the outset)
- ✓ Appropriate information on temporary protection
- ✓ Guarantees for access to the asylum procedure
- ✓ Access to employment, subject to rules applicable to the profession, national labour market policies, and general conditions of employment
- ✓ Access to suitable accommodation or housing
- ✓ Access to social welfare or means of subsistence if necessary
- ✓ Access to medical care
- ✓ Access to the state education system for people under 18 years old
- ✓ Opportunities for families to reunite in certain circumstances
- ✓ Access to banking services (e.g., opening a basic bank account)
- ✓ The ability to move to another EU Member State before the issuance of a residence permit
- ✓ The ability to move freely to other EU countries (other than the Member State of residence) for 90 days within a 180-day period after a residence permit in the host country has been issued

Being a beneficiary of temporary protection does not preclude the possibility of applying for refugee status at any time.

In June 2022, the EC issued further guidance on how EU Member States can better integrate people under temporary protection into labour markets and support their access to vocational education and training, and adult learning. In particular, it encouraged countries to provide support to employers hiring people fleeing and make allowances for the creation of start-ups.¹⁷

¹⁶ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/temporary-protection_en

¹⁷ https://ec.europa.eu/commission/presscorner/detail/en/IP_22_3620

▲ National variations

The purpose of the TPD is to establish minimum standards for giving temporary protection. This means that individual EU Member States can go further than what is set out in the directive – for example, by granting more generous rights or widening the scope of who is eligible.

There are other national variations. The directive does not apply to Denmark, for example, due to its opt-out from EU policies (although it has introduced a similar status via national legislation). Because it is no longer an EU Member State, the UK is also not bound by the TPD. Instead, it has introduced alternative national protection programmes.

▲ Who is eligible for temporary protection?

- Ukrainian nationals residing in Ukraine before 24 February 2022 (the first day of Russia's invasion), and their family members
- Stateless people and nationals of other third countries who benefited from international protection or equivalent protection in Ukraine before 24 February 2022, and their family members
- Non-Ukrainian nationals of third countries and stateless people who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who cannot return in safe and durable conditions to their country of origin. These people are eligible for either temporary protection or adequate national protection, depending on the EU country they are in

The following people shall be considered to be part of a family, so long as the family was already present and residing in Ukraine before 24 February 2022:

- A spouse or unmarried partner in a stable relationship, where the legislation of the EU Member State treats unmarried couples in a way that is comparable to married couples under national immigration laws
- The minor unmarried children of a person or their spouse, without distinction as to whether they were born in or out wedlock, or adopted
- Other close relatives who lived with the family, upon whom they are largely or wholly dependent

The registration procedure for temporary protection varies between countries, but they all require that applicants submit some form of documentation, whether photographic ID, proof of residence, proof of family relationship, and/or something else.

As of October 2023, refugees from Ukraine in Europe who decide to return home will no longer have to de-register from the temporary protection system (which was previously the case). This is to facilitate refugees' possible return to Europe if necessary.

▲ How long is temporary protection valid for?

A person's temporary protection granted by the TPD currently lasts until 4 March 2024.¹⁸ If the reasons for temporary protection remain, the EU Council may vote to extend the directive upon the recommendations of the EC by one more year, until 4 March 2025.

¹⁸ <http://www.informigrants.net/en/post/43937/eu-extends-ukrainian-refugee-protection-to-march-2024>



On 12 March 2022, Poland passed a special act (“the Act”)¹⁹ to assist refugees from Ukraine in response to Russia’s invasion. The legislation, which was adopted almost unanimously by parliament, is a parallel protection framework to the TPD, which has also been implemented by Poland. This means there are two provisions of protection for refugees from Ukraine available in the country.

The Act regulates the legal stays of Ukrainian citizens, as well as their spouses (not third country nationals – see below), and provides them with a broad range of rights, including access to employment, education, healthcare, and financial assistance.

▲ Who is eligible for the Act?

- Ukrainian citizens and their spouses who do not hold Ukrainian citizenship, who entered Poland on or after 24 February 2022 in connection with Russia’s invasion
- Ukrainian citizens who have a so-called “Pole’s Card” (a document “confirming a foreigner’s belonging to the Polish nation”),²⁰ who entered Poland with their immediate family on or after 24 February 2022 in connection with Russia’s invasion

These groups of people are able to legally stay in Poland for 18 months, starting from 24 February 2022 (i.e., until 24 August 2023). They currently do not have to apply for a residence permit or take any further steps to legalise their stay.

Individuals covered by the Act do not need to register for temporary protection under the TPD. However, to fully exercise the rights provided for by the Act, they should apply for a Polish personal identity number, known as a PESEL (“Universal Electronic System for Registration of the Population”).²¹

People covered by the Act can work under employment contracts without additional permits or approvals, provided the employer notifies the applicable District Labour Office of the person’s hiring within 14 days of them starting work. The notification can be made online via the Polish government’s “Labour market – help for Ukraine” website.²²

In this notification, the employer is required to submit information about wages (set at a monthly or hourly rate) and working hours per week or month. The individual’s employment must be performed at and for at least these values (i.e., no less).

Those covered by the Act also have the right to conduct business activities in Poland, including business-to-business contracting, and can register as sole proprietors under the same rules as Polish citizens. The sole necessary condition is to have a PESEL number.

It is also possible for individuals to register with the District Labour Office as unemployed, allowing them to use official job placement services, vocational counselling, and training. This also applies to those of retirement age (i.e., 65-years old for men and 60-years old for women).

Upon applying, people whose stay in Poland is or was recognised by the Act will be granted a temporary residence permit once for a three-year period. The individual should submit an application for this permit no earlier than nine months from the date they entered Poland, and no later than within 18 months of 24 February 2022. Those who have been granted a temporary residence permit are entitled to work in Poland without the need for a work permit for its duration.

Some aspects of the Act are currently being discussed by Poland’s government and may be subject to change.

¹⁹ <https://www.gov.pl/web/udsc-en/the-law-on-assistance-to-ukrainian-citizens-in-connection-with-the-armed-conflict-on-the-territory-of-the-country-has-entered-into-force>

²⁰ <https://www.migrant.info.pl/dual-citizenship-in-poland.html>

²¹ <https://www.gov.pl/web/gov/uzyskaj-numer-pesel--usluga-dla-cudzoziemcow-en>

²² <https://www.praca.gov.pl/eurzad/index.eup#/wyborSprawy/pomocDlaUkrainy>





▲ Who is eligible for the TPD?

At this moment, the Act does **not** apply to:

- Ukrainian citizens who entered Poland before 24 February 2022
- Citizens of countries other than Ukraine who entered Poland on or after 24 February 2022 – except for spouses of Ukrainian citizens who are not Polish citizens but who entered Poland from Ukraine, or immediate family members of Ukrainian citizens who have a Pole's Card
- Citizens of countries other than Ukraine who entered Poland before 24 February 2022

Individuals not covered by the Act but who are eligible for temporary protection in line with the minimum framework of the TPD (see "Who is eligible for temporary protection?" in the "What is the Temporary Protection Directive?" chapter) can apply for it. These people can file a request with Poland's Head of the Office for Foreigners to obtain a certificate confirming their temporary protection status.

They can work under employment contracts without additional permits or approvals, provided the employer notifies the applicable District Labour Office of the person's hiring within 14 days of them starting work. They can also open a business under the general rules applicable to foreigners in Poland.

▲ Who to contact

Information about employment in Poland can be found through these government and non-governmental bodies:

The District Labour Office of the Capital City of Warsaw

URL: <https://warszawa.praca.gov.pl/>

Address: ul. Grochowska 171B, 04-111 Warsaw, Poland

Email: kancelaria.grochowska@up.warszawa.pl

Tel: (+48) 223 911 300

The Ministry of Family and Social Policy

URL: <https://www.gov.pl/web/family>

Address: ul. Nowogrodzka 1/3/5, 00-513 Warsaw, Poland

Tel: (+48) 222 500 108

The Tent Partnership for Refugees

URL: <https://www.tent.org/>

Email: info@tent.org

FISE (Fundacja Inicjatyw Społeczno-Ekonomicznych)

URL: <https://fise.org.pl/>

Address: pl. Nowy Świat 49 lok. 201, 00-042 Warsaw, Poland

Tel: (+48) 570 232 802

The Ukrainian House in Warsaw ("Ukrainski Dom")

URL: <https://ukrainskidom.pl/>

Address: ul. Zamenhofa 1, 00-153 Warsaw, Poland

Tel: (+48) 727 805 764

Fundacja Ukraina

URL: <https://fundacjaukraina.eu/>

Address: ul. Ruska 46A/201, 50-079 Wrocław, Poland

Tel: (+48) 571 330 203

Sopockie Centrum Integracji i Wsparcia Cudzoziemców

URL: <https://www.facebook.com/sciiwc/>

Address: ul. Młyńska 11, 81-713 Sopot, Poland

Phone: (+48) 504 943 910

Mamo Pracuj

URL: www.mamopracuj.pl

Tel: (+48) 503 104 507

RiO Edu Centrum

URL: <https://rioeducentrum.com/>

Address: ul. Konstruktorska 12, Warsaw, Poland

Tel: (+48) 733 576 463