



Guidance for European Companies on Hiring Refugees From Ukraine

March 2023



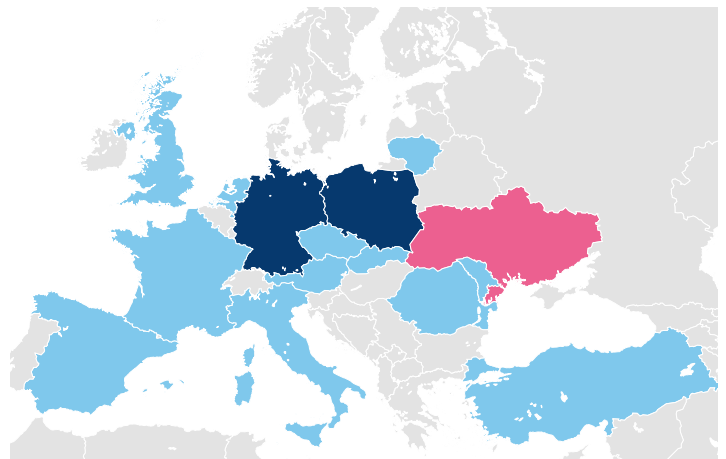
Since Russia's invasion of Ukraine on 24 February 2022, more than 8.1 million refugees from Ukraine have been recorded across Europe.¹ This mass exodus of people is one the fastest forced displacement crises in history and the largest since the Second World War.²

As of 28 February 2023, millions of refugees from Ukraine have crossed borders into neighbouring countries, with Poland hosting the most people (1.6 million).³

Many other refugees have moved on to western and southern European countries, including Germany, Spain, the UK, France, 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	28/02/2023	1,563,386
Germany	31/01/2023	1,055,323
Czech Republic	26/02/2023	494,793
Italy	24/02/2023	171,739
Spain	26/02/2023	168,654
The UK	23/02/2023	163,500
France	31/10/2022	118,994
Romania	26/02/2023	112,575
Slovakia	28/02/2023	110,444
Moldova	06/02/2023	108,885
Turkey	26/01/2023	95,874
Austria	20/02/2023	93,579
The Netherlands	10/02/2023	89,730
Switzerland	24/02/2023	81,436



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), more than 4.8 million refugees from Ukraine have 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, UNHCR estimates that 90% of refugees from Ukraine are women and children.⁷

According to UNHCR:

7 in 10 Ukrainian refugees 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 35% of Ukrainian refugees in Europe are currently employed or self-employed (in their host country or remotely), "the majority are employed at a lower level than previously in Ukraine, with a higher prevalence among women than men," according to UNHCR.⁹ An estimated 12% of Ukrainian refugees are engaged in professional training. More than one in five refugees are unemployed and actively looking for work opportunities.¹⁰

Although childcare has been identified by UNHCR as a barrier to accessing employment, "limited knowledge of the local language", "skills mismatches", and "difficulties in skills recognition and lack of decent work opportunities" are more prevalent.¹¹



⁷ <https://reporting.unhcr.org/ukraine-situation>

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

⁹ <https://data.unhcr.org/en/documents/details/99072>

¹⁰ <https://data.unhcr.org/en/documents/details/99072>

¹¹ <https://data.unhcr.org/en/documents/details/99072>



What role can business play?

Refugees from Ukraine need support to be included in 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 is next for the Ukraine crisis?

Increasing and potentially sudden inflows of refugees from Ukraine into Europe are predicted for 2023, with forecasts ranging from 500,000 to 4 million, according to the International Center for Migration Policy Development. Against a "backdrop of severe war damage, a wounded critical infrastructure, and enormous economic and humanitarian challenges", it says a second large-scale outflow of refugees "cannot be ruled out" for the rest of the year.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/how-hiring-refugees-helps-brands-europe-2023/>

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

¹⁵ <https://www.icmpd.org/news/migration-outlook-report-possible-second-wave-of-refugees-from-ukraine-and-further-weaponisation-of-migration>

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>

In 2002, Germany added the TPD to Section 24 of its Residence Act – legislation that concerns the control of immigration into the country. The directive was activated by the Federal Ministry of the Interior on 9 March 2022 via the “Ukraine Residence Transition Regulation”, but was applied retroactively from 24 February 2022.

It gives refugees “the necessary time to obtain a residence permit in the Federal territory, and thus to protect them from sliding into an unauthorised stay”.

Refugees from Ukraine must obtain a residence permit within 90 days of entering Germany. The regulation is currently limited until 31 May 2023.²⁸

▲ Who is eligible for temporary protection?

People are eligible for temporary protection in line with the minimum framework of the TPD (see “Who is eligible for temporary protection?” in the **Essential information about TPD** chapter).

In addition, Germany will grant protection to the following individuals:

- Ukrainian nationals who were already residing in Germany on the basis of a residence title that will soon expire, irrespective of the date of entry
- People who left Ukraine shortly before 24 February 2022, or who were staying within the EU shortly before that date (e.g., on vacation or for business), and who cannot return to Ukraine due to the armed conflict

Registration for temporary protection takes place at the individual’s local immigration office (“Ausländerbehörde”), but procedural steps may differ between cities. A passport or recognised passport substitute (e.g., a Ukrainian ID card) are required, although it is also possible to obtain a substitute ID card from the local immigration office.

Successfully registering for temporary protection grants an individual a residence permit that lasts for two years.

▲ Who is eligible to work?

A work permit will be issued with the residence permit stating “employment permitted” (“Erwerbstätigkeit erlaubt”). Refugees from Ukraine can then undertake, in principle, any kind of work in Germany or begin vocational training. They can also work for a temporary agency and are able to start their own business or work as a freelancer. However, there are some restrictions for certain professions – for example, doctors, teachers, and educators.

Residence permit-holders are entitled to all rights under German labour law – for example, the right to a German employment contract, the statutory minimum wage, and a certain number of leave days.

Refugees from Ukraine cannot work in certain regulated professions (e.g., as doctors, lawyers, engineers) without their foreign professional qualifications first being recognised by the relevant government authority. The German government’s free online “Recognition finder” tool²⁹ can help to check whether a job falls under a regulated profession, and how and where individuals can have their foreign professional qualifications recognised.

Employers are not allowed to hire refugees from Ukraine until they can provide a permit that states “employment permitted”, with fines imposed for any violation. A hard copy of the residence permit must be kept by the company for the duration of employment. However, employers can present a job offer to applicants who are waiting for an appointment with the local immigration office if they include a condition in the contract that it is only valid once a permit that states “employment permitted” is received by the applicant.

Because German is the country’s binding labour law language, contracts are valid in German even if the employee does not understand the language (although it is recommended that they create a bilingual contract to avoid misunderstandings).

²⁸ <https://www.germany4ukraine.de/hilfeportal-en/entry-residence-and-return/entry>

²⁹ <https://www.anerkennung-in-deutschland.de/en/interest/finder/profession>

▲ Who to contact

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

The Federal Employment Agency

URL: <https://www.arbeitsagentur.de/en>

Address: Regensburger Str. 104, 90478 Nürnberg, Germany

Tel: (+49) 800 4 5555 20 (for employers); (+49) 800 4 5555 00 (for employees)

The Federal Ministry of the Interior and Community

URL: https://www.bmi.bund.de/EN/home/home_node.html

Address: Alt-Moabit 140, 10557 Berlin, Germany;
Graurheindorfer Straße 198, 53117 Bonn, Germany

Tel: (+49) 3018 681-0; (+49) 22899 681-0

The Association of German Chambers of Commerce and Industry

URL: <https://www.ihk.de/>

Address: Breite Strasse 29, D-10178 Berlin, Germany

Email: infocenter@berlin.dihk.de

Tel: (+49) 3020 308-0

The Chamber of Crafts

URL: <https://www.handwerkskammer.de/>

Address: Max-Joseph-Straße 4, 80333 München, Germany

Email: info@hwk-muenchen.de

Tel: (+49) 0895 119-0

The Federal Office for Migration and Refugees

URL: https://www.bamf.de/EN/Startseite/startseite_node.html

Address: Frankenstraße 210, 90461 Nürnberg, Germany

Email: service@bamf.bund.de

Tel: (+49) 9119 430

Integration Commissioner of the Federal Government

URL: <https://www.integrationsbeauftragte.de/ib-de/staatsministerin/war-in-ukraine-2008510>

Address: Willy-Brandt-Straße 1, 10557 Berlin, Germany

Email: service-integration@bk.bund.de

Tel: (+49) 3018 400-1640

The Tent Partnership for Refugees

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

Email: info@tent.org

Netzwerk Unternehmen integrieren Flüchtlinge

URL: <https://www.unternehmen-integrieren-fluechtlinge.de/>

Address: DIHK Service GmbH, Breite Strasse 29, 10178 Berlin, Germany

Email: info@unternehmen-integrieren-fluechtlinge.de

Tel: (+49) 3020 308 6551

Jobs4refugees

URL: <https://www.jobs4refugees.org/>

Address: c/o Impact Hub, Rollbergstraße 28A, 12053 Berlin, Germany

Email: info@jobs4refugees.org