



Guidance for European Companies on Hiring Refugees From Ukraine

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Introduction

Since Russia's invasion of Ukraine on 24 February 2022, millions of Ukrainians have fled their home country. This mass exodus of people is one the fastest forced displacement crises in history and the largest since the Second World War.¹

Almost two years later, European countries west of Ukraine host 4-5 million Ukrainian refugees,* with Germany and Poland hosting the most.²

** Please note that this guidance will use the term "Ukrainian refugees" to refer to all people who have been displaced from Ukraine, including those who are not of Ukrainian nationality.*

The table below shows the top 10 locations in Europe where Ukrainian refugees have been recorded:³

Country	Date	Ukrainian refugees recorded in country as of date
Germany	07/10/2023	1,100,720
Poland	10/10/2023	959,875
Czech Republic	08/10/2023	361,385
UK	01/08/2023	210,800
Spain	08/10/2023	190,380
Italy	01/09/2023	167,525
Moldova	08/10/2023	119,375
Slovakia	15/10/2023	109,115
Ireland	01/10/2023	95,905
The Netherlands	26/05/2023	94,415

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. The UK, which is no longer an EU Member State, has not adopted the directive, instead implementing alternative national protection schemes.

¹ <https://reporting.unhcr.org/operational/situations/ukraine-situation>

² <https://data.unhcr.org/en/situations/ukraine>

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



Who are Ukrainian refugees in Europe?

With Ukraine's general mobilisation order requiring men aged 18 to 60 to stay within the country, the United Nations Refugee Agency (UNHCR) estimates that 90% of Ukrainian refugees are women and children.⁴

A 2023 survey by the EU Agency For Asylum (EUAA) of more than 4,250 Ukrainian refugees in Europe found most respondents to be "highly educated". More than two in five had a master's degree or equivalent, one in five had a bachelor's degree, and 4% had a PhD. Around one in three respondents had lower levels of education, including secondary (10%), vocational (18%), and primary (1%).⁵

According to UNHCR, **63%** of Ukrainian refugees were employed or self-employed before leaving Ukraine, with "diverse professional and occupational backgrounds".⁶ Among the **78%** of respondents to the EUAA survey who are eligible to work, **90%** were employed before Russia's invasion.⁷

The table below shows the top 10 skills backgrounds of Ukrainian refugees as of September 2022:⁸

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

The main languages spoken by respondents to the EUAA survey are Ukrainian (98%), Russian (88%), and English (50%), followed by German (16%) and Polish (15%).⁹

⁴ <https://reporting.unhcr.org/operational/situations/ukraine-situation>

⁵ <https://euaa.europa.eu/news-events/available-work-facing-challenges-latest-survey-results-highlight-barriers-employment-displaced-ukrainians-eu>

⁶ <https://reporting.unhcr.org/document/3268>

⁷ <https://euaa.europa.eu/news-events/available-work-facing-challenges-latest-survey-results-highlight-barriers-employment-displaced-ukrainians-eu>

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

⁹ <https://euaa.europa.eu/news-events/available-work-facing-challenges-latest-survey-results-highlight-barriers-employment-displaced-ukrainians-eu>



Barriers to employment

According to a 2023 survey by UNHCR of more than 3,800 refugee households across Europe, an estimated 33% of Ukrainian refugees are engaged in formal employment, 8% are engaged in informal employment, and 2% are self-employed. Eleven percent are undertaking professional training, and 19% are unemployed and looking for work.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

Among unemployed respondents to the EUAA survey, 58% consider finding a job an “urgent” or “very urgent” priority. More than one in two (53%) unemployed respondents mention “limited knowledge of the local language” as the most important reason for their unemployment, while 20% cite “caring responsibilities”. Other commonly mentioned barriers to entering the labour market include “issues in the recognition of their qualifications by the host countries” (16%) and “mismatches between the available jobs, and qualifications and work experiences” (14%).¹²



The role companies can play

Leading companies in Europe have already committed to hiring Ukrainian refugees, playing a vital role in helping them to restart their lives, while at the same time benefiting from their talent, resilience, and ingenuity. Refugees are known to have lower turnover rates,¹³ and consumers indicate not only that they are more likely to buy from companies hiring refugees, but also that they are more likely to work for them.¹⁴



How to use this resource

This resource provides companies in Europe with information about the rights Ukrainian refugees have to work in the following countries: France, Germany, the Netherlands, Poland, Spain, Sweden, the UK, and more. It includes:

- A general overview of the TPD, including the rights it offers, to whom, and for how long.
- Information about 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 Ukrainian refugees.

¹⁰ <https://data.unhcr.org/en/documents/details/101747>

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

¹² <https://euaa.europa.eu/news-events/available-work-facing-challenges-latest-survey-results-highlight-barriers-employment-displaced-ukrainians-eu>

¹³ <https://www.tent.org/resources/good-retention-strong-recruitment/>

¹⁴ <https://www.tent.org/resources/how-hiring-refugees-helps-brands-europe-2023/>



Essential information about the TPD

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 people fleeing Ukraine immediate protection.¹⁵

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.

¹⁵ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/temporary-protection_en

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 about 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.

▲ 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 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 an individual or their spouse, without distinction as to whether they were born in or out of 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 a form of documentation, whether photographic ID, proof of residence, proof of family relationship, and/or something else.

As of October 2023, Ukrainian refugees 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?

An individual's temporary protection granted by the TPD currently lasts until 4 March 2025. This follows an agreement by the European Council to extend the directive by one year from 4 March 2024.¹⁶

¹⁶ <https://www.schengenvisainfo.com/news/eu-member-states-agree-to-extend-temporary-protection-for-ukrainian-refugees-until-march-2025/>



Germany

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” and 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”.

Ukrainian refugees must apply for a residence permit within 90 days of entering Germany. Once an individual's application has been filed, they will be issued a provisional residence document called a “Fiktionsbescheinigung” and can stay in Germany legally until a decision on their application has been made. The regulation is currently limited until 4 March 2024.²⁵

▲ 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 the TPD** chapter).

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

- ▲ Ukrainian nationals who were already residing in Germany on the basis of a residence permit that will soon expire, irrespective of the date of entry.
- ▲ People who left Ukraine shortly before 24 February 2022, who were staying within the

EU shortly before the date (e.g., on vacation or for business), and who cannot return to Ukraine due to Russia's invasion.

Registration for temporary protection takes place at an 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 the individual a residence permit that lasts for two years.

▲ Who is eligible to work?

Along with the residence permit, a work permit will be issued stating “employment permitted” (“Erwerbstätigkeit erlaubt”). Ukrainian refugees can then undertake, in principle, any kind of work in Germany, or begin vocational training. They can also work for a temporary agency, as well as being 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.

Ukrainian refugees 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

²⁵ <https://www.germany4ukraine.de/hilfeportal-en/entry-residence-and-return/entry>



government's free online "[Recognition finder](https://www.anerkennung-in-deutschland.de/en/interest/finder/profession)" [tool](https://www.anerkennung-in-deutschland.de/en/interest/finder/profession)²⁶ details whether a job falls under a regulated profession, and how and where foreign professional qualifications can be recognised.

Companies are not allowed to hire Ukrainian refugees 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 employer for the duration of employment. However, companies 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 companies create a bilingual contract to avoid misunderstandings).

▲ Who to contact

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

1. The Federal Employment Agency

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

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

2. The Federal Ministry of the Interior and Community

URL: <https://www.bmi.bund.de/DE/startseite/startseite-node.html>

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

3. The Association of German Chambers of Commerce and Industry

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

Email: infocenter@berlin.dihk.de

4. The Chamber of Crafts

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

Email: info@hwk-muenchen.de

5. The Federal Office for Migration and Refugees

URL: <https://www.bamf.de/EN/Startseite/startseite-node.html>

Email: service@bamf.bund.de

6. The Integration Commissioner of the Federal Government

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

Email: service-integration@bk.bund.de

7. The Tent Partnership for Refugees

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

Email: info@tent.org

8. Netzwerk Unternehmen integrieren Flüchtlinge

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

Email: info@unternehmen-integrieren-fluechtlinge.de

9. Jobs4refugees

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

Email: info@jobs4refugees.org

²⁶ <https://www.anerkennung-in-deutschland.de/en/interest/finder/profession>