



# Guidance for European Companies on Hiring Refugees From Ukraine

March 2023



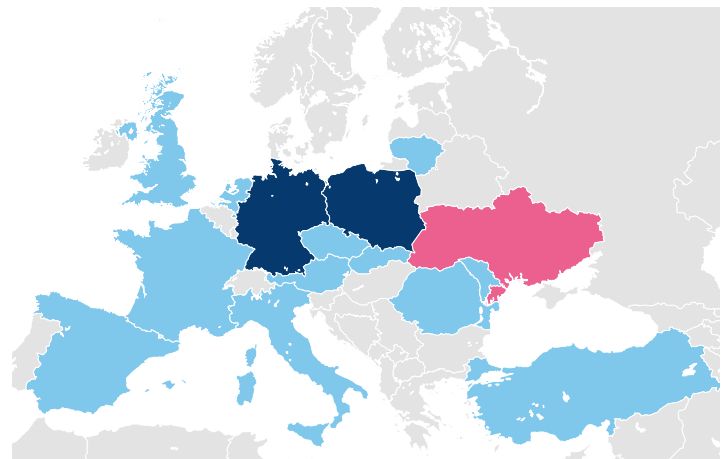
Since Russia's invasion of Ukraine on 24 February 2022, more than 8.1 million refugees from Ukraine have been recorded across Europe.<sup>1</sup> This mass exodus of people is one of the fastest forced displacement crises in history and the largest since the Second World War.<sup>2</sup>

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).<sup>3</sup>

Many other refugees have moved on to western and southern European countries, including Germany, Spain, the UK, France, and the Netherlands.<sup>4</sup> 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:<sup>5</sup>

Country	Data date	Refugees from Ukraine recorded in country
<b>Poland</b>	28/02/2023	1,563,386
<b>Germany</b>	31/01/2023	1,055,323
<b>Czech Republic</b>	26/02/2023	494,793
<b>Italy</b>	24/02/2023	171,739
<b>Spain</b>	26/02/2023	168,654
<b>The UK</b>	23/02/2023	163,500
<b>France</b>	31/10/2022	118,994
<b>Romania</b>	26/02/2023	112,575
<b>Slovakia</b>	28/02/2023	110,444
<b>Moldova</b>	06/02/2023	108,885
<b>Turkey</b>	26/01/2023	95,874
<b>Austria</b>	20/02/2023	93,579
<b>The Netherlands</b>	10/02/2023	89,730
<b>Switzerland</b>	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.<sup>6</sup> 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.<sup>7</sup>

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:<sup>8</sup>

Skills background*	%
<b>Education</b>	16
<b>Trading</b>	12
<b>Professional services</b>	10
<b>Health and social services</b>	7
<b>Other services</b>	6
<b>Accommodation and food</b>	5
<b>Financial services</b>	5
<b>Personal services</b>	5
<b>Construction</b>	3
<b>Agriculture</b>	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.<sup>9</sup> 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.<sup>10</sup>

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.<sup>11</sup>



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

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

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

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

<sup>11</sup> <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 turnover<sup>12</sup>
- Hiring refugees has been found to strengthen the employer's brand<sup>13</sup>
- Companies with diverse workforces out-innovate and out-perform others<sup>14</sup>

## 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.<sup>15</sup>

### 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.*



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

<sup>13</sup> <https://www.tent.org/resources/how-hiring-refugees-helps-brands-europe-2023/>

<sup>14</sup> [https://coqual.org/wp-content/uploads/2020/09/31\\_innovationdiversityandmarketgrowth\\_keyfindings-1.pdf](https://coqual.org/wp-content/uploads/2020/09/31_innovationdiversityandmarketgrowth_keyfindings-1.pdf)

<sup>15</sup> <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.<sup>16</sup>

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.<sup>17</sup>

<sup>16</sup> [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/temporary-protection\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/temporary-protection_en)

<sup>17</sup> [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_22\\_3620](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.<sup>18</sup> 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.

<sup>18</sup> <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”)<sup>19</sup> 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 that 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”),<sup>20</sup> 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 must apply for a Polish personal identity number, known as a PESEL (“Universal Electronic System for Registration of the Population”) within 30 days of arrival in Poland.<sup>21</sup>

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.<sup>22</sup>

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).

To continue their stay in Poland after 24 August 2023, Ukrainian citizens who have grounds to remain (e.g., if they have found employment or started their own business) will need to apply for a temporary residence permit. Applications can be submitted from 1 April 2023.

<sup>19</sup> <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>

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

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

<sup>22</sup> <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 **Essential information about TPD** 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](mailto: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](mailto: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](http://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