

monthly newsletter

WHAT'S NEW IN GLOBAL MOBILITY & IMMIGRATION

December 2024



Dear Readers,

We are pleased to share the latest edition of our "What's New in Global Mobility & Immigration" newsletter. Our team is dedicated to bringing you the latest updates and providing expert support for your employment and immigration needs in Poland.

As the festive time approaches, we wish you a wonderful holiday season and a happy New Year!

To stay up-to-date with the latest immigration news, follow our law firm on social media.

We hope you enjoy this issue. Please get in touch if you have any questions.

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NEW MINIMUM REMUNERATION FOR EMPLOYEES POSTED TO POLAND

Statistics Poland has recently announced the average gross monthly salary for 2023 in different regions of Poland. Consequently, the minimum monthly remuneration thresholds for employees posted to Poland on work permits have been established. The minimum salary required varies according to the regional office responsible for processing the work permit application. It ranges from a minimum of PLN 4,307.02 gross (Warmińsko-Mazurskie Voivodeship) to a maximum of PLN 5,926.63 gross (Mazowieckie Voivodeship).

Foreign employers whose employees are already working in Poland on posted worker permits are required to increase their salaries to meet the newly established minimum wage thresholds. Furthermore, compliance with these minimum salary requirements is a mandatory condition for securing new work permits for employees posted to Poland.



ADDITIONAL VERIFICATION PROCEDURES FOR LONG-TERM EU RESIDENCE PERMIT APPLICANTS

In recent weeks, provincial offices (pl. Urzędy Wojewódzkie) have implemented additional verification procedures for certain categories of long-term EU residence permit applicants, including telephone interviews, to assess Polish language proficiency. These interviews primarily target post-secondary school graduates.



The method of verifying Polish language proficiency through in-person interviews raises legal concerns regarding its compliance with the current Act on Non-nationals. Despite these legal uncertainties, some non-nationals, particularly those with post-secondary education, may already face some challenges in securing long-term EU residence permits.

EES SYSTEM - POLAND READY FOR CHANGES

The Act concerning Poland's participation in the Entry/Exit System (EES) has been enacted and is awaiting presidential signature. Polish authorities have confirmed that the country is technically equipped for the deployment of the new system.

The EES is a system designed to record entry and exit data for third-country nationals crossing the external borders of the European Union Member States. Under the EES, Border Guard officers will collect biometric data from travellers and store this information in digital files. The EES will also eliminate the traditional practice of stamping travel documents at the border.

While Poland is technically ready to implement the EES, its full deployment is delayed due to ongoing preparations in other EU Member States.

MINIMUM MONTHLY WAGE GOES UP

As of 1ST January 2025, the minimum monthly remuneration for full-time employment in Poland will be raised to PLN 4,666 gross. Additionally, the minimum hourly rate for contracts based on the Civil Code will increase from PLN 28.10 to PLN 30.50 gross. These changes will necessitate adjustments to the salaries of all employees currently earning below the new minimum thresholds, including non-national workers.



The increase in the minimum wage is particularly relevant for non-nationals who are currently in the process of applying for a residence and work permit in Poland and whose applications will not be finalized before 1st January 2025. To be granted such a permit, non-national workers are required to receive remuneration that is at least equal to the minimum wage, regardless of the type of employment contract or the number of hours worked. The authorities will refuse to issue a residence and work permit to a non-national whose remuneration has not been adjusted to meet the new minimum wage, even if the application was submitted prior to 1st January 2025.

We recommend verifying that the salaries of your non-national employees have been updated accordingly and that the relevant documentation has been submitted to the provincial office responsible for processing the application.

It should be noted that the minimum wage increase also applies to non-nationals who hold valid residence and work permits issued under the previous regulations, which allowed for lower salary levels. They must also have their remuneration adjusted to meet the newly established minimum wage requirements.

GLOBAL MOBILITY&IMMIGRATION

We advise on all global workforce mobility matters, including immigration, tax and social security issues. Our practical solutions are based on years of experience.

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