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## Seasonal Employment of Foreigners in a Country Implementing a Restrictive Immigration Policy: The Case of Poland

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Submitted 11/07/21, 1st revision 02/08/21, 2nd revision 22/08/21, accepted 15/09/21

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**Abstract:**

**Purpose:** The primary purpose of the present study was to discuss the most critical legislative corrections and assess them in the context of the migration policy implemented in Poland. Moreover, the article presents and provides the interpretation of data aggregated by the Ministry of Family, Labour, and Social Policy, characterizing the scale of the demand for the short-term foreigners' work.

**Design/Methodology/Approach:** The study presents the results of analyzing the content of legal acts. Moreover, it provides a compilation and interpretation of data aggregated by the Ministry of Family, Labour, and Social Policy, characterizing the scale of the demand for the short-term foreigners' work.

**Findings:** The introduction of a new type of work permit for a foreigner (S-type work permission) and the correction of the so-called simplified procedure are actions that should positively affect the accuracy of measuring the scale of the phenomenon, the level of control over this type of employment, as well as the activity of foreigners coming to Poland in order to provide seasonal work.

**Practical Implications:** There is a concern that the lack of possibility to apply the simplified procedure in some sections of the Polish Classification of Activities may contribute to the undesirable increase in the scale of illegal employment of foreigners in seasonal work.

**Originality/Value:** Demographic aging and the resulting labor force shortages constitute a socio-economic problem contributing to changes in the shape of migration policies in specific countries. In this context, the countries implementing the so-called restrictive migration policy face particular challenges.

**Keywords:** Foreigners, immigrant, seasonal employmen, restrictive immigration policy, Poland.

**JEL codes:** J610.

**Paper Type:** Research article.

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## 1. Introduction

The phenomenon of entrusting work to foreigners is one of the most popular forms of counteracting the negative economic consequences of the demographic aging process and the related shortages in labor resources. It is widely accepted to see the employment of foreigners as one of the accelerators of productivity growth and long-term social and economic development.

The demand for foreigners' work is one of the natural consequences of labor market segmentation, which is concomitant to social and economic development. The emergence of prestigious, well-paid, and highly secure professions and professions referred to as 3D occupations in the respective literature generates work supply gaps. They lead to staff shortages, which increases employers' openness to offering jobs to economic immigrants and the pressure to liberalize the rules for foreigners' access to the labor market of a particular country. The staff shortages on the market are also due to the aforementioned demographic aging and the resulting phenomena of internal aging and depletion of the potential labor resources.

One of the significant challenges the state authorities face is shaping a well-thought-out and effective immigration policy. This policy has to be adapted to the dynamic changes in the social and economic environment. It is essential to continuously monitor the phenomenon, evaluate the appropriate solutions, and formulate recommendations in this context.

The aging phenomenon undermines the stability and equilibrium of the labor market, affecting the economic development of countries (Thalassinos, Cristea, and Noja, 2019). The latest scientific publications do not lack studies dealing with the diversity of determinants of socio-economic development, including aspects related to demographic changes and the demographic condition of countries (Gwiaździńska-Goraj, Pawlewicz, and Jezierska-Thöle, 2020; Wongboonsin and Phiromswad, 2017). It should be remembered that the demographic structure of societies depends, among other things, on the scale and structure of spatial movement of the population, which emphasizes the critical role of migration policy in achieving a high level of economic productivity and socio-economic development.

The main goal of the immigration policy is to consciously shape the rules for foreigners' access to the receiving country. Multiple tools regulate the scale of immigrants' influx to a given country, such as quota systems, labor market tests, or a point-based candidate selection system. One of the main challenges the state authorities have to face is developing an immigration policy that enables filling supply gaps in the labor market while maintaining a high level of internal security.

Source literature provides many examples of studies, including the results of comparative analyses of various solutions regulating the level of a country's openness to the inflow of immigrants (Boyd, 1976; Schmid and Helbing, 2016; Chand and

Tung, 2019). A particular research gap may also appear in the debates on the various approaches to the tackled problem, described as immigration policy theories. An interesting attempt to fill it is the study by Meyers (2000), in which the author specified six leading theoretical schools, i.e., Marxism, realism, liberalism, "national identity" approach, internal policy (partisan policy and interest group policy), and institutionalism. A precious contribution from the above study was highlighting each approach's main strengths and weaknesses and analyzing the impact of the comparative theories, international relations, and sociology on the immigration policy theories.

An essential part of the scientific achievements related to the immigration policy covers research discussing the issues of its influence on the demographic condition of the receiving country, the volume of labor resources related to it, the phenomenon of filling the so-called supply gaps, and the general situation at the domestic labor market (Borjas, 1993; Borjas, 2003; Dustmann, Fabbri, and Preston, 2005; McGovern, 2007; Dustmann, Frattini, and Glitz, 2008; Gheasi and Nijkamp, 2017; Pardos-Prado, 2020; Chiripuci *et al.*, 2020; Visvizi, Lytras, and Pachocka, 2020). It is worth stressing that there is no consensus regarding the diagnosis of the impact of the immigration phenomenon on the situation of labor markets of the receiving countries, which translates into a variety of recommendations concerning the shaping of specific state immigration policies.

Moreover, the relevant scientific works frequently address attempts to evaluate the discussed policies and their classification based on the restrictiveness level criterion (Freeman, 1995; Czaika and de Haas, 2013; Helbling, Bjerre, Römer, and Zobel, 2016; Helbling and Kalkum, 2018). Noteworthy is also the fact that the high liberalization of the rules regulating immigrants' influx is deemed one of the essential tools for alleviating the adverse outcomes of demographic aging. At the same time, the low restrictiveness of the immigration policy may pose a threat to internal security, resulting from the enormous challenge of assimilating national minorities.

From a global perspective, Poland is undergoing a shift from the traditional role of a net emigration country to the country's role that is increasingly attractive to immigrants. The relative source literature indicates three basic concepts of the Polish immigration policy implementation, a limited influx of foreigners, the primacy of the labor market, and the policy of an active immigration state (Szytko-Skoczny and Duszczyk, 2010). At the same time, it should be underlined that Poland is currently perceived as a country with a restrictive immigration policy, which is a particular challenge in the context of the progressing aging of the population and labor market segmentation.

The Polish migration policy, including the rules for foreigners' influx, has for many years been in the focus of interest of researchers dealing with the spatial movement of populations (Głąbicka, Okólski, and Stola, 1998; Iglicka *et al.*, 2005; Kaczmarczyk and Okólski, 2008; Duszczyk, 2012; Łodziński and Szonert, 2016). An essential

contribution to the resources of knowledge about the migration situation in Poland is also studied addressing the issue of the most current phenomena related to, among other things, Brexit, interregional migration, or the new directions of economic migration (Kisiel, Lizińska, and Rosochacka, 2019; Organiściak-Krzykowska, Piotrowski, and Ciulkin, 2020; Marks-Bielska, 2019; Kowalewska, Niezurawska-Zajac and Duarte, 2019; Maleszyk and Kędra, 2020).

The studies discussing the short-term, seasonal employment of economic immigrants are also deemed essential elements of the reflections on the Polish immigration policy (Organiściak-Krzykowska and Piotrowski, 2018; Górny *et al.*, 2018; Piotrowski, 2019). This aspect of migration research seems extremely important due to the relatively large share of short-term work in the entire employment structure of economic immigrants.

The demand for foreigners' labor is a mass-scale phenomenon mainly in the second segment of the labor market. It is due to the reluctance of domestic workers to perform low-paid and non-prestigious jobs. It is noteworthy that the size of the potential and the satisfying demand for the short-term and, in many cases, seasonal work of foreigners in Poland is no longer marginal. This is mainly due to, i.a., the legislative changes introduced at the turn of 2006/2007, which resulted in the sanctioning of the so-called simplified procedure enabling the employment of economic immigrants based on the employer's declaration of intention to employ a foreigner submitted to a private employment office.

The year 2018 has begun a new chapter of entrusting short-term employment to foreigners in Poland due to the legislative changes implemented in this regard in 2017. This article focuses on the reasons behind introducing the before-mentioned changes, their form, and their consequences. The primary purpose of the present study was to discuss the most critical legislative corrections and assess them in the context of the emigration policy implemented in Poland. The article also outlines the results of the analysis of the content of legal acts. Moreover, it presents and interprets data aggregated by the Ministry of Family, Labour, and Social Policy, characterizing the scale of the demand for short-term foreigners' work.

## **2. Research Methodology**

One of the prerequisites for undertaking effective measures in the economic immigration process within the framework of the immigration policy implemented in a particular country includes developing and improving a comprehensive system of migration statistics. Having relatively little experience in hosting economic immigrants, Poland exemplifies a country that is developing such a system. Considering the current research possibilities of the official statistics in Poland, three types of data sources are used to acquire the most comprehensive and reliable knowledge on the scale of the migration phenomena, including the influx of economic immigrants. These are the data sources of administrative nature, for example, the

PESEL register, POBYT system, the research on the population registered for a temporary stay and absence due to the temporary stay abroad, various statistical surveys such as BAEL, EU-SILC, censuses, and foreign data sources like EUROSTAT database, the statistics of other countries and the foreign administrative sources. The foreign migration research system in Poland aspires to be called a comprehensive system. Therefore, analyzing the scale and structure of the phenomenon of employing foreigners in Poland requires considering both the streaming data and resourcing data. The indicated types of information sources enable gathering data on the scale of migration phenomena (the outflow of a temporary and permanent nature) and immigration processes, which are in the focus of interest to the authors of this article.

This article discusses legislative changes concerning the rules for the short-term employment of foreigners in Poland and their consequences from the perspective of the implemented immigration policy. A research hypothesis was formulated, according to which the changes to the rules for offering short-term jobs to foreigners in Poland, implemented at the beginning of 2018, improve the quality of the official statistics in this respect and reduce the number of abuses of the simplified procedure to legalize the influx of foreigners. The study presents the results of the analysis of the content of legal acts.

Moreover, it provides a compilation and interpretation of data aggregated by the Ministry of Family, Labour, and Social Policy, characterizing the scale of the demand for the short-term foreigners' work. In 2007-2017, these data covered the scale and structure of foreigners' employment based on the granted work permits and employers' declarations of intention to employ a foreigner, i.e., via the so-called simplified procedure. Since the beginning of 2018, the data aggregated by the Ministry have covered the information on work permits (including the new S-type permit) and employers' declarations of entrusting work to a foreigner.

It is worth underlining that the data gathered by the Ministry of Family, Labour, and Social Policy represent an up-to-date and extensive source of information on the scale and structure of foreigners' employment in Poland. However, the scale of the work permits issued for foreigners and employers' declarations submitted within the framework of the simplified procedure in force until the end of 2017 was not reflected in the size of the phenomenon of foreigners' employment in Poland. This was mainly because obtaining a work permit for a foreigner or submitting a declaration by an employer was not tantamount to employing the foreigner. Another, equally important issue is that the Ministry's statistics concern only the category of the foreigners who do not benefit from the free access to the labor market in Poland and, consequently, they do not include citizens of other member states of the European Union, other countries of the European Economic Area, and Swiss Confederacy. However, it is worth mentioning that the short-term, often seasonal, work in the countries receiving economic immigrants is the most frequently carried out by citizens of developing countries.

### **3. Results**

The necessity of diversifying the package of procedural solutions related to the employment of foreigners was initially mentioned in the Regulation of the Minister of Labour and Social Policy of 30 August 2006 on the performance of work by foreigners without the need to obtain a work permit. The executive act provided the possibility of employing citizens of the countries bordering Poland for a period not exceeding three months within six consecutive months. This possibility concerned only their employment in section A, group 01.1-01.3 PCoA, established by the Regulation of the Council of Ministers of 20 January 2004 on the Polish Classification of Activities (PCoA). These were the following groups:

- – crop agriculture; horticulture, including vegetable farming;
- – animal husbandry and breeding;
- – crop agriculture combined with animal husbandry and breeding (mixed activity).

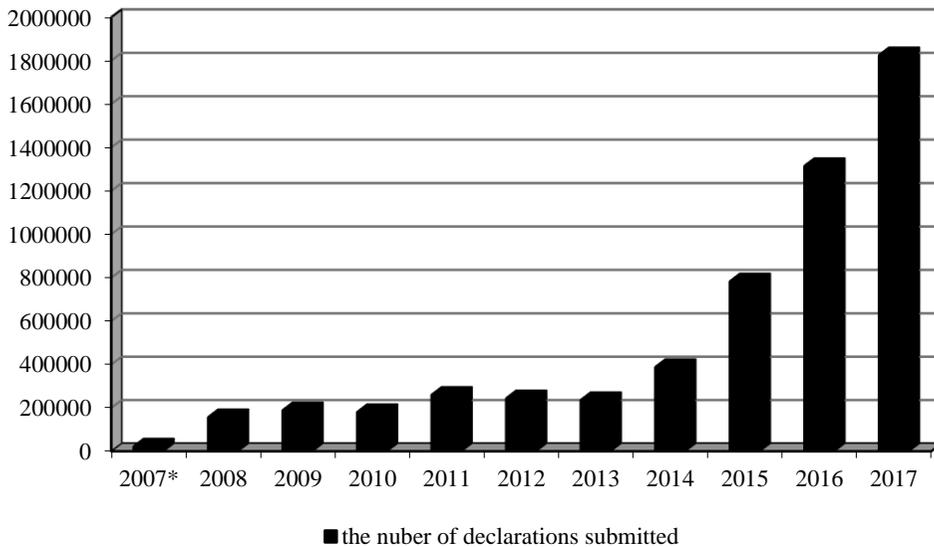
Subsequent regulations of the Minister in charge of labor made adjustments to the rules for employment based on the so-called simplified procedure. In the Regulation of the Minister of Labour and Social Policy of 27 June 2007, amending the regulation on the performance of work by foreigners without the necessity of obtaining a work permit, the specification of particular PCoA sections was discontinued, and the employer's declaration of intention to employ a foreigner was indicated, for the first time, as a document entitling a foreigner to work in Poland under the so-called simplified procedure.

The provisions of the procedure in force in 2007-2017 were affected by the changes introduced with many executive acts (European Commission, 2008; European Commission, 2009; European Commission, 2010a; European Commission, 2010b; European Commission, 2011; European Commission, 2013; European Commission, 2015). The most significant changes made to the simplified procedure include extending the possible term of foreigners' employment to the max. 6 months in subsequent 12 months and indicating specific countries whose citizens could be employed in Poland under that procedure in the following years. The final catalog of the countries whose citizens were entitled to be employed in Poland based on the so-called simplified procedure included the Republic of Armenia, Republic of Belarus, Republic of Georgia, Republic of Moldova, Russian Federation, and Ukraine.

It should be underlined that the most crucial premise for introducing the discussed procedure and its further amendments was to counteract the employment of foreigners in the shadow economy. The overriding goal was to transfer at least part of the seasonal employment of foreigners from the shadow economy to legal employment by implementing a solution relatively liberal compared to the work permits.

In order to illustrate the changes in the scale of using the simplified procedure in the analyzed period, the data aggregated by the Ministry of Family, Labour, and Social Policy is collated in Figure 1.

**Figure 1.** Number of employers' declarations of the intention to entrust work to a foreigner submitted in Poland in 2007-2017



**Note:** \*- data from VIII-XII 2007

**Source:** Registration of employers' declarations on the intention to entrust work to a foreigner. Available online: <http://psz.praca.gov.pl/web/urzed-pracy/-/8180205-rejestracja-oswiadczen-pracodawcow-o-zamiarze-powierzenia-pracy-cudzoziemcowi> access: 10/01/2021.

It should be noted that the comparison of the scale of the use of the simplified procedure in individual years was feasible only in the 2008-2017 period when declarations could be submitted throughout the calendar year. Moreover, the number of employers' declarations of intention to employ a foreigner can only be treated as a measure of the scale of the potential demand for short-term work by foreigners because the submission of employer's declaration cannot, in any way, be equated with the actual employment of a foreigner.

The possibility of short-term employment of the citizens of selected countries without applying for work permits is a tool of the immigration policy, which made it possible to believe that such a liberal and uncomplicated solution would convince many employers to refrain from employing foreigners in breach of law. However, an attempt at the critical analysis of this form of employment of economic immigrants seems necessary. One of the main weaknesses of the solution in force by the end of 2017 is the problem above with using the number of the submitted declarations in the analyses of the official statistics. In this context, an important issue is no obligation for the employer to confirm the actual employment resulting from the declaration of

employment intention submitted to the private employment office. Due to this, however, the data aggregated by the Ministry were not viable in the evaluation of the actual scale of the discussed type of employment.

Another severe problem related to the simplified procedure used in 2007-2017 was that a copy of an employer's declaration of intention to employ a foreigner was a document entitling the foreigner to obtain an entry visa. The lack above of verification, whether actual employment took place after the declaration had been submitted, could distort the role of the procedure, thus enabling its use in the illegal operation of legalizing the entry into the Polish territory of the foreigners, who did not plan to be legally employed.

Exciting results were provided by the inspections carried out by the National Labour Inspectorate in 2014 in the economic entities, which submitted declarations of intention to employ a foreigner to the point labor offices. In total, 263 enterprises that submitted respective declarations under the simplified procedure were inspected. Almost 70% of the foreigners named in their declarations were granted a visa based on the declaration and entered the territory of Poland. What is extremely important, only 37% of them commenced work for the issuer of the declaration (Report on the activity of the National Labour Inspectorate in 2014). When interpreting the portion mentioned above of the results of the inspection concerning the legality of foreigners' employment in Polish enterprises, one should be aware that the number of inspections carried out does not allow to generalize the results as accurate for the entire population of the employers entrusting short-term work to economic emigrants. The outcomes of these inspections should, however, prompt more profound reflections and analyses of the phenomenon.

The processes of demographic aging, labor market segmentation, and the resulting staff shortages experienced in many industries have recently been some of the main arguments for the further liberalization of the provisions concerning foreigners' short-term work in Poland. In turn, no sufficient control over the activity of foreigners entering the country, thanks to the declarations of employers planning to employ them, posed a significant challenge for the persons responsible for developing immigration policy regulations. Therefore, attention should have been focused on tightening the system of foreigners' employment based on the so-called simplified procedure.

The changes in the rules for entrusting short-term seasonal work to foreigners in Poland involved the introduction of a new type of work permit (S-type permit) and correction of the so-called simplified procedure principally by replacing the employer's declaration of intention to employ a foreigner applicable till the end of 2017 with a declaration of employing a foreigner. The principles of the short-term employment of economic immigrants in Poland that have been in force since 2018 were influenced by the changes introduced by, among others, the following legal acts (Journal..., 2018 a, as amended, in particular Art. 87-90a, Journal..., 2017 a, Journal..., 2018 b, Journal..., 2017 c, Journal..., 2017 d, Journal..., 2017 b). This

fragment of the article discusses and evaluates introductory provisions regulating foreigners' employment in Poland based on the new S-type work permit and the newly-established simplified procedure.

An S-type work permit is issued for a period not longer than nine months in a calendar year. It can only be issued in sectors in which works are seasonal. This applies to two sections of PCoA: section A: agriculture, forestry, hunting, and fishing; and the section I: activities related to accommodation and catering services. A detailed list of subclasses of activities, which were classified as having seasonal nature, as specified in the Regulation of the Minister of Family, Labour and Social Policy of 7 September 2018 amending the Regulation on the sub-classes of activities according to Polish Classification of Activity (PCoA), for which the permits for a foreigner seasonal work are granted (European Commission, 2018b). It is worth emphasizing that, unlike other types of permits, seasonal work permits are not issued by voivodes but by starosts competent about the employer's seat or place of residence, and that the applications for granting permits are submitted powiat labor offices.

It should be noted that the legislator has indicated separate paths of applying for a work permit for the seasonal work of a foreigner, depending on whether, at the moment of applying, the foreigner is legally staying in Poland or is abroad and plans the arrival. In the first case, the decision to grant or refuse a permit is generally within seven working days or a maximum of 30 working days if additional investigation is required. In the second case, the starost decides to enter the application into the relevant records or refuses to grant a work permit. A certificate of entry in the register of applications allows a foreigner to apply for an entry visa. It is worth emphasizing that an employer is obliged to inform the respective powiat labor office about the foreigner's arrival, provide copies of the required pages of his passport, and provide his address of residence in Poland. Employment of a foreigner may take place immediately after fulfilling the obligation above, even if the foreigner still awaits the work permit. However, the fundamental rule is that the employer is obliged to confirm employing a foreigner when the employment relationship is established (Gov.pl, 2019).

Moreover, the legislator has maintained the previous trend related to the privileges of the foreigners from selected countries (the Republic of Armenia, Republic of Belarus, Republic of Georgia, Republic of Moldova, Russian Federation, and Ukraine). The employers applying for a seasonal work permit for economic immigrants from these countries are exempt from the obligation to provide a starost with the information about the inability to meet the employer's staffing needs based on the registers of unemployed and job-seekers, i.e., the results of the so-called labor market test. It is also possible to submit the so-called multi-season application for a maximum of three periods, in which employment duration cannot exceed nine months at a time in a calendar year. A favorable decision regarding such an application can only be made upon documenting the previous employment of a particular foreigner within the last five years (Seasonal work permits..., 2019).

The second path of the short-term employment of foreigners in Poland is entrusting their work following the new simplified procedure, i.e., based on a declaration of a foreigner's employment. Similar to the rules applied by the end of 2017, this procedure allows the foreigners from the six countries listed above to work for a maximum of 6 months in 12 consecutive months. However, an essential condition of employment in this form is that the employer's economic activity cannot be classified as seasonal in the sub-sections of the PCoA specified in the Regulation of the Minister in charge of labor (European Commission, 2018b). The simplified procedure has become, in a sense, supplementary to the seasonal work permits discussed above (Gov.pl, 2019). As was the case in the previous years, the employer submits a declaration with the required attachments to the point labor office. It is entered into the declaration register within seven working days, or a maximum of 30 working days when an explanatory proceeding is required. The critical issue that distinguishes the new simplified procedure from the old one is the obligation of the employer, whose declaration was included in the register, to notify the poviats labor office in writing about the commencement (on the day of commencement of work at the latest) or failure to commence (within seven days from the date of the planned work commencement indicated in the statement) work by the foreigner (Gov.pl, 2019).

To illustrate the scale of demand for short-term work of foreigners in Poland in the years 2018-2019, Table 1 summarizes data of the Ministry of Family, Labour, and Social Policy on the number of permits granted for the seasonal work of foreigners and the number of employers' declarations of entrusting work to foreigners submitted in Poland.

**Table 1.** *The volume of demand for short-term work of foreigners in Poland in 2018-2019*

Specification	Number of type S work permits issued in Poland	Number of employers' declarations of entrusting work to a foreigner
2018	134.601*	1.582.225
2019	131.446	1.722.977

**Note:** \*- data after the correction of Ministry of Family, Labour and Social Policy.

**Source:** *Declarations on entrusting work to a foreigner, entered in the declaration register (effective from 2018). Available online: <https://psz.praca.gov.pl/web/urząd-pracy/-/8180211-oswiadczenia-o-powierzeniu-wykonywania-pracy-cudzoziemcowi-wpisane-do-ewidencji-oswiadczen-obowiazujace-od-2018-r-> access: 8/02/2021.*

It should be emphasized that the total number of seasonal work permits issued in 2018 and 2019 in Poland and of the submitted new declarations of employers approximated the number of the old-type declarations submitted to the poviats labour offices in 2017. In the last year in which the old-type simplified procedure of foreigners' employment was in force, 1,824,464 employers' declarations of intention to employ a foreigner were submitted to the poviats labour offices, which may suggest that the legislative corrections in force since the beginning of 2018 did not contribute to any tangible changes in the scale of demand for the short-term employment of foreigners.

It also seems interesting to compare the scale of S-type work permits issued only in section A and section I of PCoA with the number of employers' declaration of intention to employ a foreigner, submitted in the same sections in 2017. The numbers of S-type work permits, divided into two respective PCoA sections, were summarised in Table 2.

**Table 2.** *Type S work permits by PCoA section issued in Poland in 2018-2019*

Specification	Number of type S work permits issued in Poland in 2018*	Number of type S work permits issued in Poland in 2019.
Section A	131.843	126.898
Section I	2.758	4.548

**Note:** \*- data after the correction of Ministry of Family, Labour and Social Policy.

**Source:** Seasonal work permits for foreigners. Retrieved from:

<https://psz.praca.gov.pl/web/urzad-pracy/-/8180228-zezwolenia-na-prace-sezonowa-cudzoziemca>.

Noteworthy is that the number of S-type permits issued in 2018 and 2019 was almost three times lower than the number of employers' declarations of intention to employ a foreigner submitted to poviats labour offices in 2017. In total, 306,407 declarations in section A and 43,573 declarations in section I of PCoA were submitted to the poviats labour offices in 2017.

#### **4. Discussion and Conclusion**

Considering the assessment of the solutions in force since the beginning of 2018, a few basic criteria of analysis should be indicated. The first one is the potential impact of the new rules for the short-term employment of foreigners on the feasibility of measuring the discussed phenomenon. Imposing the obligation on an employer to confirm the fact of employing a foreigner and to report no commencement of work by the foreigner based on the granted S-type work permit or the submitted employment declaration, constitutes a serious step towards improving the quality of public statistics in this respect. This obligation should improve the accuracy of estimating the scale of the short-term employment of foreigners in Poland.

Another criterion of analysis is the level of control over the phenomenon of entrusting short-term work to foreigners and over their activity after they enter the territory of the country. It should be noted that both employer's application for an S-type work permit and the entry of employer's declaration on employing a foreigner into a register of declarations allow the foreigner planning to come to Poland to obtain an entry visa. However, a significant difference compared to the old-type simplified procedure in force by the end of 2017, lies in the aforementioned obligation to confirm the employment on the day the employment relationship is established. The fact that the employer is also obliged to provide a copy of the relevant pages of the foreigner's passport and his address of residence in Poland to the employment office is not without significance for the level of control of the immigrant's later activity.

The possibility of submitting the so-called multi-season declaration under the new

simplified procedure should be deemed very convenient to both employers and foreigners, who cooperated in the previous years within the framework of legal short-term employment.

Some concerns may be raised by the fact that it is not possible to use the new simplified procedure in the case business activities classified in section A and section I of PCoA. The importance of the complexity of administrative procedures was repeatedly underlined in the works of S. Kubiciel-Lodzińska, a representative of the Opole University of Technology. The results of her research showed that the complicated formal and legal conditions are the main hurdle to the employment of economic immigrants in Poland (Kubiciel-Lodzińska, 2013). In this context, it is necessary to consider whether obtaining a permit for foreigners' seasonal work, despite the procedural simplifications compared to other types of work permits for foreigner, will not become a great challenge for some representatives of the listed sections. Such a situation could lead to the repeatedly undesirable shift of some seasonal employment in agriculture, horticulture, and catering to the shadow economy. On the other hand, the comparison of the figures concerning the S-type foreigner work permits issued in 2018-2019 and employers' declarations of intention to employ a foreigner submitted in the last year when the old-type simplified procedure was in force may quite clearly confirm the high effectiveness of tightening the system of foreigners' short-term employment.

It seems that the change of the rules for the short-term employment of foreigners, introduced in Poland at the beginning of 2018, was necessary. As in the case of most legislative corrections, it is feasible to indicate the obvious advantages of the proposed solutions, some of which are presented in this article. It is worth emphasizing that the relatively short period of application of the new rules of entrusting short-term work to foreigners makes it difficult to draw far-reaching conclusions and make unbiased assessments of the proposed solutions. However, it seems necessary to attempt critical observation and, above all, to systematically evaluate them in terms of their putative impact on the functioning of the domestic labour market.

## **References:**

- Borjas, G.J. 1993. The Economics of Immigration. *Journal of Economic Literature*, 32(4), 1667-1717.
- Borjas, G.J. 2003. The Labor Demand Curve is Downward sloping: Reexamining the Impact of Immigration on the Labor market. *Quarterly Journal of Economics*, 118, 1335-1374.
- Boyd, M. 1976. Immigration policies and trends: a comparison of Canada and the United States. *Demography*, 13(1), 83-104. DOI: 10.2307/2060422.
- Chand, M., Tung, R.L. 2019. Skilled immigration to fill talent gaps: A comparison of the immigration policies of the United States, Canada, an Australia. *Journal of International Business Policy*, 2, 333-355. DOI: 10.1057/s42214-019-00039-4.
- Chiripuci, B.C., Constantin, M., Popescu M.F., Scriciu, A. 2020. The Socio-Economic Impact of Migration on the Labor Market in the Romanian Danube Region. *Sustainability*, 12(8654), 1-26. DOI: 10.3390/su12208654.

- Czaika, M., de Haas, H. 2013. The effectiveness of immigration policies. *Population and Development Review*, 39(3), 487-508. DOI: 10.1111/j.1728-4457.2013.00613.x.
- Declarations on entrusting work to a foreigner, entered in the declaration register (effective from 2018). Retrieved from: <https://psz.praca.gov.pl/web/urząd-pracy/-/8180211-oswiadczenia-o-powierzeniu-wykonywania-pracy-cudzoziemcowi-wpisane-dowodnicji-oswiadczen-obowiazujace-od-2018-r->.
- Dustmann, C., Fabbri, F., Preston, I. 2005. The Impact of Immigration on the UK Labour Market. CReAM Discussion Paper, no 01/05, 1-31.
- Dustmann, C., Frattini, T., Glitz, A. 2008. The Labour Market Impact of Immigration. CReAM Discussion Paper, no 11/08, 1-24.
- Duszczyc, M. 2012. Polska polityka imigracyjna a rynek pracy [Polish immigration policy and the labor market]. Oficyna Wydawnicza ASPRA-JR: Warszawa, Poland.
- European Commission. 2008. *Journal of Laws* of 2008, No. 17, Item 106 2011.07.28.
- European Commission. 2009. *Journal of Laws* of 2009, No. 21, Item 114 2011.07.28.
- European Commission. 2010. *Journal of Laws* of 2010 a, No. 109, Item 716 2011.07.28.
- European Commission. 2010. *Journal of Laws* of 2010 b, No. 236, Item 1559 2011.07.28.
- European Commission. 2011. *Journal of Laws* of 2011, No. 155, Item 919 2015.05.01.
- European Commission. 2013. *Journal of Laws* of 2013, No. 0, Item 1507 2015.05.01.
- European Commission. 2015. *Journal of Laws* of 2015, Item 588.
- European Commission. 2017. *Journal of Laws* of 2017 a, Item 2345.
- European Commission. 2017. *Journal of Laws* of 2017 b, Item 2346.
- European Commission. 2017. *Journal of Laws* of 2017 c, Item 2349.
- European Commission. 2017. *Journal of Laws* of 2017 d, Item 2350.
- European Commission. 2018. *Journal of Laws* of 2018 a, Item 1265.
- European Commission. 2018. *Journal of Laws* of 2018 b, Item 1749.
- Freeman, G.P. 1995. Modes of immigration politics in liberal-democratic states. *International Migration Review*, 29(4), 881-902. DOI: 10.2307/2547729.
- Gheasi, M., Nijkamp, P. 2017. A Brief Overview of International Migration Motives and Impacts, with Specific Reference to FDI. *Economies*, 5(31), 1-11. DOI: 10.3390/economies5030031.
- Głąbicka, K., Okólski, M., Stola, D. 1998. Polityka migracyjna Polski [Poland's migration policy]. *Prace Migracyjne*, 18, 1-44.
- Górny, A., Kaczmarczyk, P., Szulecka, M., Bitner, M., Okólski, M., Siedlecka, U., Stefańczyk, A. 2018. *Imigranci w Polsce w kontekście uproszczonej procedury zatrudniania cudzoziemców*; Wydawnictwo Uniwersytetu Warszawskiego: Warszawa, Poland.
- Gov.pl. 2021. Seasonal work permits for foreigners. Retrieved from: <https://psz.praca.gov.pl/web/urząd-pracy/-/8180228-zezwolenia-na-prace-sezonowa-cudzoziemca>.
- Gov.pl. 2021. Seasonal work permits. Retrieved from: <https://www.gov.pl/web/rodzina/zezwolecie-na-prace-sezonowa1>.
- Gov.pl. 2021. Statement on entrusting work to a foreigner. Available online: <https://www.gov.pl/web/rodzina/oswiadczenie-o-powierzeniu-wykonywania-pracy>.
- Gwiazdzińska-Goraj, M., Pawlewicz, K., Jezierska-Thöle, A. 2020. Differences in the Quantitative Demographic Potential-A Comparative Study of Polish-German and Polish-Lithuanian Transborder Regions. *Sustainability*, 12, 9414. DOI: 10.3390/su12229414.

- Helbling, M., Bjerre, L., Römer, F., Zobel, M. 2016. Measuring immigration policies: The IMPIC database. *European Political Science*, Advance Online Publication. doi:10.1057/eps.2016.4.
- Helbling, M., Kalkum, D. 2018. Migration policy trends in OECD countries. *Journal of European Public Policy*, 25(12), 1779-1797. DOI: 10.1080/13501763.2017.1361466.
- Iglicka, K., Olszewska, O.; Stachurski, A., Żurawska, J. 2005. Dylematy polityki migracyjnej Polski. *Prace Migracyjne*, 58, 1-49.
- Kaczmarczyk, P., Okólski, M. (Eds.). 2008. *Polityka migracyjna jako instrument promocji zatrudnienia i ograniczania bezrobocia*; Wydawnictwo Uniwersytetu Warszawskiego, Warszawa, Poland.
- Kisiel, R., Lizińska, W., Rosochacka, P. 2019. Migracje zarobkowe Polaków w kontekście brexitu. [Labor migrations of Poles in the context of Brexit]. *Przegląd Wschodnioeuropejski*, 10(1), 129-137. DOI: 10.31648/pw.4509.
- Kowalewska, G., Nieżurawska-Zajac, J. , Duarte, N. 2019. Causes and directions of student migration using polish and portugese students as an example. *Olsztyn Economic Journal*, 14(3), 271-286. DOI: 10.31648/oj.4373.
- Kubiciel-Lodzińska, S. 2013. Czynniki blokujące i stymulujące zatrudnienie cudzoziemców w Polsce w opinii pracodawców oraz zagranicznych pracowników (w świetle badań przeprowadzonych w województwie opolskim) [Factors blocking and stimulating the employment of foreigners in Poland in the opinion of employers and foreign workers (in the light of research conducted in the Opolskie Voivodeship)]. *Studia Ekonomiczne*, 134(13), 103-112.
- Łodziński, S., Szonert, M. 2016. "Niepolityczna polityka"? Kształtowanie się polityki migracyjnej w Polsce w latach 1989-2016. *CMR Working Papers*, No. 90/148, 1-35.
- Maleszyk, P., Kędra, A. 2020. Intention to move and residential satisfaction: evidence from Poland. *Equilibrium. Quarterly Journal of Economics and Economic Policy*, 15(2), 341-360. DOI: 10.24136/eq.2020.016.
- Marks-Bielska, R. 2019. Factors Underlying the Economic Migration of German Women to Poland. *Olsztyn Economic Journal*, 14(2), 145-155. DOI: 10.31648/oj.3967.
- McGovern, P. 2007. Immigration, Labour Markets and Employment Relations: Problems and Prospects. *British Journal of Industrial Relations*, 45(2), 217-235. DOI: 10.1111/j.1467-8543.2007.00612.x.
- Meyers, E. 2000. Theories of International Immigration Policy- A Comparative Analysis. *International Migration Review*, 34(4), 1245-1282. DOI: 10.1177/019791830003400407.
- National Labour Inspectorate. 2015. *Report on the activity of the National Labour Inspectorate in 2014*; NLI: Warsaw, Poland
- Organiściak-Krzykowska, A., Piotrowski, M. 2018. Struktura przestrzenna krótkoterminowego zatrudnienia cudzoziemców w Polsce [Spatial structure of short-term employment of foreigners in Poland]. *Problemy polityki społecznej. Studia i dyskusje*, 42(3), 95-105.
- Organiściak-Krzykowska, A., Piotrowski, M., Ciulkin, K. 2020. *Uwarunkowania i rozmiary polskich migracji do Norwegii*; Wydawnictwo UWM w Olsztynie: Olsztyn, Poland.
- Pardos-Prado, S. 2020. Labour market dualism and immigration policy preferences. *Journal of European Public Policy*, 27(2), 188-207. DOI: 10.1080/13501763.2019.1701536.

- Piotrowski, M. 2019. Krótkoterminowe zatrudnienie cudzoziemców w Polsce [Short-term employment of foreigners in Poland]. *Zmiany zasad i ich ocean. Studia Prawno-Ekonomiczne*, 113. DOI: 10.26485/SPE/2019/113/14.
- Registration of employers' declarations on the intention to entrust work to a foreigner. Retrieved from: <http://psz.praca.gov.pl/web/urzed-pracy/-/8180205-rejestracja-oswiadczen-pracodawcow-o-zamiarze-powierzenia-pracy-cudzoziemcowi>.
- Schmid, S.D., Helbing, M. 2016. Validating the Immigration Policies in Comparison (IMPIC) dataset. *WZB Discussion Paper*, no. SP VI 2016-202, 1-34.
- Szylko-Skoczny, M., Duszczyk, M. 2010. Trzy koncepcje polskiej polityki imigracyjnej. *Polityka Społeczna*, 7, 2-5.
- Thalassinos, E., Cristea, M., Noja, G.G. 2019. Measuring active ageing within the European Union: implications on economic development. *Equilibrium. Quarterly Journal of Economics and Economic Policy*, 14(4), 591-609. DOI: 10.24136/eq.2019.028.
- Visvizi, A., Lytras, M.D., Pachocka, M. 2020. Multiple Facets of Migration Research: Key Questions, Topics, and Avenues yet to Be Explored. *Sustainability*, 12, 225, 1-5. DOI: 10.3390/su12010225.
- Wongboonsin, K., Phromswad, P. 2017. Searching for empirical linkages between demographic structure and economic growth. *Economic Modelling*, 60, 364-379. DOI: 10.1016/j.econmod.2016.09.023.