

# Law for International Business

## Employment agencies and recruitment for work abroad

With the opening of the labour market in the European Union, foreign companies are more and more eager to hire workers from the new member states. Employment agencies help to match the interests of foreign employers with the needs of qualified Polish workers. In Poland, employment agencies operate in several forms: employment intermediation agencies, temporary employment agencies, HR consulting agencies, and career counselling agencies.

**Employment intermediation agencies** assist jobseekers in finding appropriate employment, assist employers in finding workers with the right qualifications, and direct workers for jobs abroad with foreign employers. Their work may include developing cross-border contacts and publicising job openings. Agency fees are charged to the employers, and candidates may be charged only for out-of-pocket expenses incurred by the agency in sending the person to work abroad, such as travel costs.

**Temporary employment agencies** hire temporary workers who are assigned to work under the instructions of another entity (the agency's client). "Temporary employment" is defined as work to be performed within a statutory maximum period (up to 18 months in a 36-month period), involving tasks of a seasonal, periodic, or occasional nature, or which the client's permanent staff are unable to perform on a timely basis, or tasks of a regular employee who is on leave. The temp agency is regarded as the temp's employer and is required to maintain personnel records, pay the temp's salary and social insurance contributions, withhold income tax, and comply with all other employment formalities.

**HR consulting agencies** are essentially headhunters, assisting employers in locating and screening candidates for specific positions. They may also study the client's employment practices and help develop job descriptions and qualifications. Headhunters generally operate under a service contract for each assignment, which is considered to be complete when the employer has selected and hired the successful candidate. The agency may "guarantee" the employee's performance for a certain period. If the employee quits or does not perform up to expectations, the agency may then be required to present another suitable candidate at no additional fee.

**Career counselling agencies** help individuals or groups select the right profession and specific job, providing information they need to make career decisions, concerning such areas as the different professions, the labour market, and training.

Before beginning operations in any of these areas, an agency in Poland must register with the province government (for a fee of PLN 200). Agencies duly authorised to operate in other member states of the European Union or the European Economic Area that are exempt from this requirement.

An agency seeking to provide these services must establish properly equipped offices, with staff holding at least a high school diploma, or in the case of headhunters and career counselling firms, a university-level degree.



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