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All institutions involved in data collection and analysis obtained ethical approval from the relevant institutional ethics committees. Informed consent to participate in research and for the use of collected data on this publication was obtained before any interview with informed consent confirmed on record, orally or in writing at the beginning of the interviews. Data handling adhered by the data protection standards set by the General Data Protection Regulations that are codified into our institutional data protection protocols.

Data availability statement

Since the interviews we collected contain confidential and sensitive information, we cannot share the data publicly, but are willing to share metadata upon request.

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Abstract

This article investigates how migrant labour regimes shape long-term care (LTC) work in Austria, Finland, and Slovakia, amid rising demographic pressures and EU-wide care workforce shortages. Drawing on 39 qualitative interviews with migrant care workers and stakeholders, we apply a layered theoretical framework combining labour process theory and migrant labour regime theory centred on legal dualism, transnationalism, and labour agency to analyse the lived experiences of migrant LTC work. The study reveals how migration, industrial relations, and welfare regimes interact with labour agency to produce segmented and structurally marginal care roles for migrants. Despite divergent pathways into LTC including circular self-employment in Austria, education-based integration in Finland, and informal agency recruitment in Slovakia, all three regimes converge in their reliance on precarious, undervalued migrant labour. Migrant workers navigate these conditions through individualised strategies of resilience and reworking, with limited access to collective representation. Our findings highlight the emergence of niche migrant labour regimes that sustain care provision while reinforcing exclusion from core labour protections. The article contributes to industrial relations scholarship by theorising migrant LTC work as a labour process shaped by legal differentiation, constrained agency, and multi-scalar governance, raising critical questions about equity and sustainability in European care systems.

Key words

Migrant labour regime; labour process theory; long-term care; legal dualism; labour market segmentation; labour agency

Long-Term Care in Europe: Structural pressures and migrant labour dependence

Long-term care (LTC) has become one of the most pressing social, economic, and political challenges in Europe, driven primarily by demographic ageing and rising care needs (Becker & Reinhard, 2018; Spasova et al., 2018; Zacharenko, 2024). LTC is delivered across diverse settings including home care, assisted living, nursing homes, and by both formal and informal caregivers, with women comprising 80–90% of the formal LTC workforce (ILO, 2018). While LTC systems vary significantly in design and maturity across national contexts, European LTC systems face a shared set of pressures, commonly referred to as the LTC quadrilemma, which has elevated the issue on the EU policy agenda, including through the European Care Strategy and the European Pillar of Social Rights (European Commission, 2022; Zacharenko, 2024; Marlier & Pavolini, 2024). The LTC quadrilemma comprises four interrelated challenges: coverage, expenditure, service quality, and job quality. Coverage remains inadequate, spending is fiscally constrained (see Morciano, 2017; Spasova et al., 2018), service quality suffers from underfunding and workforce shortages, and LTC jobs are undervalued and precarious, contributing to high attrition (Kavanagh & Elomäki, 2022; Jones et al., 2024). Nonetheless, the number of LTC recipients in the EU is projected to rise from 31 million in 2020 to 38 million by 2040 (Marlier & Pavolini, 2024).

Given that LTC regimes in the EU are inevitably embedded within multifaceted national and supranational institutions, systems, and norms, there is significant variation between Austria, Finland, and Slovakia – the case studies the article focuses on. Austria's LTC regime aligns most closely with Esping-Andersen's (1990) conservative-corporatist welfare state model; Finland exhibits characteristics of the social democratic regime; and Slovakia represents a

hybrid Eastern European model, marked by elements of liberal residualism and familialism (Aidukaite, 2009). While LTC provision indeed diverges substantially across these three contexts, a striking point of convergence is the increasing reliance on migrant labour to fulfil very specific, often undervalued and precarious roles within the broader care infrastructure.

This shared dependence on foreign labour serves as our analytical entry point to study how national and transnational actors, and institutions across migration, industrial, labour, and welfare regimes interact with migrant agency to collectively construct migrant labour as a key part of LTC regimes in three EU Member States. We argue that the resulting migrant LTC regimes reflect broader dynamics of capitalist labour process and social structure which are often obscured in mainstream migration analyses. By foregrounding the migrant labour regime process, we aim to render visible the institutional and structural forces that condition migrant workers' roles in LTC in the three countries.

In the remainder of the article, we apply a migrant labour regime framework to conduct a comparative thematic analysis of migrant LTC workers' experiences, based on 35 interviews carried out in Austria, Finland, and Slovakia between 2024 and 2025[1]. The rest of the article is structured as follows: the next section presents a layered theoretical framework that integrates key concepts from labour process theory and migrant labour regime theory, providing the analytical foundation for examining the production of migrant LTC regimes. This is followed by a discussion of the research methodology, which includes a comparative overview of the LTC regimes in the three case countries. After this, the analysis section then explores how migrant labour is constructed and governed within these regimes, focusing on contracts and recruitment, union representation and engagement, and worker agency. The article concludes with a comparative discussion of the findings and their implications for industrial relations and care policy in Europe.

Migrant labour regimes through the lens of labour process theory

At the heart of the capitalist labour process lies a fundamental class struggle, wherein capital seeks to subordinate all other actors to its imperative of valorisation through control (Burawoy, 1978; Cohen, 1987). Labour process theory (LPT) foregrounds this dynamic by examining the mechanisms through which capital organises, disciplines, and extracts value from labour. Migrant labour regimes (MLR) as socially engineered pathways for labour mobility designed to serve specific interests (see e.g., MacKenzie & Forde, 2009; Wills et al., 2009; Sippola & Kall, 2016; Ndomo, 2024) can be understood as institutional frameworks that operationalise such mechanisms of control within transnational contexts. MLRs emerge at the nexus of migration regimes and capitalist labour organisation, shaped by a constellation of actors including states, employers, intermediaries, migrants, unions, and civil society (Wills et al., 2009; Martin & Prokkola, 2017; Jones et al., 2024). Within this configuration, the labour process is manifest across multiple levels: at the macro level, in the structural relations of production between capital and labour; and at the meso and micro levels, in the everyday relations in production between workers and their tasks, technologies, and compensation systems mediated by human agency. In both LPT and MLR migrant labour can at once be an object and a tool of control, mobilised by capital and management to discipline itself, and labour as a class, often through the strategic manipulation of difference. Building on this theoretical synthesis, this article uses three dimensions of the labour process - commodification of labour, marketisation, and labour agency - as analytical lenses to examine three core features of migrant labour regimes in European LTC: **legal**

[1]The interviews were conducted as part of a multinational research project (2023-2025) that covered multiple countries that engage in the sending, receiving, and transit of migrant labour with the EU.

dualism, **transnationalism**, and **labour agency**. These features reflect distinct modalities of control and contestation within the labour process, and the dimensions help illuminate how these regimes structure work and shape migrant workers' experiences.

Legal dualism constitutes a foundational mechanism of control within migrant labour regimes. It encompasses the coexistence of distinct legal regimes within the same labour market, where workers' rights and protections are differentiated through legally institutionalised statuses, typically tied to citizenship (Shamir, 2017; Dias-Abey, 2021; Anderson, 2007). This segmentation facilitates a systemic and structural concentration of non-citizen labour in precarious, low-status, and weakly regulated sectors (Piore, 1979; Castles, 1987; Gordon, 1995; Anderson, 2010, 2013). In LTC, this is evident in the disproportionate presence of migrant workers in domestic care settings, which are often informal, invisible, and poorly regulated (Anderson, 2007; Marchetti, 2022). Legal dualism, codified through nationality and migration regimes, is typically defined unilaterally by dominant actors, particularly host-state governments, and functions to commodify migrant labour and deepen marketisation (Lillie & Ndomo, 2021). Mechanisms such as sanctionable temporality, enforced through visas and short-term residence permits serve as tools of control, driving extreme commodification of migrants that in turn enable employers to exploit resulting migrants' legal and socio-economic vulnerability. This vulnerability sustains their confinement to the margins of the labour market, particularly in sectors like domestic LTC, in ways that do not apply to citizen labour. Legal dualism also shapes recruitment practices, contract types, working conditions, and access to labour protections and union representation, thereby constraining migrant workers' agency within the labour process and the broader social structure of production (MacKenzie & Forde, 2009).

Transnationalism is another defining feature of migrant labour regimes, extending labour markets beyond national borders and enabling capital and labour to operate within global supply chains and product markets. This is particularly evident in sectors such as care, construction, and agriculture, which rely heavily on transnational labour mobility (Shutes & Chiatti, 2012; Sippola & Kall, 2016; Martin & Prokkola, 2017). From a labour process perspective, the market plays a central role in shaping both the structural relations of production and the everyday relations in production (Burawoy, 1978). The disciplining effect of market competition legitimises managerial control and rationalises the organisation of work around efficiency and survival. Labour, in turn, is ideologically co-opted into accepting this logic, internalising competition as a natural condition of work. This market logic is often gamified through management strategies that individualise the labour process, creating an illusion of meritocratic success based on effort and discipline. Transnationalism intensifies competition by expanding both labour and product markets, generating a perpetual sense of threat. For labour, this has a disciplining effect whereas for capital, it justifies adaptation strategies such as subcontracting and the adoption of highly commodifying employment practices, including non-standard forms of work. This form of transnationalism thus raises critical questions about how mobile labour is organised, managed, and controlled. Key actors such as recruitment agencies, the EU, and trade unions play uneven roles in shaping these regimes. This study examines two distinct mobility regimes: in Austria, LTC workers are EU citizens migrating under free movement; in Finland and Slovakia, they are predominantly third-country nationals (TCNs) subject to distinct legal frameworks. These transnational systems determine employment status, contract types, labour protections, and relationships with social partners.

Lastly, labour agency, as conceptualised within labour process theory, draws attention to how workers perceive and relate to their work, and how they navigate and respond to conditions of control. Burawoy's (1990) emphasis on relations in production highlights the role of ideology in shaping labour's consent to its own subordination. Marxist theory

underscores that capitalism produces not only goods and services but also social relations and ideologies that rationalise those relations (Marx, 1976). These ideologies, however, tend to facilitate a convergence of interests between capital and labour, enabling labour to acquiesce to control mechanisms by normalising problematic work realities. Labour agency thus becomes central to understanding how workers engage in struggles to negotiate the politics of production to resist or rework problematic conditions or adapt through resilience. It encompasses both collective and individual awareness and action, including the capacity to assert rights and navigate the host labour market. Our analysis focuses on how migrant LTC workers exercise agency through employment choices such as opting for self-employment or agency work, selecting shifts, or choosing workplaces as strategies to adapt to institutional gaps and workplace challenges. Inspired by the Piorean dual frame of reference and Burawoy's (1990) politics of production, we conceptualise agency not only as resistance but also as consent. Following Katz (2004) and Berntsen (2016), we frame agency as comprising resilience, reworking, and resistance, and apply this lens to interpret how migrant LTC workers respond to structural constraints.

LPT and MLR literature offer deeply complementary analytical perspectives. While LPT provides a foundational lens for examining how labour is organised, controlled, and contested within the workplace, MLR literature situates these dynamics within broader socio-political systems that configure and stratify migrant labour through institutional regimes. We combine them for a layered analysis that connects the organisation and regulation of labour to the migration, industrial relations, and welfare regimes of Austria, Finland, and Slovakia. Our analysis explores how the labour process and migrant labour regime are articulated in the lived experiences of LTC workers in Austria, Finland, and Slovakia and is organised around three empirically derived themes: (1) **employment, contracts, and recruitment**; (2) **social partners and representation**; and (3) **worker agency and problem-solving**. The analysis illuminates how migrant labour is simultaneously produced and governed through structural forces and the agency of workers within LTC.

Methodology

Research design and data collection

The analysis in this paper is based on 39 semi-structured interviews conducted between May 2024 and March 2025: 31 with migrant care workers and 8 with stakeholders including worker representatives, social partners, NGOs, and care service providers in Austria, Finland, and Slovakia.

Recruitment strategies in our fieldwork varied across countries. In Austria, the focus was on self-employed live-in carers formally registered with the Chamber of Commerce (WKO). Invitations were distributed via WKO, a Vienna-based care agency, and the Austrian interest group for live-in carers. This yielded 13 interviews with women from Romania, Slovakia, Bulgaria, and Hungary, each with 10–25 years of experience in care work. In Finland, migrant care workers were recruited through purposive and snowball sampling, informed by prior research (e.g., Kaasinen & Kiuru, 2023; Ilmarinen et al., 2024). Fourteen third-country nationals originating from Iran, Kenya, Nigeria, Ghana, Thailand, Taiwan, and Zimbabwe were interviewed across home care, service housing, and institutional care settings, with diverse legal statuses and employment histories. In Slovakia, recruitment combined social media outreach, engagement with Facebook groups, direct contact with care facilities, and snowball sampling. Four interviews were conducted with Ukrainian women working in various care settings, spanning formal contracts, undeclared work, and agency-mediated placements. Stakeholder interviews were arranged by directly contacting relevant organisations. All interviews followed the same two guides developed jointly by the different

case country experts and fieldwork teams, adapted slightly to reflect national contexts. Worker interviews explored employment trajectories, working conditions, mobility, and challenges; stakeholder interviews addressed migration and labour market policies, employment conditions, and collective representation. Interviews were conducted online, on the phone, and in person to allow for the flexibility needed to access the interviewees (**See Annex 1 for details**).

All interviews were audio-recorded, transcribed verbatim, and conducted with informed consent. Data were analysed using qualitative content analysis (Drisko & Maschi, 2016), guided by the thematic structure of the interview guides and the theoretical framework. Each national team conducted initial coding, identified relevant excerpts, and summarised findings. These summaries were then compared across countries to identify commonalities and divergences in migrant LTC workers' experiences in Austria, Finland, and Slovakia.

Case Overview: LTC regimes in Austria, Finland, and Slovakia

The three case countries offer strategically diverse case contexts, reflecting distinct welfare regimes, industrial relations systems, and migration governance models, while providing broad regional coverage across the EU. Despite these differences, all three are experiencing a growing reliance on migrant labour in LTC, with divergent implications for the resulting migrant labour regime. This contextualising text briefly outlines the key features of LTC regimes in each of these countries to provide the rationale for our case selection, demonstrating the contemporary variation and similarities across the systems.

Migrant labour plays a central role in all three LTC systems, albeit through different modalities. Austria's live-in care segment is almost entirely staffed by EU migrants primarily from Romania, Slovakia, Hungary, Croatia, Bulgaria, and Serbia, working in short rotational cycles under self-employment arrangements (WKO, 2025). Overall, 14% of the entire LTC sector's workforce holds non-Austrian citizenship (Eurofound, 2020). Finland's LTC sector, particularly elderly care, relies on third-country nationals, often internal migrants who enter through education or family reunification pathways. Migrants constitute about 11.3% of the care workforce (OSF, 2023; Kaasinen & Kiuru, 2023). In Slovakia, migrant involvement is growing but remains fragmented, with many workers engaged in informal or agency-mediated roles, often without formal contracts or protections. Across all contexts, migrants are disproportionately concentrated in low-status, physically demanding, and precarious positions.

Coverage and access vary significantly across the three systems. Austria offers universal access to LTC services with residential and community-based care (e.g. home nursing, home help) covering about 20% and 32% of people with recognised LTC needs in 2022 (Weißenhofer et al., 2023; Famina-Mühlberger & Österle, 2024). Nonetheless, nearly half of individuals with recognised care needs rely exclusively on informal care, often supported by migrant live-in carers (Nagl-Cupal et al., 2018). Finland's LTC system is embedded in the Nordic welfare model, emphasising universality and equity through universal access and public provision. Finland prioritises ageing-in-place through community-based services, with 50% of older adults using some form of LTC (European Commission, 2021; Forma & Leinonen, 2024). Finland's system prioritises ageing-in-place and community-based care, with access determined by assessed need. While universal in principle, austerity measures and growing private sector involvement have introduced variability in service availability and responsiveness. Institutional care has declined sharply, replaced by assisted living arrangements (THL, 2024). Slovakia's coverage is uneven and constrained by staffing shortages and limited institutional capacity, with informal and home-based care filling the gaps. Access is constrained by systemic fragmentation and resource shortages. Formal institutional care is limited, and informal or home-based arrangements, often facilitated by

migrant workers, fill the gaps. However, these are poorly regulated and inconsistently monitored, leaving many care users with unreliable or inadequate support.

Funding structures reflect broader welfare state orientations. Austria and Finland maintain publicly financed systems, allocating 1.26% and 2.3% of GDP to LTC respectively. In Austria, services are publicly financed through general taxation but organised by the nine provinces (*Länder*), resulting in regional variation (Famina-Mühlberger & Österle). Provision is dominated by non-profit and public providers, while for-profit actors remain marginal. In Finland, public funding accounts for 86% of LTC expenditure, with the remainder financed through income-related user fees, capped to prevent inequality (Ilmarinen et al., 2024). While public providers dominate, outsourcing is affecting up to 50% of the assisted living market (ibid). Slovakia's LTC system suffers from chronic underfunding, with costs frequently shifted onto families and risks absorbed by workers. This financial strain exacerbates precarity for migrant carers, particularly those in informal or intermediary-dependent roles.

Quality assurance mechanisms differ markedly. Austria's quality assurance is fragmented due to the division of federal and regional responsibilities. While voluntary schemes exist (e.g., certification of nursing homes and live-in care agencies), regulation primarily occurs through professional standards. Finland has a comprehensive regulatory framework involving national ministries, regional service counties, and supervisory agencies. However, recent scandals in private housing services have exposed gaps in enforcement. Reports of long hours, work overload, and insufficient equipment in some units point to minimum or substandard working conditions in parts of the market (Kröger & Leinonen, 2011; Puthenparambil, 2023). Slovakia's oversight is weakest, particularly in informal and home-based care, where migrant workers often operate without training, support, or monitoring. In all three contexts, job quality for migrants is undermined by non-standard work arrangements, low wages, and limited access to collective representation, with Slovakia showing the most acute vulnerabilities.

Segmented Care Work and Migrant Labour Regimes: Empirical insights from three EU Contexts

This section examines how the labour process and migrant labour regime, articulated through legal dualism, transnationalism, and labour agency are reflected in the lived experiences of migrant LTC workers in Austria, Finland, and Slovakia. The analysis is organised around three empirical themes derived from our data: (a) **the recruitment of migrant workers and the nature of their employment contracts**; (b) **the role of trade unions and other social partners**; and (c) **expressions of migrant agency, including strategies for problem-solving, career mobility, and everyday decision-making in the workplace**. The findings offer insight into how niche migrant labour regimes in LTC emerge through the complex interplay of structural forces and worker agency.

Recruitment and employment contracts

The recruitment strategies and employment contracts applied to migrant LTC workers reveal their segmented and niche positioning within the sector. These arrangements exemplify how legal dualism and transnationalism shape and sustain contemporary European LTC regimes. Control operates through the regulation of rights and access necessary for labour's participation in the market, embedded in contract types that cast migrant workers to the fringes of the labour market. Recruitment practices further exploit transnational labour markets, amplifying the disciplining effects of competition, precarity, and vulnerability.

Alongside recruitment and contracts, our data revealed a closely linked sub-theme on the temporality of migrant LTC work, highlighting how employment structures and mobility patterns shape cyclical and precarious labour rhythms within segmented care regimes.

In Austria, migrant live-in carers are typically registered as self-employed, excluding them from protections afforded by formal employment contracts. While most come from neighbouring EU countries, their access to work is mediated by care agencies, which act as key labour market intermediaries. These agencies facilitate client connections and often establish their own contractual relationships with carers. Almost all participants underlined their reliance on agencies and highlighted limited bargaining power.

> "*I would say that I have none of the advantages of self-employment, but the disadvantages of self-employment such as social security and so on... I also have all the disadvantages of being employed, because of an employment arrangement [with the agency] although I am not employed [formally]*" (**Female, live-in care, AT09**)

Self-employment requires carers to abide by entrepreneurial obligations despite their dependence on agencies for client access. While some valued the flexibility to choose assignments and manage schedules, others viewed agency practices as exploitative, offering little added value given their limited negotiating power.

In Finland, recruitment reflects distinct control mechanisms. Unlike Austria and Slovakia, Finland recruits modestly from outside the EU, primarily targeting third-country nationals, typically from the Philippines. Most migrant LTC workers are internal migrants already residing in Finland, having arrived via education, family reunification, or other pathways. This strategy aligns with Finland's structural requirements: domestic training and Finnish language proficiency are essential, as recognition of foreign qualifications is bureaucratically complex and is rarely achieved. These demands function as control mechanisms, requiring significant investment from migrants and in turn incentivise continued employment in the sector.

Contractual arrangements reflect complex structural segmentation. Interviewed workers reported a range of contracts from zero-hour and gig-based arrangements to permanent employment. The most precarious contracts were assigned to migrants with the most temporary legal statuses or limited sector-specific capital such as Finnish language skills. Over time, workers moved toward more stable contracts as their legal status, qualifications, and networks improved. Most participants worked in the private sector, particularly in elderly care services, where conditions were perceived as weaker than in the public sector. Recruitment agencies played a key intermediary role, often acting as subcontractors and shaping access to employment and contract terms, frequently introducing precarious arrangements that reinforced vulnerability such as zero-hour contracts and gig work.

> Describing her contracts, "*Well, very different contracts. Sometimes, at some places I signed a contract straight with a nursing home, and it was like a zero-hour contract so whenever they needed me, they would invite me, whenever they had free shifts, they would call me. I also worked with the companies that rent workers, so in these cases, I opened the application on my mobile, and I could see the available options, and I could choose and book the shift.*" (**Female, mixed elderly care, FI09)**

In Slovakia, pathways into care work are strongly mediated by informal networks and agencies. Most interviewed workers found jobs through relatives, friends, or private intermediaries. Experiences with agencies were mixed: some valued help with documents, while others described poor treatment and lack of transparency, including hefty wage deductions and limited support.

Interviewees reported ambiguous or precarious contractual arrangements, often mediated by temporary agencies or lacking formal contracts. Employment often began on a probationary basis, with some transitioning into permanent roles if institutions supported their integration. Workers voiced strong preferences for secure contracts, linking them to protection and stability. One participant noted that direct contracts with care homes offered greater security, whereas agency-based arrangements left them uncertain about future employment. Providers acknowledged that reliance on intermediaries stemmed from structural constraints such as unstable funding and rigid procurement rules, which hinder long-term employment. Interview experiences revealed that agency-mediated employment often involved delayed access to contracts and unclear terms, reinforcing vulnerability and limiting future planning.

A sub-theme closely tied to contracts and recruitment emerging from our data concerns the temporality of migrant LTC work. Here the focus is how employment arrangements, mobility patterns, and institutional constraints produce cyclical, precarious, and sometimes transient transnational labour. Despite strong demand for LTC workers across Austria, Finland, and Slovakia, temporariness remains a defining feature of migrant employment, shaped not only by legal and institutional frameworks but also by migrants' lived realities and transnational ties.

In Austria, the live-in care model exemplifies circular labour arrangements. Carers typically work two-week shifts followed by two weeks off, often spent in their country of origin. During their absence, agencies assign replacements to clients. While formally structured as rotational, many carers remain with the same client for extended periods, often until the client passes away. Several interviewees described long-term careers built around this model. Yet, the perceived temporariness stems less from employment instability and more from transnational lifestyle choices. Most carers do not relocate permanently, maintain strong family ties abroad, and engage minimally with Austrian social life, despite possessing functional German language skills required by agencies. Continued employment is generally feasible, given persistent labour shortages, but the cyclical nature of the work reinforces a sense of impermanence.

In Finland, participants in their initial migration years described being restricted to short-term or informal contracts due to residence status. Others recalled similar constraints during their early years. This normative temporariness, where employers, particularly in the public sector, control contract duration, was most evident in seasonal or replacement roles. Beyond contract length, participants encountered subtler forms of temporariness embedded in employment practices.

> *The city* [as an employer] *has a specified number of mandated vacancies according to the clients they have […] So if maybe the employees are on holiday, that's how extra workers come in to fill these vacancies. So, if now during summer the permanent employees are on holiday that's where the wage people come in or the short-term contracts are awarded. Once they're back from holiday, there is no vacancy to fill. So that I think works very well in terms of working with the public sector because then when students are on holiday [from studies], they can actually now work 100%. […] So, the contracts are often three months, or maybe depending also on the students, if they want to also take their own holidays*." **(Male, service housing, FI01)**

Although seven of twelve participants had held permanent contracts at some point, their LTC careers were marked by frequent transitions between employers and contracts, often driven by mismatches between job conditions and personal needs such as wages, location, family obligations, or workplace dynamics. While job mobility is common in many sectors, the volume and frequency of changes among participants is striking. For many, LTC was not a

long-term career destination but a stepping stone toward higher-status roles, such as registered nursing. Four participants were actively pursuing nursing qualifications, citing limited advancement opportunities and a narrow career trajectory within LTC.

In Slovakia, migrant care workers also described fragmented and cyclical temporality shaped by employment instability, cross-border obligations, and institutional constraints. Many live-in carers operated on rotational contracts, typically ranging from two weeks to a month, followed by unpaid periods in their home countries. This “stop-and-go” rhythm was described by one interviewee as exhausting, but the only way to manage family and work. Some workers expressed a desire to transition to more stable, continuous employment, particularly in institutional settings, yet encountered barriers due to limited recognition of qualifications and linguistic or bureaucratic hurdles.

Social partners and representation

Across all three country contexts, our interviews revealed the limited role of social partners in representing migrant LTC workers. This reflects how migrant labour regimes institutionalise workforce dualism, distancing migrants from established industrial relations traditions. Migrant workers remain peripheral to formal structures of representation, limiting their participation in collective organisation and sectoral struggles. This exclusion reinforces their vulnerability and precariousness, while fragmenting the broader working class. Such fragmentation enables control by capital and management, both by weakening solidarity and by legitimising differentiated treatment that undermines collective resistance.

In terms of representation, our analysis indicates that in Austria, the traditional social partnership model offers limited relevance or protection for live-in carers. As discussed earlier, they are excluded from union membership and the Chamber of Labour (AK) due to their classification as self-employed rather than employees. Instead, they fall under the Chamber of Commerce (WKO), alongside the care agencies that mediate their employment. Another type of organisation stands out: IG-24 (Initiative für Gerechtigkeit in der Personenbetreuung in Österreich), a grassroots self-organisation formed by Slovak and Romanian carers in 2020. IG-24 has since expanded to represent live-in carers of all nationalities working in Austria, advocating for improved working conditions and legal recognition. The organisation provides native-language support, case-specific advice, and multilingual resources on employment rights, workplace violence, and sexual harassment. Importantly, IG-24 challenges the self-employment model, calling for live-in carers to be recognised as employees with access to secure contracts and social protections. While not all interviewees agreed with this position, many viewed the availability of such an option as a meaningful step forward. IG-24 also exemplifies the potential for transnational solidarity and dialogue in industrial relations, particularly among key sending countries, and may serve as a foundation for more inclusive and representative social partnership structures.

Despite Finland’s high trade union density and strong tradition of solidarity-based representation, participants’ narratives reveal a notable gap in union engagement within the LTC subsector. While most participants were aware of relevant unions, often through informational sessions during their studies, fewer than half reported membership, and only one identified as an active participant. A few had sought union support for workplace issues, preferring to resolve challenges independently or through alternative channels. For instance, one participant successfully recovered withheld wages with union assistance but discontinued membership during a period of unemployment to reduce costs, citing dissatisfaction with unions’ perceived inaction on broader systemic issues such as staffing cuts. Another expressed explicit anti-union sentiment, shaped by prior negative experiences in a different sector, viewing unions as aligned more with employers than workers. He opted for private mechanisms, such as contributing to an independent unemployment fund, to

secure social protections. Accounts such as the excerpt below underscore a disconnect between union structures and migrant care workers' expectations, suggesting that formal representation mechanisms may be insufficiently responsive to the specific vulnerabilities and aspirations of this workforce segment (c.f., Refslund & Sippola, 2022).

> "*No, I don't want to be a member of a union, I have not even tried to listen to them, yeah, because when I was a chef, I was with one okay, so I found that they collect your money telling you that they are really on your side and everything. Oh yeah, they are on your side sometimes, but when it really matters [*referring to an encounter where the union did not help him when he feels he was wrongfully laid off while on holiday during the COVID pandemic*], you find that 70% they are on the employer's side. That's my own experience though. […] But after that, I said, okay, you know what, no more union for me*." (**Male, service housing, FI03**)

Also in the Slovakian case, the role of trade unions and collective worker representation appears marginal in the lived experiences of migrant care workers. Most interviewees reported no union membership, and some were even unaware that such options existed. When asked where they would turn in the event of a serious workplace problem, migrant carers typically mentioned agencies, supervisors, or family members, rarely citing formal institutions such as labour inspectorates or unions. This lack of engagement reflects both limited institutional outreach to migrant workers and the migrants' own precarious legal, linguistic, and social positions. While some wished for stronger protection (particularly against overwork or unclear contracts), many feared repercussions for speaking out. As one worker explained, they would turn to their agency rather than a union, as they did not know anyone involved in one. In the Slovakian case, institutional actors, when asked about conflict resolution procedures, similarly emphasised internal mechanisms, such as mediation by supervisors or HR, without reference to unions or collective bargaining. This indicates a structural marginalisation of unions in the care sector, deepening workers' vulnerability and reinforcing individualised, informal approaches to problem-solving.

Agency of the workers and problem-solving

Across all three country contexts, migrant LTC workers reported receiving limited institutional support despite facing multiple challenges linked to their labour market positioning. In response, they relied heavily on individual and (migrant) collective strategies to navigate structural constraints imposed by migration and industrial regimes. These agentic interventions were not aimed at subverting the system but at manoeuvring within it. Workers adapted by reinterpreting their subordinate position in terms of flexibility or opportunity, revealing how consent is produced under constraint. Their responses, ranging from short-term resilience tactics to reworking and accommodation, often reinforced compliance and, in some cases, compensated for the very structural controls that disadvantaged them.

The domestic nature of live-in care coupled with 24-hour availability means that working conditions are deeply shaped by interpersonal relationships with clients and their families. In Austria, live-in carers depend on clients for basic needs such as food and housing, and in rural areas, even transportation. While many interviewed participants described these dependencies positively, particularly when relationships were respectful and cordial, risks emerged when relationships deteriorated, as live-in carers lack the spatial and contractual separation that typically protects other workers. For instance, although legally entitled to daily breaks, most respondents reported difficulties in exercising this right due to the demands or perceived needs of the client. The nature of the work, regardless of employment status, places considerable pressure on carers' autonomy over their time. As one interviewee explained:

> *"Yes, we are on duty 24 hours a day, but every day we have the right to take a two-hour break. And that means that we can leave the patient alone in the house or the family comes … we have the right to take two hours off, if we want to go shopping or have a rest. But we are on duty 24 hours a day."* (**Female, live-in care, AT06**)

Despite these constraints, many carers valued the flexibility to take extended time off or return to their country of origin, aligning with Austria's cyclical employment model. Most viewed live-in care as a deliberate choice and found personal fulfilment in caregiving, though concerns about limited wage bargaining and weak social protection persisted. Some carers faced challenges with clients but rarely engaged formal complaint mechanisms or labour institutions. Instead, they relied on agencies to mediate conflicts or terminate contracts. This limited engagement with public institutions and social partners underscores the central role of intermediaries in shaping employment conditions and resolving disputes.

In Finland, migrant LTC workers are primarily employed in home care and housing services. Home care involves brief visits to clients' homes, sometimes extending to public spaces. While this limits prolonged domestic exposure, risks persist especially when intersecting with gender. Migrant workers face structural and workplace challenges, including low wages, language barriers, discrimination, and limited career mobility. Language barriers hinder integration, with minimal employer support prompting reliance on informal resources like public language cafés. Discrimination from clients and colleagues often results in restricted duties and questioned competence.

According to the interviewees, workers are forced to rely heavily on individual resilience strategies such as extra hours, multiple contracts, and strategic shift choices to navigate precarity. Even with permanent contracts, insecurity persists, extending to other facets of migrant life such as housing and family integration. Some participants pursued reworking strategies such as education, re-skilling, entrepreneurship, or shifting employment arrangements to improve their labour market position. Social networks facilitated sector entry, even for qualified workers. One participant took extended sick leave after unresolved bullying and later moved to a more isolated care assistant role to avoid workplace tensions.

Resistance, though less common, appeared in aspirations to exit LTC, rejection of recruitment agencies, and preference for private protection mechanisms such private insurance schemes over unions. These responses reflect a broader disengagement from collective representation and a turn toward individualised coping strategies, revealing how agency is exercised within, rather than against, the constraints of the migrant labour regime and labour process.

> "[…] *I actually don't plan to live in Finland for a long while because I don't have perspectives here, as I see. […] In Canada, I really want to integrate there […] in case I can stay there longer, I would be glad because the society there is totally different from here and much more work opportunities. Like there is a career ladder, you know, if you work one year in one field, you can grow, you can become a specialist, you can get a better salary. I don't feel that I can go here in Finland*." (**Female, mixed elderly care, FI09)**

In Slovakia, migrant care workers' agency was notably constrained. Interviewees reported significant barriers when attempting to resolve workplace issues, often navigating complex dynamics with limited institutional support. Many expressed reluctance to raise problems formally, fearing job loss or retaliation. Instead, they turned to informal networks, such as colleagues, for guidance. Even where formal complaint mechanisms existed, workers felt these were not designed for "foreigners." One participant explained relying on other women

in similar situations to understand what to do, especially when language barriers made formal communication difficult.

Migrant care workers described emotionally, and physically demanding conditions shaped by employer type and residence status. Those in residential care homes faced rigid shift schedules, understaffing, and high physical strain, with night shifts and consecutive weekend duties contributing to fatigue. Live-in carers experienced even more precarious conditions, including blurred boundaries between work and personal life, lack of private space, and limited control over schedules. One interviewee noted:

> "… I sometimes care for ten or more people on one shift – lifting, washing, feeding. There is no time to rest." (**Female, live-in care, SK02**)

Institutional stakeholders acknowledged the existence of formal grievance procedures but noted they were underused and poorly communicated to migrant staff. Some care homes had protocols in place, while others handled issues ad hoc. One provider observed that migrant workers often raised concerns only when leaving a job, reflecting a slant to quiet acquiescence while within the system. Description of recruitment and placement agencies underscored their variability, with some described as offering basic support and others disengaged once placement occurred. This disconnect leaves many migrant workers isolated, highlighting structural gaps in accountability and protection.

Discussion and Conclusion: Segmentation and control in Europe's migrant LTC labour regimes

This article has examined how migrant labour regimes shape long-term care (LTC) work in Austria, Finland, and Slovakia, using a layered theoretical framework that integrates labour process theory and migrant labour regime theory. Drawing on 39 qualitative interviews, we explored how legal dualism, transnationalism, and labour agency interact to produce segmented and structurally marginal roles for migrant care workers across diverse welfare and industrial relations contexts.

Across all three cases, legal dualism emerged as a foundational mechanism of differentiation. Migrants are systematically confined to precarious, semi-formal, or legally ambiguous roles, often excluded from core labour protections and collective representation. This segmentation is not incidental but structurally embedded in national labour markets and migration regimes. It is sustained through legal arrangements such as self-employment in Austria, student-to-worker transitions in Finland, and short-term or informal contracts in Slovakia. These mechanisms facilitate flexible deployment while shifting risk onto workers, consolidating a second-tier labour market where migrant care work is essential yet institutionally peripheral.

Transnationalism further intensifies this segmentation. Labour mobility across borders enables employers and intermediaries to access a flexible and replaceable workforce, while migrant workers navigate cyclical and fragmented employment patterns. In Austria, circular migration structures live-in care as rotational and transitory; in Finland, regulated pathways channel migrants into segmented roles via education and language requirements; in Slovakia, informal recruitment and agency mediation deepen precarity. These transnational dynamics are mediated by recruitment agencies, subcontractors, and legal frameworks that discipline labour through temporariness and legal liminality. Temporariness, whether normative, strategic, or enforced, functions as a control mechanism, internalised by workers and institutionalised through mechanisms such as visa regimes, contract types, and mobility rhythms.

Labour agency is a critical resource within the labour process, enabling both adaptation to control, and, potentially, resistance against it. Labour agency, while constrained, plays a critical role in how migrant workers respond to these conditions. Our findings show that agency is primarily expressed through individualised strategies of resilience, reworking, and occasional resistance. Migrants adapt by pursuing further education, combining multiple contracts, working extra hours, shifting employment arrangements, and leveraging social networks in job search and to solve work related problems. These strategies reflect a defensive posture aimed at survival rather than subversion. In the absence of collective mechanisms, agency becomes a tool for navigating, rather than challenging, structural constraints and hegemonic control mechanisms. This form of agency often compensates for the very institutional gaps that disadvantage migrant workers, reinforcing compliance and limiting the potential for collective mobilisation.

Exclusion from industrial relations institutions persists across all three contexts, regardless of the strength of national systems, leaving migrant workers without key protections and more vulnerable to insecurity. In Austria, self-employment status precludes trade union membership; in Finland, strong union structures coexist with low migrant engagement and undertones of structural distrust; and in Slovakia, collective representation is virtually absent. This institutional disconnect reflects the pervasive effects of legal dualism and transnational governance, as well as the inadaptability of unions to the realities of migrant care work. Migrant workers remain peripheral to formal structures of representation, limiting their participation in sectoral struggles and reinforcing their vulnerability. The proliferation of non-standard work arrangements such as gig-type scheduling, subcontracting, and agency mediation further commodifies labour and undermines industrial relations, fragmenting the broader working class and weakening solidarity. These dynamics are especially visible in Austria and Finland, where strong institutional frameworks coexist with migrant exclusion. In Slovakia, weak social partnership and dual labour market expansion further erode prospects for equitable industrial relations.

Taken together, our findings illustrate how niche migrant labour regimes in LTC are actively constructed through the convergence of structural segmentation, legal and institutional exclusion, and transnational labour flows, all mediated by constrained labour agency. These regimes consolidate a second-tier labour market marked by commodification, exclusion from collective representation, and systemic reliance on migrant labour. As demographic pressures intensify and care needs grow, addressing the marginalisation of migrant workers will be central to building just and sustainable care infrastructures in Europe.

Future research should explore the potential for transnational solidarity, alternative forms of representation, and policy interventions that challenge the commodification of migrant care labour. This includes examining how industrial relations institutions can adapt to better include migrant workers, and how care systems can be restructured to value and protect the labour that sustains them. Without such efforts, the segmentation and control embedded in Europe's migrant LTC regimes will continue to undermine equity, sustainability, and justice in care provision.

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