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Bargaining for working conditions and social rights of migrant workers in Central and Eastern European countries (BARMIG)

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Background Report Ukraine

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of migrant workers in CEE countries (BARMIG)

Background Report: Ukraine as a sending country – recent labour migration trends

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SECTION 1: Introduction[1].

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In the light of BARMIG's focus on migrants' integration in the labour markets of the receiving states, the purpose of this background study is to provide an up-to-date snapshot of the situation with labour migration from Ukraine to the new EU member states from the perspective of the sending country. In order to develop this perspective, we focused on review the secondary sources and on expert interviews. The latter discuss possible links between worker's migration choices in connection to their experiences on the domestic labour market of Ukraine, as well as available paths to employment abroad, information about employment, migration and social protection.

Thus, our report discusses:

- how employment or paid work experience on the Ukrainian labour market affects decision to search for jobs abroad and interpretation of experience of working abroad
- recruitment processes and employment chains that facilitate migration, and the role of various intermediaries (focus on recruiters and migration brokers in Ukraine)
- main problems facing labour migrants during their labour mobility, as discussed by recruiters and NGOs working with migrants
- discussion of good practices of support for Ukrainian workers and bettering protection of labour rights transnationally (focus on the perspective of social actors in Ukraine).

The interviews for the report comprise of 13 in-depth semi-structured anonymised interviews conducted between November 2020 and March 2021. In our selection of respondents, we included a variety of experts as well as social actors who can impact migration decisions and experiences of employment abroad as well as provide security networks and support if needed. Among the interviews we had:

- 3 interviews conducted with representatives of for-profit recruitment agencies;
- 1 migrant worker with experience of trade union activism;
- 2 NGOs / charity whose main focus is to run programs supporting transnational social and labour rights of Ukrainian workers;

1 The work on this project was also partially supported by funding from the European Union's Horizon 2020 research and innovation programme under the Marie Sklodowska-Curie grant agreement No 893032

- 1 trade union (TU) with significant international connections and history of activism transnationally;
- 1 Ukrainian Greek Catholic Church institution focusing on the needs of migrants and mobile Ukrainians;
- 1 representative of municipality from a Western regions of Ukraine;
- 4 experts with significant activism experience in the issues of transnational labour rights protection and migration.

The report also strongly relies on secondary sources, that provide essential contextual information both in terms of data but also critical discussions and issues linked to labour migration from Ukraine. These sources include:

- desk research and secondary literature;
- materials from several online workshops and conferences organised in the last two years around the issues of labour migration from Ukraine;
- normative documents and regulations related to employment abroad and labour migration;
- review of social media of some of the recruitment agencies (3 FB pages) and work advertising sites (3 websites);
- Ukrainian media coverage related to migration during COVID-19 and changes to mobility regulations related to national lockdowns.

The report has the following structure. After the Introduction in Section 1, Section 2 contextualises information on labour mobility from Ukraine (focus on period after 2010 t0 present day) and highlights some of the problems with statistics, as well as recent trends and the changes triggered by the Covid-19 pandemics. Section 3 explores main links between domestic employment, patterns of migration, and reasons for employment abroad as evaluated by our respondents. Section 4 explores the recruitment and employment chains from Ukraine that involve services of recruitment and temporary work agencies. Section 5 identifies the main problems, difficulties faced by Ukrainian labour migrants and some mechanisms of providing support. Section 6 outlines some good practices of information exchange and cooperation among organizations connected to employment and recruitment of Ukrainian migrant workers. Executive Summary (Section 7) in the end sums up the main findings of the report.[2]

2 The work on this background report was finished by July 2021. The authors chose not to update the report with reference to the drastically changed situation since the beginning of the full-scale war in Ukraine in February 2022, as it would require considerable diversion from original goals of the report. We therefore chose to leave this report as it is, hoping that its dated contribution still has its value.

SECTION 2: Labour migration from Ukraine: contextualising discussion on numbers and main trends.

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Brief history of the trends.

Despite the presence of other forms of mobility, post-1991 migration from Ukraine is often labelled as labour migration,[3] emphasising the dominating economic motivation behind this movement. Similarly, Ukrainian migration scholars identify post-1991 mobility as the Fourth Wave, describing it as solely economic driven migration in search of better earnings and employment opportunities (see Pirozhkov et al. 1997). Nevertheless, it has been a very dynamic process, which responded sensitively to both changes in the Ukrainian political and economic situation, as well as to larger geopolitical changes in the region. Among these the dissolution of the USSR and the expansion of the EU, and the military conflict in the east of Ukraine has been some of the most prominent factors. Responding to the dynamic changes in the social, economic, regulatory and geopolitical climate in the region, Ukrainian migration to the EU went through different stages of transformation, from the so-called shuttle, short term and seasonal migration of the 1990s, to a more long-term, long-prospect pattern that resulted in more common permanent settlement in the mid-2000s (see Pribytkova 2002; Libanova and Pozniak 2002; Malynovska 2004; Pozniak 2007). The most recent years, – as will be demonstrated in this report, – add new turns to the migratory practices of Ukrainian citizens; i.e. the rise of new forms of short-term and seasonal employment and rise of importance of the new EU member states as migration destination countries (Filipek & Polkowska 2020). These developments make a particularly good match between the Ukrainian labour force and more organised recruitment from foreign employers and intermediaries. Introduction of the 90-days long visa-free regime in June of 2017 for the EU trav-

3 For a comprehensive discussion of the links in migration during the USSR and the turn to post-soviet migration see Vollmer and Malynovska 2016.

els made Ukrainian workers even better matching seasonal worker demand, as it indirectly (and at times using ambiguous or changing regulations allowed the practice of temporary and on-probation contract employment under 90 days.

Since about 2010 we see an increasing role of the employment intermediaries and recruiters (see Section 4 in this report), looking for workers in Ukraine for fixed-term and seasonal employment that does not lead to longer forms of residency. From the rise of the recruitment agencies in about 2010 various social actors speak of the beginning of the Fifth Wave of Ukrainian migration (Fedyuk and Volodko 2018): this period is characterised by return of seasonal and circular migration, growing importance of transportation and communication for transnational networks, weak integration into the receiving societies and increasing role of employers and recruiters in pooling the labour in various parts of Ukraine (Селещук 2019). In this last development Ukraine seem to be following global trend of migration management; "a dramatic growth in the number of private recruitment agencies that operate as brokers at the centre of a new regime of transnational migration" (Linquist et al. 2012: 8).

Numbers and sources.

Labour migration from Ukraine has been notoriously difficult to quantify (NISS 2014, Малиновська 2019, Kindler and Fedyuk 2016, Vakhitova and Fihel 2020). There are several reasons for a wide gap in estimates that has been used in various contexts, as to the number of Ukrainians engaged in transnational mobility. Some of the common and often overlapping reasons have been the following:

1) political speculations (Kindler and Fedyuk 2016) in which the number of the Ukrainians working abroad have been used for various political campaigns and for varying agendas (Fedyuk 2020);
2) blurriness of the categories used in collecting the data (NISS 2014, Vakhitova and Fihel 2020);
3) general lack of interest on the part of the Ukrainian state towards issues related to labour migration (for instance, Ukraine has not had any unified State Migration Policy of Ukraine till summer 2011 (Малиновська 2019, Poznyak and Malynovska 2015) or a law on external labour migration till 2015);
4) lack of communication between the various types of data and institutions collecting these data (Poznyak and Malynovska 2015);
5) lack of coordination of internal and international categories, and numbers (CEDOS 2019 and Poznyak and Malynovska 2015);
6) complications related with various informal ways of employment and mobility practiced by Ukrainian citizens (especially since introduction of the visa-free regime in 2017);
7) the use of multiple citizenships by migrant workers.

And yet, there is a strong and growing understanding of the importance of having a better data on labour mobility from Ukraine; for instance, a statistical coordination of categories with the EU standards has been outlined as one of objectives in the Association Agreement between the EU and Ukraine (CEDOS 2019[4]). In response to frequent confusion and misuse of the numbers related to migration, a comprehensive study by Malynovska and Poznyak, "An Assessment of the Collection, Distribution, Storage and Analysis of Migration Information in Ukraine" (Poznyak and Malynovska 2015), conducted a systematic review of the process and protocols of collection, circulation, conservation and analysis of the data related to migration in Ukraine. The report concludes that in fact there is a considerable wealth of data collected and organised in Ukraine about transborder mobility of its citizens. The main sources of this data are day-to-day registration of border crossings, the national census, household surveys and administrative data collected by various national, local and private institutions. The study further questions the reliability of this data linked to the fact that migration statistics are connected to a person's registered place of residence and since many citizens may choose not to inform about their temporary residence or a change of residence "a significant under declaration of migration is inevitable" (Poznyak and Malynovska 2015: 4).

The largest numbers that often appear in sensationalist political statements ranges from 8 to 20 million people with Ukrainian origin around the world; this also includes the so called diasporic communities around the world. When it comes specifically to labour migration, experts underline that "none of the state institutions have the tools to count foreign workers with Ukrainian passports" (Posnyak in Сардалова 2019). The Institute of Demography of Ukraine estimates 4 million people employed abroad in general, with about 2,7 – 3 million working abroad at any given time (Ibid; Лібанова 2018).

IOM's study on numbers and facts about Ukrainian migration marks a steady increase in geographic mobility towards the EU in the last decade; in 2015 there were 905,200 Ukrainians registered in the EU which comprised over 6% of all third country nationals in the EU (Poznyak and Malynovska 2015). Among the new EU countries, the largest number of Ukrainians resided in Poland (336 000) and Czech Republic (113 000);[5] in terms of short term visas (90-day single entry), in 2019, Czechia issued 162,699 visas, Slovakia – 347, Poland- 3,824, Hungary – 3,174, Lithuania – 735, Latvia – 1,730, Estonia – 228 (EC 2020). This data however shows little estimates about the labour migration, but rather that Ukrainian workers use different documents and ways to access labour markets in different countries. CEE countries, in particular Poland, Czechia, and Hungary, activated their migration policies aimed especially at Ukrainians (Лібанова 2018). For instance, Hungary activated their kin-state policies as a source of labour migration of ethnic Hungarians, and in 2017

4 A study, dedicated to comparability of the data collected by the Ukrainian state and local administrative institutions indicates that the main problems of divergence of the collected data between the EU and Ukrainian institutions remain the same despite the push towards unification of statistical data in the light of EU Association Agreement (CEDOS 2019).

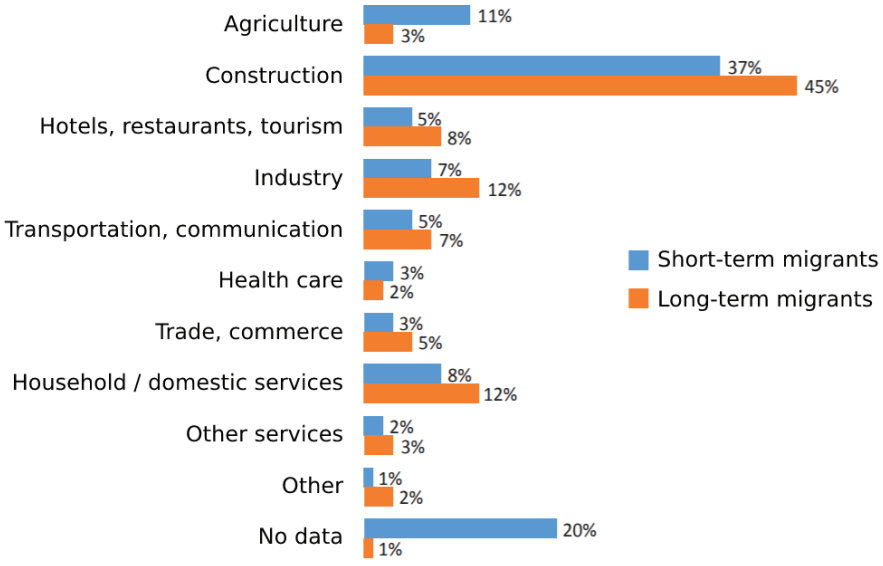
5 Cf. Also in Italy (238 000), Germany (112 000), Spain (84 000).

further simplified procedure for seasonal – up to 3 months – employment[6]. Lithuania ratified a bilateral agreement with Ukraine on employment and cooperation in the field of labour migration in 2019 (Rudaitis 2019). Poland, introduced radical simplification of the procedures for receiving so-called "work visas" (Лібанова 2018), while Polish Card (Karta Poliaka), allows for a very generous preferential status for education, work and business, and "facilitates obtaining settlement status and citizenship in Poland" (Vakhitova and Fihel 2020: 129). Poland's migration policy, despite general conservative and hostile views on migration, aimed to attract "culturally similar" migrants; meaning those likely to easily adapt in Polish society with skills required by the Polish labour market. To facilitate such migration, Poland has adopted a number of measures: "liberalised employment and legalisation procedures, extended the validity of temporary residence permits and signed a bilateral social security agreement with Ukraine" (Vakhitova and Fihel 2020: 129). Additionally, local mobility of Ukrainians in the border regions has been facilitated by transborder agreements, allowing the those residing in pre-border zone to enter the neighbouring countries up to 30 Km (in case of Poland) and up to 50 km (in case of other bordering countries). Such agreements were activated with Hungary in 2007, Poland and Slovakia in 2008 and Romania in 2014.

In terms of labour migration, some scholars refer to a number of "corridors" of mobility, which are mostly linked to gendered and sectoral labour demand in the receiving economies and legal modes of mobility developed for Ukrainians in the receiving countries (Fedyuk and Kindler 2016). Figure 1 (translated from the IOM report of 2016) also gives data about the occupations of Ukrainian workers abroad differentiated into two categories – long-term migrants and short-term migrants (Малиновська 2016: 14).

Graph 1.

Figure 1. Spheres of employment of Ukrainian labour migrants abroad



Source: IOM household and labour migrants' survey in Малиновська 2016: 14.

6 https://www.mgyosz.hu/hirlevel/20160623_MGYOSZ_javaslat_a_magyarorszagi_munkaerohiany_kezelesere.pdf

Deficit of the workforce that characterises many new EU states caused them to seek to compensate this lack by non-EU workforce in particular Ukrainian workers (Vakhitova and Fihel 2020). Prior to 2014 the biggest recipient countries of Ukrainian workforce were the Russian Federation (43.2%), followed by Poland (14.3%), Italy (13.2%) and the Czech Republic (12.9%), Hungary (1.9%) (Малиновська 2016). Italy and Hungary mark a larger percent of migrating women – 78.5% and 53.0% respectively. It also caused these countries to turn to labour immigration by simplifying employment and mobility procedures: "Just several years ago employers in Poland, Czech Republic or Slovakia were preferably hiring experienced and qualified workers (except for cases where non-qualified workers were needed), but now they tend to agree even to professional training and retraining of workers at their own expense for 1 to 2 months" (Libanova 2019: 317). Thus, the professional, educational and demographic profile of Ukrainian migrant varies from country to country based on formal opening and informal opportunities provided by the national and local labour markets (Fedyuk and Kindler 2016).

Not all experts in our research agreed however on the terminology of migration corridors. One expert commented that the term might be applied too easily and hastily to any mobility, while it only makes sense to speak of a corridor in connection to long-term, significant in volume, steady migration flows:

First, we need to understand what is a corridor. Once we know what it is, we can discuss if they exist, or it's just a journalist term. I was taught that migration corridor is a stable, continuous migration flow, which unites certain territories. From this definition, probably Russian or Polish – Ukrainian migration corridor exists. … [For the Baltic states] I think the numbers are too low. … Baltic states have a number of successful efforts to create a transition for migration further north and west. Formerly there was a period of fake Lithuanian passports, and now, as I understand, those who want to get a passport or residence permit, they go to the Baltic states. In my view it's hard to say if its migration as such or just a paperwork transition point. [In this context] there are emerging agencies that employ workers. … We could unite or single out migration tendencies in a [broader] region, but then there are national differences. Poland and Hungary are very different. Czechia and Slovakia, although close, – have also huge difference due to different need in a work force and their national labour markets. (EX13UA031821)

This debate sets up a background for this study, in which we need to keep in mind that migration flows are very dynamic, situational practices which individuals navigate utilising all their available resources (often including informal network and kinship) and in which various opportunistic and commercialised structures emerge both top down and bottom up, in order to capitalise on matching workers' supply and capital's needs.

Recent changes[7].

In terms of recent trends there are three main factors that affected mobility patterns of Ukrainian citizens. **The first factor** can be attributed to the military conflict in the east of Ukraine in 2014 which created a considerable group of internally displaced people or citizens who could not return to the military zones after their activities (like studying or employment) in other parts of Ukraine. The number of registered internally displaced people in Ukraine reached 1 458 737 in November 2020 (МТОТ 2020); experts argue these people opt for international labour mobility, as being displaced once they found that their prospects to get a better paid job abroad were better than finding a job within Ukraine (Vakhitova and Fihel, 2020). This led to the increasing number of workers willing to try out employment abroad while also changing geographical trends; while before 2014 western regions of Ukraine where more likely donors for migrant workers to the EU after 2014, such central and eastern regions as Donetsk, Luhansk, Autonomous Republic of Crimea, Dnipropetrovsk, Mykolayiv, Kharkiv, Kherson, Chernihiv, Zhytomyr, Kirovohrad, Cherkasy, Sumy, Kyiv regions and the city of Kyiv became active "sending" regions (Андреєв and Борисов 2020).

The second factor, is that before 2014 Russian Federation was number one destination for Ukrainians working abroad, with eastern and central regions of Ukraine being among sending regions. The war in the Eastern regions of Ukraine and linked to it tightening administrative procedures and attitudes towards Ukrainians in Russia altered this trend (Vakhitova and Fihel 2020, Mind.UA 2019, Pieńkowski 2020). Thus, according to the Ukrainian LFS data of 2012 and 2017 there is a sharp decline of Ukrainians employed in Russia, i.e. 510 000 and 343 000 respectively (Заха & Люкке 2020). In the meanwhile, Eurostat data on employment of Ukrainians in the EU in the same years shows a steep increase from 779 000 in 2012 to 1 177 000 in 2017 (Заха & Люкке 2020). The most dramatic change occurred in relation to Ukrainian labour migration to Poland, marked by robust increase of labour mobility. Additionally, Poland and increasingly so former Soviet Baltic states play the role of corridors for posted workers and various multiple informal passages towards further mobility to other EU countries, (often Germany in case of Poland and Finland in case of the Baltic states) (Kall et al. 2020).

The third important factor that altered the pattern of worker migration from Ukraine was the introduction of visa free regime which allowed mobility for business, tourist or family purposes valid for up to 90 days in any 180-day period but did not provide for the right to

7 Since the beginning of the full-scale war by Russia against Ukraine in February 2022, dramatic changes took place, regarding the numbers, demography, method and reasons of mobility of Ukrainian citizens. UNHCR states that over 4 million Ukrainians claimed temporary protections status (2022.10.03) while millions have come back home for an uncertain period of time after their initial flight. Additionally, tens of millions lost their jobs, homes and prospects within Ukraine. Similarly, the EU and national responses to people fleeing the war changed drastically the legislative and practical aspects of reception, to give just one example –the revival of the Temporary Protection Status. Therefore, to make this draft to date with these changes would require significant detour from the draft's original questions and goals. One can read more on the current situation linked to social protection, housing and migration in Ukraine at: https://cedos.org.ua/en/

work in the EU (European Commission 2016). Although this type of visa-free entry officially does not permit any form of employment, *de facto* it allowed many Ukrainians to try out employment abroad, even if temporarily, or to enter the EU, find employment and to regularise it with time. Moreover, some receiving states responded to this opening by introducing national simplifications that would permit seasonal and probation employment under 90 days, thus creating a loophole for Ukrainian workers with biometric passports (e.g. in Hungary[8]). **In relation to this, it would be interesting to see the connection between various national regulations, i.e. what national regulations have been adopted that made it possible to employ Ukrainians with biometric passports within this 90-day visa-free passage**. This last factor also altered the patterns of mobility. While the research from before 2014 pointed that from the late 1990s there is an increasing trend towards more permanent forms of migration among Ukrainians, leading to more long-term mobility with the prospects of permanent stay, there is a revival of seasonal, shuttle and short-term migration linked to the visa-free regime. As our interview indicates, the most common length of stay abroad is 1 to 3 months, followed by 6 months (Андреєв and Борисов 2020). Another study (Vakhitova and Fihel 2020) that looks into the results of the LFS shows increase of the short term (1-3 month long) migration and decrease in residence abroad lasting over 12 months[9]. The modes of the searching for job has also changed: while private connections and social networks remain the main method for job search, there is a rise in importance of local recruiting companies (often information shared through social networks) as well as activation of the role of the employers from abroad in recruiting on the territory of Ukraine (Андреєв and Борисов 2020). Platform-type services for job search and recruitment were also mentioned in our interviews as "the future" of recruitment sector, but none of our respondents could not provide any concrete examples of platform employment or recruitment of Ukrainian workers abroad.

Snapshot of trends and numbers during COVID-19 pandemics.

COVID-19 brought into public focus the migration of workers that has been mostly ignored – seasonal, temporary, low-skilled jobs workers. "Essential workers" was a term that emerged quite early in spring 2020, and reflected a fraction of recognition of the workers that until then had been mostly deemed as unwanted, while EU migration regulations prioritised highly skilled workers (De Somer 2012, Bergfeld and Farris 2020). In pandemic-stricken Eu-

8 https://net.jogtar.hu/getpdf?docid=A16K0302.NGM&targetdate=fffffff4&printTitle=NGM+k%C3%B6zlem%C3%A9ny&referer=http%3A//net.jogtar.hu/jr/gen/hjegy_doc.cgi%3Fdocid%3D00000001.TXT

9 Based on LFS, 37.2 % of all migrants went abroad for a period between 1-3 months (between 2005-8), 31.6 % (between 2010-12) and 43.5 % (2015-17). As to the trips above 12 months they constituted 16.2 % (between 2005-8), 17.3% (between 2010-12) and only 10.1 % (2015-17) (Vakhitova and Fihel 2020: 133).

rope the workers became visible through the unharvested fields, lack of products on the shelves, elderly and children left without care, lack of medical personnel. Ironically, the closure of many national borders in Europe in March 2020 and various local and national mobility restrictions brought the EU face to face with a sharp realisation that caring, cleaning, factory and agriculture work is done many times by migrant workers, whose absence can seriously disrupt Europe' livelihoods. Similarly, in Ukraine, COVID-19 pandemic made the issue of labour migration visible through 4 main processes:

1) the return of labour migrants from abroad (due to loss of job, uncertainty of job, high insecurity and living expenses abroad and expired documents);
2) attempts of the Ukrainian government to retain workers at home (via financial subsidies and indirect prohibition of migration);
3) restrictions of migration and quarantine requirements introduced by the EU countries;
4) drop of employment in certain sectors abroad (hospitality and tourism in particular).

All in all, it is important to remark that internal Ukrainian labour market has suffered significant shock that was reflected even in the official statistics: e.g. in the first 3 months of lockdown (from March to May) the number of people claiming unemployment doubled compared to the same period in 2019. Overall, in May 2020, 486,800 persons were registered as unemployed, as compared to 305,400 in the same months in 2019 (Андреєв and Борисов 2020).

In response to the pandemic Ukraine announced border closure scheduled on March 28th 2020. This brought a sharp increase in border crossing to Ukraine; in March 2020, 1,3 million of Ukrainians have crossed Ukrainian border back to Ukraine, although not all of them were labour migrants. A unionist report on the effects of COVID-19 suggests that by various estimates up to 500 000 (7-10% of all Ukrainian labour migrants) returned during the period of the first lockdown in 2020. Again, here Poland seemed to have the most returnees – up to 150 000 Ukrainians left Poland – mostly those whose various legal stay documents were expiring (Андреєв and Борисов 2020: 31). This brought into the spotlight vulnerabilities linked to regularity and migration status, which seemed otherwise of minor importance after introduction of the visa-free travel regime.

In a recommendation note to Ukrainian government, the National Institute for Strategic Studies (Малиновська 2020) outlined that among people who will return to Ukraine during COVID-19 lockdowns are first of all the workers whose seasonal work permits have reached the end, and who plan to resume their seasonal employment and circular mobility as soon as the lockdown measure will be softened. Other groups of circular (return) migrants would include those who have reached their migration goals and those with age and health – related risks during the pandemic. The recommendation note argues that the effects of such a return will be a temporary "injection" of seasonal and temporal workers into Ukrainian

labour market who can be activated particularly well in areas of construction. However, Malynovska argues that not all migrants will be searching to enter Ukrainian job market – those who seek return to migration or retire might opt for simply "waiting through" the pandemic times at home (Малиновська 2020). Ukrainian government saw this as a potential to reintegrate workers with European employment experience back into the national labour market, but, as the Recommendation note suggests, this would require a particular decisive actions on behalf of the government. Among incentives of such integration, the Note argues for developing effective pro-active labour activation and employment services for returnees, financial and social programs of support for returnees and their families, taxation and financial guarantees in case of return, centralised information services, local pension funds consultations for those transferring their pensions from abroad, programs stimulating and creating more favourable ways of money transfers from abroad and create more regional services especially in the areas typically affected by the labour migration.

The return of migrants was expected to have an impact on the level of remittances as well. For years they have been the largest investment from outside of Ukraine: "In 2019, Ukrainian labour migrants transferred more than US$12.2 billion to Ukraine, amounting to 7.8% of the country's GDP. This is a record number since the National Bank started maintaining statistics in 2015. Most of the money – $3.68 billion (almost 31% of all funds transferred into the country) – came from Poland" (Semchuk 2020). Yet, it is already clear that remittances, suffered only temporarily due to the COVID restrictions: It was expected that the level of remittances would drop, like they did in 2014 (due to reduction of remittances from Russia (Віннічук, 2019). In fact the first 10 months of 2020, there was a 2,5% drop against the same period of 2019; between January and October of 2020 remittances added up to $8,48 billion, compared to $8,7 billion) in 2019 (НБУ. LB.ua 2020). And yet, the data from the National bank of Ukraine indicated that overall remittances in 2020 bounced back and even increased 1.7 % (200 million USD), reaching 12.1 billion USD compared to 11.9 billion USD in 2019 (НБУ. LB.ua 2020, Новикова 2021). This confirms the conclusions of experts in our interviews: despite the temporal restrictions on mobility and return from abroad, the harsh impact of COVID-19 on the Ukrainian labour market and economy will prompt more people to search employment abroad and to increase their effort to send remittances to their families in Ukraine.

SECTION 3. Breaking down the reasons for labour mobility from Ukraine.

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Decision to migrate for work is never a response to one particular life event, but to a combination of personal, financial, economic and social life challenges. It does not have to be solely a response to a problem but also can be linked to the social, economic, personal and financial aspirations and resources available to individuals (for detailed qualitative and quantitative analysis of reasons for migration see also Libanova 2019 and Bilan 2017). Having this approach in mind, for this report we would like to outline specifically some of the problems that were named by our experts as connecting the situation on the Ukrainian labour market to the decision to migrate for work. In our interviews we asked: "Why do you think people leave?", as well as a few more specific questions in which we have asked our respondents about possible connection to the situation on Ukrainian labour market and decision to migrate. Among the reasons that prompt people to consider migration every respondent noted the low wages in Ukraine and a considerable difference between earning opportunities in Ukraine and abroad. In a 2020 report about the impact of COVID -19 pandemic on labour migration from Ukraine, Ukrainian Construction Workers' trade union give an example for considerable difference in earning opportunities at home and abroad. In 2020 monthly minimum wage in Ukraine was 4723 UAH (162,39 Euro) while hourly rate was 28,31 UAH (1,02 Euro). In comparison neighbouring and eastern EU countries offered 400-600 Euro in minimum monthly wages (e.g. Poland 611 Euro, Latvia 430 Euro, Romania 466 Euro, Hungary 487 Euro, Croatia 546 Euro, Czech Republic 575 Euro, Slovakia 580 Euro, Estonia 584 Euro and Lithuania 607 Euro) (Андреєв and Борисов 2020).

Besides the "low wages" reason the report (Андреєв and Борисов 2020) further offers a more nuanced picture, listing a number of economic and labour market related reasons such as:

- Unemployment and considerable difference in unemployment rates by sectors and regions of Ukraine (in 2019 there is an increase in unemployment rates to 8.6%, from 7.8% in 2013).

- Long-lasting decrease in popularity of certain professions, decrease of production and jobs in various sectors and brunches of industries
- Considerable drop in wellbeing standards of large parts of population and increase in poverty
- A growing gap between wages and living expenses
- Lack of social protection and guarantees in employment
- Considerable shadow labour market in Ukraine
- Economic crisis linked to COVID-19 pandemic

These reasons echo similar findings from the earlier studies on the so-called push factors of labour mobility in Ukraine; 2012 and 2016 studies by an economist Olha Kupets argue that "the major push factor for migration of Ukrainians is low wages and the main pull factor in the destination countries is anticipated higher earnings" (Kupets 2016: 37). Kupets adds that it is not only "differentials in wage rates that matter for the decision to migrate abroad, but also the lack of stability of earnings in Ukraine due to widespread wage arrears and under-employment in the formal sector and even more acute problems in the informal sector" (2016: 37). Similarly, a 2017 study indicated a significant and prolonged backlogs in salary payment (which increased from approx. 70 million Euro in 2017 to approx. 117 million in December 2020) coupled with violation of wage calculations, weak labour law implementation as a potential push factor (Fedyuk and Volodko 2018). Furthermore, a 2020 study on the impact of migration on Ukrainian labour market also suggests, that unemployment was only partial reason for seeking job abroad: "... according to the SSSU [State Statistics Service of Ukraine] (2017) survey, only 58% of migrants were employed. Out of this group, 70% gave up their jobs in Ukraine because of a low salary; some 15% because they had been dismissed or their temporary contract had ended; and 15% for other reasons. The status of the remaining 42% of migrants before leaving the country is not clear from the SSSU survey; they could have been unemployed, inactive or, most likely, working in the informal sector or on a pause between consecutive periods of work abroad" (Pieńkowski 2020: 18). Labour migration also has its own impact on the labour market of Ukraine, concludes Pieńkowski: "These figures suggest that emigration attracted between 1.3 and 1.6 million people directly from employment in the Ukrainian labour market – 8-10% of the total number of people employed in Ukraine" (Pieńkowski 2020: 18).

One of our interviewee's commented that while Ukrainian labour code remains quite protective of workers, its downsides remain the same over the last decades: poor, ineffective implementation and lack of control by the Labour Inspectorate, limited protection against discrimination (corruption, gender inequality and ageism in particular), lack of regulation to escape permanently precarious (atypical) employment (e.g. short-term contracts that don't have to be turned permanent). These 3 aspects are cementing an unfavourable situation. In addition, expert in our research said they observed simultaneous advancement in the direction of deregulation and flexible employment that protects employers' interest under the

pretext of fighting shadow employment. Thus, the expert remarks, 0-hour contracts that is criticised in the EU are being pushed through now in Ukraine: "It is very hard to effectively enforce labour code and its regulatory space... The sphere of such types of employment is getting smaller – the rise of non-employment contracts, like service contracts are growing, or no work agreements at all, like for couriers, for instance. Regulations of employment start to effect smaller number of people" (EX05UA120420). Lack of protection in case of labour disputes at workplaces and absence of worker representation and social dialogue also affect the quality of employment: "Opportunities for social dialogue always turn into a conflict rather than a dialogue. [...] Our state announces itself as a guarantor of employers' and investors' interests and not the workers'" (EX05UA120420). With the changes in new labour law, it is mostly initiatives and opinions of employers that are taken into account, as trade unions and workers are side-lined from the social dialogue on the legislation. However, the expert remarked that even there the space for social dialogue is shrinking, leading to erosion of these jobs and migratory intensions even in these traditionally strong sectors. All these trends and the direction in which the legislative regulation of Ukrainian labour market seem to head "sponsor" labour migration, as one of our interviewees remarked:

> [...] we now have many legislative initiatives here in Ukraine that [will] worsen working conditions, violate good working conditions, conditions of paying salaries. We understand that these legislative initiatives "sponsor" labour migration, and although it is clear that something needs to be done, the situation in our country is s such that its better and more beneficial to search for employment abroad. (TU06UA121120)

In discussing factors that might connect decision to migrate our respondents added several other details. For instance, one expert emphasized that in the recent year there is a **considerable erosion of those vocational or industrial** professions which still a few years ago guaranteed stable and relatively high income, as well as an attractive social protection package (pension privileges, etc) in Ukraine: "Earlier, it was mostly public sector workers who left (their jobs) and retail, small business. Now it is people who were employed in good jobs in industries." (EX05UA120420). Another expert picks on the similar trend:

> 2014 catalysed everything. We see that all migration became younger, and qualified workers has increased. Its student migration and not only.... Before now, even those who left with university diplomas in fact had never been specialists, because they had never worked according to their education. Now, we see that its truly specialists who leave, that these are qualified manual workers. We also see that they increasingly find jobs in their profession. We will see how COVID will change that – before we saw IT people leaving now you can see that they work in qualified jobs remaining in Ukraine. (EX13UA031821)

Another feature of Ukrainian labour market, which can be considered a side effect of low wages, is a need for maximizing hours of employment; part time jobs are highly unpopular

and usually are forced on the workers through unpaid cuts in working hours. This is another reason why workers seek to maximise working hours while working abroad, as at least these are better paid as one of our interviewees explained:

> [Ukrainian] people abroad work more, they work week-ends and long hours. If they worked that much at home, and were paid, they could have earned better. Because pendulum migration allows for this type of earning rhythm – the reason for migration is not just a salary but it's a whole complex picture, system of needs and opportunities. In my opinion, the rise of salary alone will not stop migration (EM10UA122820).

Similarly, negative attitudes and discrimination, in particular ageism was also mentioned as a reason for feeling neglected and undervalued on the Ukrainian labour market. These comments can explain the increase in middle-aged and older social cohort among labour migrants: "Temporary work abroad has become a permanent employment strategy for the middle-aged cohort of migrants who, as times goes by, move into the older and older age categories" (Vakhitova and Fihel 2020: 133). Our interviewees remarked that prejudiced attitudes towards the age of workers cause very real barriers during employment in Ukraine:

> When we talk about labour migration in the construction sector, we talk first and foremost about people in their 40s and over. These are the people with experience, with practice. And you know how employment works in Ukraine...Employment priority always belongs to young people while those who are slightly older are considered to be a "risk group"; meaning employer says "you seem to be too tired to work, and so on..." But when the same people go abroad Polish employers say that same Ukrainian workers love to work so much that "even if we ask them to stop they keep working" (TU06UA121120).

Working conditions on the Ukrainian labour market was discussed in our interviews as a constantly relevant point of critique and comparison, the one that linked decision to migrate to the problems on the local labour market. In cases as above, dual frame of reference to the low pay and bad working conditions in Ukraine often seem to make it "worth" for Ukrainian workers, even if their qualifications are not recognised or they are underpaid in relation to their qualifications and worked performed. A trade union representative in our study mentioned that it was a constant struggle to urge Ukrainian migrant workers to speak up against the violations at their work places:

> Our colleagues during foreign campaigns ask workers to speak up, ... about working conditions ... but they don't want to speak up...Only when we speak informally – they say – 'we have no choice, I come from this and this region, I haven't seen job for 7 months, employment centre offered me job that can only pay my electricity bill and my wife is also unemployed even though she is a teacher...I have no choice but to be quite and keep working.'

> The question of exploitation is a tricky one...how do you describe it? In Estonia 2 workers share a cabin, Ukrainians are happy to share it with 4 people. When we showed them video of accommodation in Finland, our workers cried that "when will we finally have such conditions for work and life in our building sites?" That the work is hard, yes, there is no question, but at least there you are being paid for it... We have construction workers who go to work in the desert in Israel – but their payment is 30 times more than in Odessa, where they have 60 C in the crane cabin. They say they feel chill in Israel! [...] There is a big difference, – or no, an actual small precipice, between the working conditions abroad and here. (TU06UA121120)

Therefore, we conclude that decision to migrate, complex as it is, has a strong connection to the working conditions and previous experiences on the labour market by the worker. Moreover, it has a long lasting and strong impact on the way such worker will handle cases of exploitation, various work disputes and violations. This correlation has to be considered particularly in the efforts of the local TUs and activists to engage Ukrainian workers in various campaigns and actions.

SECTION 4. Modes and channels of recruitment from Ukraine

In 2019 there were **1793 companies** in Ukraine registered as companies providing services in employment abroad. In 2018 these companies employed 97 098 Ukrainians, majority of them in Cyprus (19 243), Poland (12 539) and Germany (10 558). This numbers for Cyprus can be explained with the fact that for a long time recruitment agencies were used mostly by those seeking to hire marine crews – this is over 400 companies registered in 2019. This is an earlier trend; thus in 2016 half of the total 359 registered agencies operated in Odesa region, employing 77% (approx. 60 000 persons) workers, with main migratory flow created by this employment directed towards Cyprus (State Employment Service of Ukraine, 2017). Other professions, like various types of construction workers, drivers, warehouse workers gained prominence among the agencies only in the recent years (Сардалова 2019). And yet, as in the previous years, so is now the actual market of services that provide assistance in employment abroad is hardly reflected in the number of official employment agencies registered by the Ministry of Social Policies (and since 2020 transferred to Ministry for Development of Economy, Trade and Agriculture of Ukraine). Besides the licensed recruitment companies these services are provided by individuals without registration, while some companies that *de facto* provide recruitment services operate under other licenses, such as tourism, travel insurance or educational services (Vakhitova 2013, Fedyuk and Volodko 2018, Сардалова 2019).

For the purpose of this study, we have developed a graph that focuses on employment of those workers who turn to recruitment or work agencies for their employment. Again, we emphasize that this is not the only form of mediated employment; other forms involving kin networks, social capital from previous jobs, “brigade” and “patron” schemes, play huge role.[10] For the purposes of this report we turn to recruiters and argue that even when a worker turns to an official service provider for finding a job, much confusion and fragmentation of roles impacts the recruitment and hiring process, impeding the transparency of the procedure and making it more difficult for the workers to remain in control. It

10 There are a few exceptions, such as when a worker returns to the same place of work / employer. It is more likely to happen in cases of domestic and care work, where workers tend to develop very personal connections to the families where they work.

is very important to better understand the role each actor plays in such chains of mediated employment, when recruitment or work agencies are involved.

Our Graph 2, illustrating the chain, begins with a Ukrainian worker who possess varying resources for mobility, social capital, and who is backed up or constrained by particular social and family relations and practical skills, language and mobility experience. Depending on all these, as well as the worker's migration objectives (earning needs, further plans), the individual picks a destination country and desired / planned length of stay, as well as pattern of employment/ mobility (e.g. seasonal, pendulum, circular, temporary, permanent).

Graph 2.

(Source: the authors)

From our previous research into the temporary work agencies hiring Ukrainian nationals in the EU (Fedyuk and Volodko 2018, Meszmann et al. 2020) we see that the search usually follows 3 main paths: 1) getting tips from relatives, acquaintances, colleagues, who have had an experience of employment via certain intermediary; 2) getting an add from advertising materials (e.g. flyers on the public transport), or 3) via online platforms or groups (e.g. relevant Viber and Messenger groups, Facebook groups, job advertising websites). Despite the proliferation of various forms of intermediates facilitating employment abroad with varying degree of official certification and service qualities our research has indicated that personal tips and social networks remain of paramount importance in virtually all sectors of employment. Very often the initial information about a job or a recruiter's contact is passed and trusted when passed through personal networks. (In the scheme marked with the punctuated line, as might be skipped if a worker finds a job/ recruiter directly online). Yet, there is a growing importance of recruiters and TWAs/ employer in enabling mobility, employment and shaping experience of employment, especially during the pandemic related restrictions (see discussion in Section 6 and 7 of this report).

As jobs are advertised mostly by recruiters, choosing a job often means choosing a migration broker (recruiter) as well. When initial contact with a recruiter happens, the broker can offer the specific job chosen by the candidate or offer other jobs that they broker at the time. What is important to realise is that while often, this original step in job search is crucial, it often remains completely informal. This means that after original matching the worker with the job, often there are no contractual obligations between the broker and the worker. Some recruiters can have a service contract, which regulates their obligations in the employment chain; depending greatly on agreement and even jobs brokered by the

recruiter, such obligations may include re-employment in case a client does not like the job or feels cheated by the work conditions or maintaining contact for some time for possible problem resolutions. The relationship between the worker and the recruiter often remains completely trust-based although crucial; it is the recruiter who organizes practical side of transportation and often remains responsible/ first person of contact for any possible mishaps in the process of employment. It is important to remember that these brokers often operate under the licenses not of work agencies but tourist agencies or simply providing information services, or completely informally (Fedyuk and Volodko 2018). Those who operate formally, need to have ministry license, that allows them to charge fees for their services. Very often, the fees depend of the destination country and on the type of vacancies brokered by the recruiter. If, for instance the vacancy requires confirmation of diplomas, pre-purchase of plane tickets and visa fees – workers delegate all these to the recruiter who charges fees for these activities. However, if the recruiter has "an order" from a user companies that pays commission per recruited worker, these vacancies are advertised as free with no charges for the potential candidates. Thus most recruiters have both paid and unpaid vacancies, and provide differentiated packages of services depending on the type of vacancy.

In the next step towards employment, the recruiter matches the candidate with a (often foreign) temporary work agency (TWA) that actually signs the contract with the worker in order to lease them to the actual employer or user company. These TWAs often have no connection to Ukraine, and are fully "foreign" to the worker, which again, makes the role of the original broker in Ukraine more prominent throughout the process. In few exceptional cases, like in cases of Poland and Hungary, where TWAs are recruiting directly from Ukraine, relying on the social capital of their agents (e.g. in one case in Hungary ethnic Hungarians used their networks to recruit from home villages in Ukraine). In case of Italy, however, we saw that recruiter connected the worker directly to the employer (in Italian case households employing care workers). In most cases TWAs are the formal employers, with whom workers have contractual agreements. As such they play tremendous role in providing workers' housing, transportation to work (and sometimes home as well), managing social contributions and immigration paperwork, daily translation services and other forms of communication flows, experience of quality of employment. Again, it is important to remind that there might be variations of these relations by sector and specifically by local employer arrangement with a TWA or a recruiting company.

The last link in this chain is a user company or an individual employer. This provides the physical space and interaction and work relationships on the site, work conditions and interactions. Mostly issues like timely pay, social security, access to housing and legal immigration status, – these remain out of the scope of the user company and lie a responsibility of the TWA. What the user company does manage is health and safety issues, regulation of schedule and general working conditions, although these can also be variations to local and national regulations. It is not surprising that workers, – and very often experts in Ukraine,

– can get caught up in such employment chains and fail to see where the clear responsibilities lie. Workers usually turn to the first initial contact (recruiter) in case of problems and fail to see their problem to those truly responsible for it. In our interviews it came up that some recruitment agencies in Ukraine make written agreements limiting their responsibility in terms of dissatisfaction with the work place to a few weeks, and salary payment conflicts to up to 1 months from the starting date of employment. Our interviewees stated that the recruiter would facilitate re-employment or return the services fees to the dissatisfied worker only within this limited amount of time (usually from 1 week to 1 month).

As we have demonstrated the path of Ukrainian workers into employment abroad is often fragmented not only by the involvement of a TWA that leases the workforce to the user company, but by additional steps via recruiter or migration brokers. These actors often make a huge difference in experience of such employment; it often involves additional expenses in the form of recruitment fees but can additionally provide additional mechanisms of filtering job offers, or even network of support in cases of unsatisfactory employment experience. Such recruiters, although often stay outside of strictly contractual relationship with a worker can play role in re-employment and at times, conflict management or problem solving. To understand worker's experience of integration in the receiving country's labour market, it is important to better understand the scope of influence, work and responsibilities these brokers undertake in facilitating labour mobility from Ukraine and the niche they occupy in the sector of mediated employment. Additionally, connected to COVID-19 pandemic, our respondents noted the growing importance of employers and TWAs in enabling transnational mobility and employment, as in the quote below:

> Today the priority [that enables migration] is the availability of papers from the employers; nowadays, you can't just migrate on your own, if you don't have necessary papers. [...] These corridors of migration are now all connected to employers. COVID-related restrictions have indicated new system of migration; these controls over leaving one [state] territory and entering another. We can see on the example of migration through Belarus to Lithuania. People have paperwork done, all is fine, they leave Ukraine they can cross Belarus on these papers, they enter Lithuania and the border guards turn them back. The reason – not fully properly filled out paperwork from the employer. And people are turned back. If earlier, people would just into a bus and go work abroad on their biometrical passports, working out paperwork slowly on the spot, now this is impossible; migration corridors now are enabled only by the foreign employers. [...] In another case, we saw Polish company that during COVID-19 restriction on travel from Ukraine managed to organise 3 charter flights for specialists that they needed...I think they were electricians... so this is how migration looks these days. (TU06UA121120)

The role of mediators and recruiters during the COVID-19 pandemic was also intensified through general immobilizing of population; collecting necessary paperwork in various in-

stitutions and centres has become complicated, especially when it involved commuting between cities. Therefore, the role of such intermediaries as translation offices, visa centres, recruitment agencies, transportation companies and couriers became much more prominent (IO04UA120220, EM02UA111620). One of the recruitment agencies, interviewed in the study remarked that pandemic has caused material changes in prices as well:

> Czechia and Poland has rising requests for workers and have even increased the fee they pay for recruiting a worker: in Poland they used to pay 200 – 300 ZLT for an unskilled worker, now they can offer 500-700 ZLT. All the industries keep working [...] maybe this demand is also linked to the limitations of mobility – Ukrainians can't enter with biometric passport now, only with the work papers. I can imagine that there are no actual new work places, but some people left and it's not easy to go back. [...] Transportation services also became more expensive; a transport to Czechia used to be 110 -120 Euro, now its 200-300 Euro for transport due to limitations at the borders, some places they can pass, some not. [...] Factories, warehouses, transport, construction – all these jobs are in demand as always. Organization of transport became more expensive and that might have affected the volume of mobility. [...] During COVID we have less and less people who can pay for initial stages of employment – even 100-150 EURO is a lot and people can't pay so for us it's a problem. (EM03UA112020)

From the perspective of the Ukrainian state, the first step towards tighter regulation and control of the migration and employment intermediaries should be to bring out of the shadow all those mobility brokers who facilitate employment abroad either fully irregularly or under various other licenses. As it was mentioned earlier, many companies that provide the service of matching workers with job offers are foreign TWAs or direct employers under the license of tour agents, visa centres (Fedyuk and Volodko 2018, Сардалова 2019). In 2017, Amendment No. 6275 was introduced to: a) better meet EU legislative norms in connection to the visa-free regime, b) thin out smaller companies and facilitate the interest of more established recruiting companies, and c) better address the issue of human trafficking. In 2019 a more consolidated effort was made to manage the activities of the companies that facilitate employment abroad. A draft of the new Law dated 31.10.2019 №2365, on protection of labour migrants against scam employment aboard (Ліга Закон 2019) aims to make changes in a number of related legislations, including those linked to labour migration, employment and order of registering entrepreneurial activities (Ліга Закон 2019). The main innovations of the law lie in a proposal to a) cancel registration system of the companies under a license of recruiters for the job abroad (current requirement for conducting such activities) and b) to prohibit charging payment for recruiting services from the workers who apply for positions, thus operating only on the fees from the employers. The law has passed the first reading at the end of 2020 and is scheduled for the second discussion in the parliament in February 2021.

In our interviews it turned out that the law has sparked a real debate within the entrepreneurs providing the recruiting services. The proponents of this regulation argue that prohibiting fees being charged from the workers will prevent cheating and fraud of the individuals searching for jobs, and thus illuminate one of the main violations in this sector. In addition, it would reflect the moral principle that individuals should not be paying for employment. The opponents of this law argue that the services that recruiters provide often go far beyond simple matching service with an advertised position, but involve a spectrum of services that are extra, e.g. the facilitated search with the specific requirements listed by the candidate, follow-up on the working conditions of the work place, and a guarantee of re-employment in case the user company does not meet the promised standards of employment. Eliminating the fees would prevent recruiters taking all these responsibilities and limit their involvement in the quality service of employment of the candidates. One of our respondents explained the difference between "paid" and "unpaid" services in the following way:

> "Free" vacancies are those where the employer pays a commission, and "paid" vacancies, are those where workers, who want to be employed pay us to find them a particular type of job. When we take such an order we are not sure if we will manage to find such a job and if we can ask for a commission from the employer, so we charge the worker. We call it "individual matching." When we offer free employment we offer one job, in one place without an opportunity of re-employment. When workers pay we sign an agreement, where we guarantee return of fees, or free re-employment [...]. Our fees depend on the job and on the country but overall, it is 20-30 % of a monthly fee [...]. Of course seasonal work is less expensive, and, say, picking strawberries would not cost that much and even very likely it will be free, because employers pay for seasonal work. So we do it for free. But if you come to us and say you want to work near Warsaw, this or that plant because your friend is already there, and you want this or that level of salary, then we will charge 20-30 % [of the first salary] as we need to do work and spend time with this. (EM03UA112020)

Additionally, the opponents of the law argued that the way the recruitment services are placed on the margins of the employment chains (in terms of payment rates and one-time payment per candidate) would not allow them to run their business without charging the administrative fees required for initiating mobility (e.g. translations of the documents, or visa and transportation fees). Yet, both sides agree that it is unlikely that the law will have a strong effect on the actual recruitment processes from Ukraine, as it is will likely push more entrepreneurs to circumvent the law by providing their recruitment disguised under other activities. The tension around the law however opens up an interesting debate about the position of recruitment entrepreneurs in transnational employment chains.

SECTION 5: Problems faced by Ukrainian migrants abroad and good practices of resolutions. /

In discussing one of the objectives of the Ukrainian State Migration Policy 2025 (Кабінет Міністрів України 2017), – bettering the levels of education and information of Ukrainian citizens about employment abroad, – Hnatyuk (Гнатюк 2019) argues that 10 to 20 % percent of Ukrainian migrant workers have encountered with cases of labour exploitation (as defined by Ministry of Labour Protection of Ukraine). Further 18% to 50% of workers can be considered a risk group as they search for job through informal channels and have no written contract with the employer. Hnatyuk further breaks down these numbers by specific types of violations as in the table below (Гнатюк 2019: 16-17).

Degree of the indicator	**Indicators developed by the Ukrainian Ministry of Work**	**Corresponding indicators from the modular questionnaires on labour migration in Ukraine**	**Percentage of Ukrainian labour migrants who encountered labour exploitation according to the indicators**
Strong	Excessive working hours or days	Work hours over 61 per week	18 % – 20 %
	Dangerous work	Adverse working conditions	10 % – 13 %
	Poor working conditions		
	Violation of the labour laws or signed contract	The job was different from the one that the workers were promised	10 % – 14 %
		The worker experienced transfer from one employer to another	5 % – 7 %
		Employment differed from the promised one	4 %
Medium	Low or unpaid salary	Delayed and partially paid salary	10 % – 14 %
	Non-existent social security	No written contract	62 % – 65 %
		No paid sick leaf	89 % – 96 %
		No weekends	26 % – 28 %
		No medical insurance	79 %
		No social security	48 % – 78 %
		No social benefits of any form	17 % –21 %

In the light of this data it is very important to understand the discussion that follows in this subsection in the context of the methodological choices in this report. Thus, as a background study on the sending country we did not conduct interviews with migrant workers but rather experts and representative of organizations and structures that facilitate labour mobility or those who provide support to migrant workers. As such, the information from our interviews represent a particular angle of view of the reasons of the problems and sources of the problems arising in the course of the labour migration. In particular, 3 of our respondents were employment agencies, that view problems faced by migrants not only from the perspective of the workers themselves but also from the perspective of migration mediators and employers, who as user companies, also constitute the recruiters' clientele and also communicate their difficulties related to employment of Ukrainian workers. Four more organizations in this study provide support to migrant workers through close cooperation with foreign support institutions, and their perspective also incorporates the perspective of the receiving countries, in particular institutions such as trade unions, labour inspectorates, employers and various social support institutions. This perspective shaped the responses of our interviewees. From this perspective we have a feeling that instead of focusing on the lived problems of the migrant workers, **their perspective often offers a rather critical perspective on the behaviour and choices of migrant workers themselves** or **on recognising the limitations and vulnerabilities in the cause of employment in foreign countries**. **As such, it is a valuable perspective, but also such that needs to be complemented with and analysed against the perspective of the migrant workers interviewed in each receiving country.**

In our research, we have tried to ask the respondents about the perceptions of labour exploitation in the context of labour migration. Without estimations of the scale of the problems the trade union representative interviewed for this study indicated that the most common problems faced by migrants in employment abroad are not so dissimilar to the problems in Ukraine (also discussed in Section 4), but the promise of higher wages makes the risk acceptable. Thus these problems most often include unpaid, delayed or partial payment, substandard working and accommodation conditions. Others include health and safety accidents, violent attacks or hostile environment at work, cases of deportation and raids (TU06UA121120). One of the recruiters interviewed in the study suggested that the most common problems they see their clients report are payment violations, bad living conditions, long working hours (12 hours), strict control of time and pressure: "In Poland it rarely happens that a plant does not pay ... Mostly its flats, living conditions, too many people in the room, personal conflicts; discipline – like alcohol consumption for instance" (EM03UA112020). Lack of information, unclear and wrong information, lack of clear trustworthy information channels, was raised as an issue by most respondents as well. One expert, who deals with migrants' social integration brought forth the difficulties with which migrants find their place in new communities, psychological problems, depressions, search-

ing for oneself or problems faced upon return, when people find that life in Ukraine has changed a lot, and it takes time to readjust (IO11UA020921).

From the already existing literature we know that uncertainty and sense of vulnerability often prompts migrant workers to maximise short-term benefits and earnings (e.g. MacKenzie and Forde 2009). Some of such strategies play into institutionalized match between 'precarious work' and a 'temporary migration' and may include accepting long-hours, intense schedules, difficult, risky, precarious and harmful working conditions, in short a situation which Nathan Lillie (2016) describes as the 'right to have no rights'. This consent on the part of the workers if often fostered by a comparison to the (lack of) other options, as perceived available, especially back at home. This "dual frame of reference" (Piore 1979) which makes workers contrast their unfavourable conditions to the lack of opportunities to a better employment and income back in Ukraine, also played a crucial role in what our respondents referred to as "employment/recruitment culture." In general, our respondents reaffirmed these findings, repeating that despite the difficult work conditions abroad, many workers see it as an opportunity to escape similarly exploitative work conditions, but for less pay, in Ukraine. A member of a charitable organization, running a program that provides information and support for those planning to migrate to Germany, echoes similar responses from several of our interviews:

> Respondent: [...] Many of our citizens have very vague imagination what why they want to migrate; they have vague inclinations to earn extra money, and nothing more concrete or specific. They just have somewhat vague desire without any imagination of concrete plans for stable, safe future [...]. A big part of our support program is we try to dig deeper, we try to make our clients think not just one small step ahead, but at least to start thinking seriously about their future in the long run.
>
> Interviewer: How would you describe the reasons for this attitude?
>
> R: [...] As an organization, we try to push our clients to double check the employers, to double-check the types of contracts they are offered, whether they have a translation of the paperwork or not. But we often meet with resistance from the clients; they behave as if we try to scare them, they seem to be sure that nothing bad will ever happen to them. [...] We find this carelessness in approaching migration, planning, safety a very common feature among many of our clients. [...] Even when we inform on our social media about the legality checks that are conducted by German authorities at work and residence places, we rather get feedback from our people that criticises the German state and system, rather than a reflection that legality is good for us [workers], that we risk while being illegal, we risk being fined, deported, etc. Personally I don't understand this and my colleagues and I feel it as a personal victory when we manage to make any of our clients to understand the dangers on this way and to appreciate the legal paths.(IO09UA122420)

The “carelessness” to which our interviewee refered to as main features of Ukrainian migrants seem to be prevailing in all responses. And yet, it needs to be unboxed critically, in connection to the perceived and experienced opportunities and difficulties on the way to the employment abroad as discussed by migrant workers themselves. As the scope of this report does not allow for such cross examination, we would like to just express some of the possible explanations for this lack of self-care. One of them, can be long established informal tradition of the migration routes from Ukraine; even today, when mediated migration is becoming more spread and more people use various sorts of migration brokers and managers as paid services, personal networks remain the main channel for mobility (Андреєв and Борисов 2020). This implies both, an uncertainty of information and a larger component of trust on the part of migrant workers. The uncertain guarantees of “good place,” “easy work” and “high wages” often depend on the connections of trust between people exchanging information rather than on specific discussions of conditions of work and residence. Similarly, when our respondent above mentions how migrants criticise the state in cases of raids, this can be read as an opening for the critique of how these checks are done, and what opportunities and closures migrant workers see for themselves to regularise their status.

Recruitment agencies interviewed for our study emphasized the lack of concrete information and transparency in the recruitment process as one of the main problems leading to exploitative experiences at work and various problems. EM03UA112020 commented that frequently, people would follow a promise of a high salary without closer realistic examination of the advertised post:

> Respondent: According to our own internal statistics every third who comes to us has been cheated by an intermediary. The market is full of these scams and it is also why we [registered recruitment agency] feel we have a very important role to play on this market. It’s becoming safer to simply apply to an agency and get employed through them. Even though you pay us money, but you will get it back in case employment doesn’t work out. If you don’t like your job, we re-employ you for free in a new vacancy.
>
> Interviewer: Do people who come to you have a clear imagination of the jobs they want, employment conditions, etc?
>
> R: Oh no! Everyone starts by saying they want a job with a 2500 Euro salary, paid accommodation, preferably somewhere in, say, Holland. So we start by rescaling their expectations…Our people are somewhat spontaneous, everyone thinks that it’s very easy to get a job of 2500 – 3000 Euro. […] We start explaining to them that there are salary brackets, legal mobility corridors with limitations… Many of them leave and go to various scams who promise them these conditions and ask a 200 Euro fees for their services, and then [after being cheated] these people are back at our doors, to speak of real vacancies. […] It rarely happens that anyone wants to talk about the real work conditions, about pensions, why is it more advantageous, say, to work in Poland [than

> further away]. But recently people don't want a [stable] job in Poland because these jobs are very hard and exhausting. Even those who came back from Poland feel very exhausted and try to find something else, elsewhere else. (EM03UA112020)

This comment can be seen not only as a critique to the lack of understanding of the job market by the migrants, but in general, as an indirect critique of the types of jobs, available easily and legally for Ukrainian labour migrants. These comments raise an importance of a conversation on quality of the jobs available to migrant workers, and also of the fact that **it is important to differentiate the quality of the available jobs from the quality of the services provided by Ukrainian recruiters and intermediaries**, as noted by our respondent:

> In fact, we are sending our people to do the jobs that no Europeans want to do. Naturally, we have few satisfied clients, because it is mostly a hard work [that we offer]. They have to stand for 12 hours, conveyer belts, and especially in Poland, it can be short breaks with fine system [if you violate the rules]. Therefore, we do not get lots of positive, grateful comments for our work. I understand this and don't expect gratitude. [...] We are clear with our clients: when you come to us, maybe not everything will be 100% perfect, maybe you will not like the vacancy, or the job, but we guarantee that you will have the promised job and if you don't like it, we will return your money. [...] I don't say that we don't have bad jobs, maybe even terrible jobs... But these are the real jobs available and we are not running away or avoiding our responsibility, or changing addresses and phone numbers. We remain here. (EM03UA112020)

Linked to this discussion is a reflexion by another recruiter, who drew a line between the quality of jobs available legally, through various facilitated mobility corridors for Ukrainian workers and those which are quality jobs:

> Some sectors [of employment] are just too complicated legally and legal [recruitment] companies will not advertise these vacancies. For instance, care work is not running through the legal recruitment agencies. We deal with sectors that offer legal jobs – these are auto industry in Czech Republic and Slovakia. And this year, due to COVID the demand fell. [...]. People chose countries where there are simple jobs and conditions are secondary [...]. Any legal employment is equal to employment of the locals. It's already [considered] a quality job. [...] In illegal employment it's all irrelevant – people can't expect anything. With legal employment there is always social protection, safety regulations, etc. [...] 90% of people [working] in Visegrad countries would not think of any sort of career. They just want to earn money and return to Ukraine. If 50 % of Ukrainian workers stay abroad on a 3-month rotation, 25 % work under 6 months, and only 4 % stay over a year – we cannot expect any career growth. (EM02UA111620)

Echoing this comment, the TU respondent in this study indicated that foreign employers can resort to the use different types of employment contracts to get qualified workers on terms

of unskilled employment. The interviewees remarked that due to the lack of understanding of this difference among the Ukrainian workers, a skilled worker can perform a "skilled" job but offered a contract of an unskilled worker:

> It can happen that you sign a contract for performing a professional job but you sign a contract for unskilled job and you can be paid less, while doing a professional job and having all the responsibilities. (TU06UA121120)

Barriers on the path to obtaining legal employment in the better qualified job (such as recognising diplomas, translating paperwork, showing pervious work experience), relatively easy accessibility to and availability of low-skilled, demanding, hazardous jobs, facilitation of short-term, temporary, just-in-time jobs and pendulum migration, as well as ethnic networks that direct the workers into similar jobs – all these seem to prompt Ukrainian migrant workers to set their requirements bar rather low and seek to maximize only immediate profit. In pursuit of the latter many seem to disregard longer and requiring higher investment ways of professional integration and long-term plans. As one of our respondents commented:

> It is very difficult to use [migrants'] rights practically, even when you have them. Local rules differ, even if national rules are clear. Each locality, municipality may have different approach, different procedures. Sometimes these procedures make this realization [of rights] next to impossible, especially in COVID-19 times. [...] Earlier people didn't even believe that they had the right for any social benefits – they paid taxes or agreed on larger salaries with employers to pay taxes for themselves because this was a requirement for legalization, not because they ever expecting to get something back. [...] How important is it? I think it's very important, because we see from our clients that even this 100 Euro of pension from abroad, is basically something that enables them to return home. (IO04UA120220)

Additionally, it needs to be noted that long-term professional integration requiring recognised diplomas, language skills and various certificates require considerable financial and time investment. From one of our respondents, who recently took up a project to facilitate an employment of medical nurses in the elderly homes in Italy, we learn that the procedure of recognising and certifying qualifications would require at least 3000 Euro and a few months' time for them, as a company providing this service to their job seeking client. Finding themselves faced with many dilemmas discussed by our respondents in commercial recruitment agencies, this non-profit organisation realised that there is no scheme that would allow them to cover these expenses without charging their clients. In the end, our respondent had to develop their own model of cooperation, which involved a loan from employer that would be extended to a migrant worker, who would pay it back over 1.5 years of guaranteed and obligatory employment in this particular nursing home. In case of the bridge of contract, the worker will have to pay the remaining debt before leaving the employer. This complex scheme, however, was the only example we found in our research and

was enabled due to the fact that a very well established Italian organization monitored and supported this pilot project on both ends – with Italian employer and this particular Ukrainian non-profit organization.

Further critique can be heard in articulation of the difficulties that our respondents faced in their work as organizations that either recruit or help migrant workers. One of the main critique was that of the Ukrainian state and its "disinterest" towards labour migrants. Reflecting a general opinion voiced in many of our interviews, one of the NGO respondent described the position of the state in the following way:

> Ukrainian migration legislation makes very small steps; it rather provides a framework. Even the involvement of the designated institutions is partial, their scope of operations and responsibilities constantly change [...] When migrants are mentioned [by the Ukrainian state] it's always in a context of remittances, taxation and regulating something that really doesn't need state regulation. (IO04UA120220)

Another common issue that was acknowledged by all respondents is lack of the clear official channels of information, that even supporting organizations and recruiters were struggling with. In addition, the lack of continuity in policies, as well as organs responsible for that was named several times as a destabilising factor. As one recruiter noted:

> In 10 years that I've been operating as a recruitment agency, the issue of labour migration has migrated through 3 ministries: first it was the responsibility of the Ministry of Labour and Social Policy, then ministry of Social Policy and now the Ministry of Economy [sic]. My license was given to me by a ministry that doesn't exist anymore and my license is not legal with this ministry! (EM03UA112020).

All organizations struggled with lack of information and confirmed that they find official sources (ministry and various state websites) insufficient and had not one official source to turn to in order to clarify the information or interpret it. In case of 2 recruitment agencies – they relied on Google and personal contacts in media, among employers, at the border crossings and in various levels of state institutions for checking their information. All information channels where informal from this point of view. NGOs and trade unions most often relied on their international partners and colleagues to clarify information related to procedures, border crossings, etc.

SECTION 6: Information and cooperation

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And yet, interviews conducted for this study mark a slow but tangible progress in the way labour migration is viewed both in public discourse and from the state institution perspective. One of the interviewee commented on their over 10 years of experience as an NGO that provided various services for labour migrants: “Now, it is good to see a webinar where the head of Ukrainian pension fund speaks on practical steps towards securing a pension from abroad from Ukraine, for example. It is good to hear discussion of such issues in their own words” (IO04UA120220). In our quick and far from exhaustive review of events organised in Ukraine that were related to migration, it was a change to see that at least two big online webinars in 2020 happened precisely around the topic of social rights and protection of labour migrants, and involved ministry level participants presenting their own reports[11]. In our interviews the good practices as to the operation of agencies and organizations that extend their help to migrants were always connected with issues of information and cooperation, i.e.:

1) bettering information flows in the process of employment/ recruitment as well more information about conditions of work, social security, rights, and disputes solving;

2) transnational and inter-organizational cooperation on various levels towards bettering situation of labour migrants and creating a more transparent, accessible sources of information (translation offices, recruitment agencies, chambers of commerce, foreign organizations, state institutions).

Creating better and more trustworthy communication channels.

Responses in this study indicated that labour migrants tend to rely on less formal channels of communication that follow personal networks. Just like with the decision to migrate and search for jobs, many still prefer to make the first information search through their personal networks. An NGO that focuses for over 3 years on providing help with transferring pensions

11 See examples: CEDOS (https://politkrytyka.org/2020/06/10/vebinar-rynok-vyrishyt-migratsiya-chetver-11-chervnya-15-00/), Ukrajina 2050, June 26, 2020 (https://www.facebook.com/watch/?v=298320764640031)

from abroad said that initially their clients would come through “word of mouth”, their popularity growing as a snowball with more and more people spreading the good word. In fact, they even resisted for 3 years creating a Facebook group, saying that it would do more harm than good, being present like this, in the public space without their clients’ immediate references. As they reached the number of 1000 pension cases per year they say that their strategy remains the same – maintaining old phone numbers as much as possible, maintaining same physical address and other contact information. Physical address also played a role in responses of recruitment agencies; all three agencies remarked that in the last years more and more clients ask them about their license number and link them to the registered physical offices. Checking the address, the length of operation at the same address and the license number were considered by one of our respondents a “new growing culture” (EM03UA112020) of using recruitment agencies responsibly.

Otherwise, most respondents noted that social media, various ITC platform of communication (notably Viber, Telegram, Messenger, What’sApp) were the most common circuits of information among migrant workers. When pressed on particular features of the use of these types of communication, respondents noted that as organizations they preferred to have presence on all of these media, in order to reach maximum people. Thus Viber and various ITC groups were said to rather group people around certain topics; like job search, or particular issue or a job place. Facebook groups were more open and often region-/locality-centred. Recruitment agencies and trade union had active Facebook groups; recruitment agencies confirmed that they had comments section open. With COVID-19 mobility restrictions, TU respondents in our study reported that they have put significant effort into digitalising their connections, using Zoom and Skype for better connectivity among partners but with their members. They found this mode of communication more pro-active and effective than simply putting information on the web-site. In general, websites were considered to be among the least effective means of reaching out towards migrant workers.

> We see one of our main goals as to facilitating information flows about the situation in those countries, in those jobs, joining the actions and events, help our colleagues to mobilise Ukrainian workers on the spot. We are parts of larger TU movement and professional branches, but also we have very successful cooperation with other organizations; for example the cases of unpaid salaries in Poland are then communicated to our colleagues in Poland who inform of these cases Polish taxation police directly. In Finland we have very good examples of cooperation with Labour Inspectorates, where we also help to circulate information about checks, translate information into Ukrainian, etc.(TU06UA121120)

Similarly, recruitment agencies had some system of feedback and communication written into their contract with the job seeking clients. In one case, an agency kept in touch with the client over the phone every 2-3 days over the first week, during which the client could chose to say that they don’t like the job and would get re-employed for free. After that period, free

re-employment would be possible only if the employer fails to pay the salary at the end of the month. Another recruitment company practiced keeping in touch every 2-3 days over the phone during the first week and then once a week during the first month of employment. Yet another recruiting company commented that they don't believe in keeping in contact with their clients as realistically they have no influence over the conditions of employment. This company also rooted for free recruitment services for the workers, calling for a much more direct and simple services in which the recruiter would only find an employment without providing any extra services, and the worker would be always free to leave that job if unsatisfied without any fear to lose money invested in employment process.

Recruitment agencies also commented on the importance of communication between them and the user companies. In many cases recruiters preferred to work with the same TWAs or direct employer, providing that the information they gave recruiters was accurate and reliable. In most cases foreign companies sought them out, and before COVID-19 restrictions it was not uncommon that employers would visit them in Ukraine, meeting several recruitment agencies at a time, always searching for new contacts. In case of larger number of vacancies, one recruiter remarked that they would always make a visit in return, to check the conditions: "If they require more than 500 workers or 1000, I definitely go and check the place myself. I make videos, I have a Youtube channels where I put all these video reports. In 2019 I went 4 times on such trips to Poland." (EM03UA112020)

Job websites were seen as another source commented on by recruiters and some help organizations. Such websites were however seen as rather dangerous and containing much uncontrolled information and job offers that were "too tempting to be real". Such job offers also "inflated" the standards of the workers searching for jobs and made the jobs of the recruiters who dealt with more modest but "real" jobs harder. Two recruiters mentioned that the future of the recruitment probably lies in the platform economy; online platform where people will be directly offering their services and getting jobs without recruiters. However, none of our respondents could come up with examples of anyone they know working for a platform or recall any platform economy workers in general.

Transnational and cross-platform cooperation

Speaking of success stories, all of our respondents gave examples of various forms of programs or events that involved cooperation with international partners and patrons and with various forms of institutions, as lying at the core of such successful projects. The very fact of engaging in dialogue with various social actors was seen as a success case, an organic cooperation and sustainable success. In most NGOs and organizations providing support to migrants' finance, judicial and practical know-how support often came from their trans-

national partners and funders, who provided key, indispensable funding and infrastructure for the projects. In the cases of 2 NGOs that helped migrants with preparing their journeys and obtaining pension from abroad, both programs were initiated, continually financed by and build on the model of the existing support programs in the migrant receiving countries. A sectoral trade union in our study also commented on transnational and cross-platform communication as their main more of successful cooperation. They mentioned their own contribution to and close cooperation within a network of national sectoral and global trade union networks, particularly in Poland, Estonia, Czech Republic and Finland:

> [...] We do not aim at creating our branches abroad, or opening union chapters in different countries. It is complicated and unnecessary. [...]. Every case and every cooperation is different based on the situation and available mechanisms of solving it. If we take example of Poland, we cooperate by informing our colleagues about employers who do not pay tax, and our colleagues have mechanisms to inform tax authorities about this employer. In Finland, we were approached by our Finish colleagues about how can Ukrainian workers legally get employed and we helped them with informing our workers there about legal migration. [...] in Czech Republic we were asked to organise a small branch directly, because there are many of our colleagues and now we mostly provide services in information sharing. We united with our Czech colleagues in the first steps of creating this branch, but then we passed it into their hands so that our Czech colleagues can take care of this branch practically and legally[...]. In Estonia we have a close cooperation with an immigration information centre for labour workers – we share their contacts with our workers and tell them that they can get all the help there. [...]. We really rely on the practices and mechanisms developed by our foreign colleagues but we fully share information on the situation with migration in Ukraine with them, so that we can develop most effective strategic campaigns. Thus during pandemics we have focused on moving online, to keep connected with our citizens, to connect them to the local activists who can effectively help. [...] We cannot activate our workers abroad for some action, this is already an achievement of our foreign colleagues, but we can inform, share information, pass it on, translate information and see that there is information flow between various levels of organizations and platforms, including labour inspectorates, taxes authorities, police, immigration services, etc. In Ukraine, labour inspectorate and employment service invited us to take part in an employment exam for the workers who travel to Israel as a part of governmental bilateral agreement on employment. This is really amazing for us, to be a part of these processes. (TU06UA121120)

The trade union emphasised that these various modes of cooperation that allowed them to maintain presence in so many countries was achieved with only three to five people constituting their core team. Another good practical that they joined in order to maintain transnational presence was trade union social ID card (a program of membership, various

types of support and discounts by Federation of Ukrainian Trade Unions[12]), which allows many workers circulating in different countries identify themselves as members of trade union federation and at least symbolically claim membership and support.

Another case of cooperation that was mentioned in our study, especially by NGOs and recruiters is the role of translation and transportation services. These offices and services were recognised as key in processing of the documents and crossing borders, and as such having vital practical information, especially in the times of COVID-19 uncertainty and informational chaos. As such these institutions were recognised as both performing informal but palpable function of information circulation and being invaluable partners to the work of some of the organizations in our research. In conclusion, we would like to quote an NGO respondent, who outlined a niche that various platforms and actors can take in bettering situation of labour migrants:

> The state should embrace migration as its sphere of interest and stop looking at migrants as a resource but as its potential and citizens who have not only responsibilities towards the state but also rights, which should be guaranteed by the state. In their turn, our civil society organizations have a duty to speak up loudly and clearly about the problems faced by labour migrants, discuss these issues publicly and loudly. We have to unite old and create new platforms that can give voice to these concerns. [...] As to migrants themselves, I would say that they need to unite, use available platforms for demanding their needs, use all the online and physical media that allows for fostering dialogue, or at least voicing their problems. (IO04UA120220)

12 https://www.cesp.pro/#body

SECTION 7: Executive Summary

The aim of this background study is to provide an up-to-date snapshot of the situation with labour migration from Ukraine to the new EU member states from the perspective of the sending country. Disparities of income between Ukraine and the EU, even the new EU and neighbouring states, were named as main driver for labour migration, but not the only one. Other factors that were outlined by the interviewed experts were lack of industrial democracy and collective bargaining at workplaces, lack of social dialogue, decline in numbers of traditionally "stable jobs" in various industries (mining, factories, medical professions), poor working condition and informality of the domestic labour market. Additionally, military conflict and internal displacement of population in the East of Ukraine were named as important factors as well.

Main findings:

- The choice of employment abroad is made based on mobility goals, available resources, social networks and previous experience of mobility rather than on worker's education or professional skills.
- Responding to our direct inquiry about transferability of professional experience from employment in Ukraine to employment abroad, our interviewees commented that very often workers do not seek or manage to utilise their educational level or even their professional experience from Ukraine in their jobs abroad. Education and skills recognition remains a costly process that require considerable investment of time and paperwork, language skills, while the information on how to complete such process might be scarce and unclear.
- Our respondents confirmed that it is rare that workers stay in the same sector in which they worked in Ukraine (some exceptions were mentioned by the respondents in cases of construction workers and operators of heavy machinery and cranes). This makes it hard to draw direct comparative links between experience of work in Ukraine in a particular sector and experience of work in similar sector abroad.
- Introduction of 90-day long visa free regime between Ukraine and the EU in June 2017, boosted short-term mobility and, although prohibits official employment, indirectly led

to the rebirth of seasonal and short-term employment for Ukrainian workers. These forms of employment seem to push Ukrainian workers to choose more simple and readily available path of "low-skilled" and seasonal employment rather than to invest into more cumbersome process required for recognising of qualifications. In relation to this, it would be interesting to see what national regulations have been adopted that made it possible to employ Ukrainians with biometric passports within this 90-day visa-free passage in the new EU countries.

- Recruitment intermediaries is a vast, diverse and heterogeneous sector, that has a large shadow component. This sector is both expanding and is the subject to ongoing regulatory attempts from the Ukrainian state. The main problem in this sector remains scam employment and lack of clarity and information throughout the process of recruitment.
- Ukrainian state's measures towards social and other rights protection of its citizens working abroad remains insufficient, patchy, inconsequent and ineffective, even despite some regulatory steps (e.g. adoption of the 2025 State strategy in migration policies).
- All experts in this study argue that the protection of the rights of Ukrainian workers remains heavily depend of the regulations and initiatives of the receiving countries. This makes experience of employment abroad very uneven and heterogeneous. It also creates temporary "corridors" of labour migration that respond to formal provisions and informal opportunities emerging through the particular regimes of work and mobility and businesses operating locally.
- All experts interviewed argued that Ukrainian workers prioritise quicker and higher earning opportunities to social security and even safety. This resulted in taking higher risks with recruitment process, lack of long-term planning, relying on personal connections rather than official sources of information, neglect of safety and self-care. These responses however, have to be carefully contextualised in the above findings of the negative experiences on the domestic labour market, prioritising of short-term mobility by the current migration regime (in particular triggered by the 90-day visa-free regimes), jobs in demand in the receiving countries and operation of transnational employment chains.
- The forms of difficulties and violations, experienced by migrant workers abroad seem to replicate common violations experienced on the domestic labour market as well. They include problems with fair and timely pay, bad working conditions, long hours, irregular employment, health and safety issues. Yet, employment abroad offers higher wages for the similarly difficult jobs and precarious conditions, which pushes workers to choose migration. It was also often mentioned that it was not uncommon that working conditions in Ukraine were worse than those in similar or even less skilled jobs abroad, which, combined with a higher wage, created a strong dual reference frame for the workers. This position of comparing "worse conditions for lesser pay" in Ukraine particularly

seem to prompt Ukrainian workers to accept lower working standards as compared to their foreign colleagues, worse accommodation standards, lesser pay, and longer hours.

- Available structurally and facilitated migration corridors often created opportunities for unskilled seasonal and temporary employment. This leads to proliferation of 3D (dirty, difficult, dangerous) jobs with little long-term prospects for occupational and professional growth. Such migration channels and jobs definitely provide relief to much needed economic dire situation of the workers, but also push migrant workers to "use what they have", i.e. maximise profit through working longer hours and more intense schedule, favour short-term, quick earning schemes rather than investment into longer-term planning (such as career growth, language learning, ect.)
- Information exchange and transnational cooperation, as well as cooperation of various platforms, institutions, and initiatives came out as particularly prominent good cases, brought out by the general lack of information, state infrastructure that could prepare and secure safe and beneficial move of a worker abroad. In these cases, our interviewees reached out to resources and experience of various actors working with migrants to better their situation and create more trustworthy, open, accessible information flows. We have encountered close cooperation between Ukrainian trade union and foreign trade unions, labour inspectorates, immigration offices, businesses, TWAs. NGOs in our study cooperated closely and received grant support from transnational business donors, charity organizations, state offices of social security and immigration. In all these cases, one of the first steps towards bettering situation of Ukrainian migrants was discussed as bettering information flows and education about the possibilities, rights and protection of migrants.
- We detected that despite difficulties there seem to be a small positive shift in the way labour migration is discussed in public and state discourses, as well as in opportunities for a safer migration, if not better jobs. Thus, the discussion of migrants' social protection and rights come forward more prominently, with state and various institutions acknowledging the need for better transnational cooperation, bilateral agreements, levelling of incomes in various jobs. In our study, several organization cooperated transnationally to inform migrant workers of their possibilities and rights, extending practical help with social and labour security.

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