



**In the Shadows.
Ukrainian Domestic
Workers in Poland**



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INTRODUCTION

Background

According to the International Labor Organization definition (<https://www.ilo.org/global/topics/domestic-workers/who/lang--en/index.htm>; see also ILO C189 – Domestic Workers Convention from 2011), previously used in other studies on migrant domestic workers in Poland (e.g. Kindler, Kordasiewicz, Szulecka 2016) domestic workers are “workers who perform work in or for a private household or households”, and:

- they provide direct and indirect care services, and as such are key members of care economy;
- their work may include tasks such as cleaning the house, cooking, washing and ironing clothes, taking care of children, or elderly or sick members of a family, gardening, guarding the house, driving for the family, and even taking care of household pets;
- a domestic worker may work on full-time or part-time basis; may be employed by a single household or through or by a service provider; may be residing in the household of the employer (live-in worker) or may be living in his or her own residence (live-out);
- a domestic worker may be working in a country of which she/he is not a national or citizen, thus referred to as a migrant domestic worker.

Migrant domestic work is shaped by three main factors: **gender, legal status, and the nature of the work**. This means that (1) domestic work is socially understood as “women’s work”; (2) it is undervalued and not treated as proper work; and (3) it is performed in an intimate social sphere – in the employer’s home (Kindler 2011), where both the employee and the employer lack formal protection measures. This intimate nature of domestic work leads to the development of a peculiar relationship between employer and employee, which is highly personalized, often emotional, and characterized by interdependence (Lutz 2016).

Migrant domestic workers are a very specific type of domestic worker due to their legal, social, and economic status as migrants in their country of residence. Earlier research shows that the intersection of gender, legal

status, and character of work influence migrant women’s exposure and response to risk (Kindler 2011).

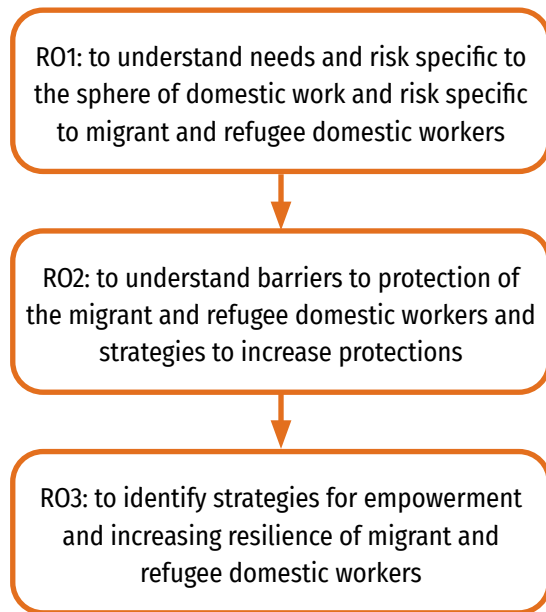
In the current context, the phenomenon of migrant and refugee domestic work in Poland should be considered taking into account **the migration that occurred after the invasion of Ukraine**. The composition of migrants from Ukraine arriving in Poland before 24 February 2022 differs significantly as a group from the refugees arriving after that date. Migration before the outbreak of full-scale war in Ukraine was rather masculinized, while the majority of adult war refugees are women. In addition, while there is no difference between these groups in terms of marital status (half of them are married), the vast majority of earlier migrants (more than 85%) remained in Poland with their partners, whereas the level among war refugees was around 50% - due to the martial law in Ukraine which bans men aged 18 to 60 to leave the country. The group of war refugees may therefore be described as comprising mainly single women, but not only – as a significant number of them joined their partners who were already in Poland, or who were able to come with them from Ukraine (Górny, Kaczmarczyk 2023).

Where the situation of Ukrainian migrants in Poland is concerned, while those of the previous migration wave have already managed to settle down and find a job, refugees fleeing from the war often remain outside the labor market or are invisible in statistics due to their **undocumented work** (Domagała-Szymonek 2022). Illegality is often not the result of a deliberate choice they made but is rather related to their lack of knowledge about the legal framework for work in Poland, combined with employer pressure aimed at avoiding taxes and other obligations towards the employee.

Moreover, the few statistics available suggest that although the integration of Ukrainian refugees into the labor market has been faster than for other refugee groups (also due to their specific legal status), much of the early employment of Ukrainian refugees focused on low-skilled jobs, making skill mismatches common (Dumont, Liebig, Winter 2023).

Research objectives

This report presents the results of a study that aimed to identify the needs, risks, and opportunities for the empowerment of refugee and migrant domestic workers in Poland. To achieve this, **three interrelated research objectives (ROs)** were identified:



The methodology used to achieve the study's stated objectives is described in the **Methodology** section of the report.

Theoretical framework

The understanding of the issues that constitute the subject-matter of this report is based on the following operationalization of the key concepts involved:

Migrant and refugee domestic worker is a non-EU individual performing work in the domestic sector in Poland; migrant and/or refugee status is understood in a de facto, not de jure, perspective, i.e. people who are long-term residents outside their country of origin and have left it voluntarily or have been forced to do so (even if they have not been formally granted refugee status).

Rights are, in this report, most often not workers' rights (those working in the informal economy don't have many of those) but rather the rights of every person, every resident of Poland or every individual entering business relationships with others.

Risk is the possibility of loss, harm or negative

consequences arising from a particular action or situation. In the case of migrant and refugee domestic workers, these will include in particular (but not exclusively) discrimination, exploitation and potential legal issues related to their immigration status.

Need is the gap between the current state of an individual or group and the desired state, which requires intervention or support to bridge it and achieve the desired outcome.

Opportunity reflects the availability and accessibility of resources, information, networks and support systems that facilitate positive outcomes and enhance the well-being of groups and individuals.

Barriers are the intersection of social, economic, cultural and environmental factors that may hinder or prevent individuals or groups from realizing their full potential or achieving their goals.

Empowerment is a transformative process that involves building the capacity of individuals or groups to challenge and change the social, economic and political conditions that perpetuate inequality and marginalization.

Resilience is a complex and multifaceted construct that reflects the interplay of personal and environmental factors that contribute to positive adaptation and successful coping in the face of adversity or significant life challenges.

Violence is a multifaceted phenomenon that encompasses not only physical harm, but also psychological, sexual and economic harm, as well as cultural and structural forms of violence that contribute to the maintenance of inequality and social exclusion.

Structure of the report

The description of the findings corresponds to the methodology adopted. The report begins with a brief outline of relevant literature and the legal background. We then present the perspectives of the most important actor groups based on the data obtained through interviews with domestic workers, employers, authorities, NGOs, and academia. Afterwards we combine these perspectives by complementing them with the results of the questionnaire survey. Last but not least, we conclude the report with recommendations.

1. METODOLOGY

Methodology of data collection

The report is based on desk research and fieldwork conducted between June and September 2023. To keep the methodology as participatory and inclusive as possible while maintaining high research standards, the research included a data collection process conducted specifically for this report, supplemented only by an analysis of data already available.

Our research focused on three cities with significant numbers of migrants and refugees whose situation is the subject of the study: Warsaw, Krakow, and Wroclaw. It is in these three cities that there has been the greatest concentration of refugees arriving in the country since 24 February 2022, as shown by data from mobile phone network logins (Wojdat, Cywiński 2022).

We identified four major categories of actors that should be included in this study to obtain reliable, multidimensional, and applicable results. These are:

- migrant and refugee domestic workers;
- employers;
- authorities;
- NGOs and academia.

Migrant and refugee domestic workers were offered a **questionnaire** on the most important issues within the scope of the study. The questionnaire was chosen for the convenience of the respondents, respect for their time, not burdening them with time-consuming research tasks, and most importantly, allowing for complete and total anonymity. Questionnaires were offered in Polish, Russian, Ukrainian, and English. They were available in paper and online versions and distributed through NGOs and social media. In total **137 respondents filled in the questionnaire**.

At the same time, we recognized the need for a deeper examination of the experience in question by presenting the voices of migrants and refugees themselves.

Therefore, for those migrants and refugees who wished to do so, again with as much anonymity and security as possible, we offered the possibility of participation in **in-depth individual interviews**. Depending on the respondents' preferences, conversations took place in Polish, Russian or Ukrainian. In total **13 interviews were conducted** with migrant and refugee domestic workers.

In-depth individual interviews were also conducted with employers hiring migrant and refugee domestic workers – both individuals, employing in individual households, and representatives of employment agencies. The sample was selected using purposive selection and the snowball method. A total of **10 interviews were conducted** with employers.

Representatives of NGOs and international organizations, as well as **members of academia**, were also invited to participate in **individual in-depth interviews**. The sample was selected using purposive selection to include the most important organizations and individuals in the field. It is worth noting that representatives of NGOs working in the area of migration and the Ukrainian community were generally reluctant to participate in the research. Most of them claimed to be unfamiliar with the topic of migrant domestic work or excused themselves due to an overload of work related to activities of greater priority. All in all, **10 interviews were conducted** with this group.

Finally, contact was made with **authorities** capable of providing information about the approach of the Polish state and the legal and institutional framework – on local, regional, and national levels. The sample was selected using purposive selection to include representatives of the most important institutions in the field. As with NGOs, the authorities were also unwilling to agree to an interview. Moreover, none of the people who eventually agreed to talk said that migrant domestic work was a topic within their area of responsibility. As migrant domestic work is therefore a “no-man’s-land”, we relied on the accounts of those working in institutions that

had encountered their activities in any way. Altogether a total of 10 **representatives were interviewed**.

A brief overview of the interviews and questionnaires is provided in the table below.

Actor category	Method of data collection	Sample size
Migrant and refugee domestic workers	Questionnaire	137
	Interview	13
Employers	Interview	10
NGOs and academia	Interview	10
Authorities	Interview	10

Methodology of data analysis

In regard to secondary data, a systematic analysis of literature (both research papers and grey literature), as well as legal acts, was carried out. It was conducted according to the established method of **systematic reviews** in the social sciences (see Petticrew, Roberts 2008).

The primary qualitative data collected (from the interviews) was analyzed using the method of **thematic analysis** (see Merton 1975; Aronson 1995; Boyatzis 1998; Attride-Stirling 2001; Braun and

Clarke 2006; Joffe 2011), a method of qualitative data analysis that involves screening a dataset to identify, analyze and present recurring patterns (Braun and Clarke 2006).

The data collected in numerical form was displayed using tables and graphs. However, because the sampling method was not random and the number of participants was limited, carrying out statistical tests was not recommended.

2. LITERATURE REVIEW

The literature on migrant and refugee domestic workers in Poland is **rather scarce**. Apart from individual research works or reports, the topic seems to hold little attraction for writers. Ukrainians representing the largest group of migrants in Poland and in the domestic sector are presented in the literature in several ways: as economic migrants, matrimonial migrants, or war refugees. For many years, migrants in the domestic sector were mentioned only as elements of larger studies related to migrants' position on the Polish labor market (Kloc-Nowak 2007, Samoraj-Charitonow 2011, Klaus 2012, Wysińska-Di Carlo, Klaus 2018).

In recent years, there have been **several works dedicated directly to this topic** (Kordasiewicz 2010, 2016, Kindler 2011, Sobiesiak-Penszko 2015). Reconstructing the picture of a domestic worker from Ukraine in Poland may portray the image of a woman who cleans, usually working illegally and finding her employment by recommendation. Typically, she is treated condescendingly, drawing somewhat from the historical role of domestic servants. The relationship between a domestic worker and an employer is described as asymmetrical, both due to the "ancillary" nature of the work performed and the possibility of abuse, especially in the case of work not regulated by law (Kordasiewicz 2010, 2016).

Reportages, books of nonfiction, journalistic accounts, have also been published, providing insight into the situation in this area. There are mentions of persons employed in homes often being subjected to the "ring test", i.e., employers (mostly women who hire domestic workers) leave a valuable, small item or a substantial sum of money in a visible place, checking whether the person cleaning will appropriate the item or not. Such a test is decisive for the worker's further engagement. Domestic workers from Ukraine are treated condescendingly, through the prism of employers' complexes: "for the first time [employers] are not Poles working for Germans, dishwashers in England or on a construction site in Norway. Now they are Poles whose house is cleaned by a Ukrainian woman" (Sobień-Górska 2020).

Nevertheless, research to date suggests that from an employee's perspective, **informal and part-time work is sometimes perceived as advantageous and easily accessible**. It allows them to freely shape their working hours as well as combine work with childcare. The impact of the recent pandemic on Ukrainian women working in Poland can only be estimated through the prism of changes in the payment of social security contributions, because most of the services provided by these workers remain undocumented (Cope, Keryk, Kyliushyk 2021).

As research shows, Poles were still declaring an unfavorable **attitude towards Ukrainians** even some time before the outbreak of war (Bilecka-Prus 2020). While the first spurt showed a willingness to help refugees, in retrospect the attitude of Poles towards Ukrainians has not changed much. A matrimonial migrant presented in an academic paper somberly describes the situation of her compatriots: "it seems to me that the attitude of Poles towards Ukrainians is changing for the worse, because there are a lot of Ukrainians. Because they come here and do the worst jobs. Very often it is the case that they do not pay salaries, do not hire people, and take advantage of them" (Brzozowska 2019).

The figures of domestic workers working for Polish households are difficult to estimate. Dr. Kamil Matuszczyk (interviewed for this study) estimates **the number of migrants working in Poland in the domestic sector at as many as 100,000**.

3. LEGAL BACKGROUND

The legal situation of migrants working in the domestic sector in Poland can vary. Some domestic workers may have unlimited access to the labor market, while others might require a work permit. Some are also refugees from Ukraine who benefit from dedicated legal solutions. A household may employ a domestic worker based on an employment contract or civil law contract, or they can hire them informally. If domestic workers run their own business they can be employed as service providers, although this is rare in Poland.

The legal framework for foreigners working in Poland is governed by the Act of 12 December 2013 on foreigners, which outlines the conditions for legal residence in Poland, and the Act of 20 April 2004 on the promotion of employment and labor market institutions. **In general, in order to work legally, a foreigner must possess a residence permit that allows them to work legally, as well as a work permit.** Certain categories of migrants, for example those holding the “Karta Polaka” [lit. “Pole’s Card”], are exempt from the requirement to obtain a work permit and can benefit from unlimited access to the Polish labor market.

In the late 2000s, a special form of work permit called “employer’s declaration on intention to entrust work to a foreigner” was introduced. Since 2018, it has been known as the “**declaration on entrusting work to a foreigner**”. With this permit, citizens of Armenia, Belarus, Georgia, Moldova, and Ukraine could work in Poland through a simplified procedure. Starting in 2014, this facilitated a significant influx of economic migrants, primarily from Ukraine. The trend was only minimally affected by the COVID-19 pandemic. In 2021, the number of permits issued to Ukrainian citizens accounted for 64.5% of the total number of permits issued. The second nation that most often received work permits were Belarusians with a 6.9% share in the total number of permits for foreigners. In 2022 the number of permits for Ukrainians raised to 73% of the total number permits for foreigners.

In response to the full-scale invasion of Ukraine in 2022, Poland implemented specific **legal measures to assist those affected by the war**. As a result, refugees from Ukraine were granted legal permission to stay

and work in Poland without having to obtain separate residence and work permits. Specifically, those who fled due to military operations after 24 February 2022, and expressed their intention to remain in Poland, were granted temporary protection. Their stay in the territory of Poland is considered legal until 24 March 2024 (as of September 2023). To take up legal work in Poland, such individuals should have a stamp from the Polish Border Guard in their travel document, confirming that they legally crossed the border and indicating the date. Within 30 days of crossing the border, they must personally apply for a PESEL number at the executive body in their commune of residence. Employers must register the hiring of such individuals with the Labor Office within 14 working days.

The **State Labor Inspection** and the **Border Guard** are responsible for **supervising the legality of employing foreigners**. The State Labor Inspection monitors the employment conditions, while the Border Guard concentrates on the legality of stay. Therefore, the responsibilities of these organizations are interconnected. At the same time, both institutions have limited control over private households, in which the domestic work is carried out.

When hiring a foreigner, the employer has certain responsibilities. These include signing a contract in a language that the foreigner can understand, paying the correct amount, and fulfilling all other obligations outlined in the labor code (for employment contracts) or civil code (for other types of contracts). A foreigner who is legally employed and registered with Poland’s Social Insurance Institution (Zakład Ubezpieczeń Społecznych) is entitled to the same social security benefits as a Polish citizen.

In practice, contracts for work in the domestic sector in Poland are rarely concluded. However, there is an exemption for an “**activation**” contract (umowa uaktywniająca) for hiring a full-time nanny. This contract allows the worker to be covered by compulsory social and health insurance, which is paid by the treasury. The activation contract is a solution for families who want to hire someone to care for their child based on a legal document.

4. THE PERSPECTIVE OF DOMESTIC WORKERS

Who were the respondents?

We interviewed thirteen domestic workers from Ukraine, including six women in Wrocław, three women in Warsaw, and three women and one man in Kraków. As numerous studies show, more women than men work in the domestic sector, and our recruitment also confirms this. Two people were 27 and 28 years old. Six people were in the 31–39 age range, and five people were over 40. As many as eight people arrived after the start of the war in Ukraine in 2022, while the rest have already been in Poland for 4 to 9 years. The perspectives of these two different groups will be very different, because after the outbreak of war people were given special status, which will have impacted residency and document matters.

Most of the women worked cleaning homes. There were two women in charge of caring for elderly persons, one woman was a babysitter, and the only man was a gardener and handyman, with his employer for 8 years.

Legalization of stay and work in Poland

The interviews revealed that there is some ambiguity concerning the legality of the residence of Ukrainian migrants working in the domestic sector in Poland. For those who came to Poland before the full-scale war, it was more difficult to legalize their stay. The process was cumbersome and complicated.

„It was very hard, if it wasn't for my family I wouldn't have done it myself.”

71-year-old man, a gardener, in Poland for 8 years

In some cases, individuals had to return to Ukraine every three months, resulting in them losing their jobs. There were also cases where individuals were deported from

Poland due to a failure to complete documents by the Voivodship Office (Urząd Wojewódzki). As mentioned in Legal background section, there are also problems with legal work, because when people first arrived in Poland they could not be legally employed right away since they did not yet have the proper documents for residence. This creates a paradox, because people want to come here to work, but the government does not allow them to take up legal work in the early stages, and without permanent employment, they cannot obtain certain documents. As a result, while waiting for various documents, people are forced to work in informal employment arrangements. Individuals also mentioned that they searched for information on the internet, but not on public administration websites, because the information there was only in Polish and presented in very formal language, so it did not help them.

„When I arrived, the government told me that I had no right to work.”

[He first applied for citizenship, but cannot work for the period without the documents]

71-year-old man, a gardener, in Poland for 8 years

„When doing my first application for a residence card, I watched a lot of YouTube videos and learned how to fill out the application. I looked for information everywhere, but I found the least information on public administration websites, because it was in Polish and in very complicated language, and I didn't understand it at all.”

48-year-old woman, a house cleaner, in Poland for 4 years

In contrast, the situation of those who came to Poland after the full-scale war began is much easier. This is because they were given special refugee status and received a UKR PESEL number, which makes them eligible to legally stay and work without any other permission or additional requirements (more in the Legal background section). Individuals can decide for themselves whether they want to work legally or undocumented. On the other hand, they have the right to stay in Poland without a visa, the right to health insurance and social services, have no problem with documents for legalizing their stay and work permission, and have a free health insurance.

„It was very simple. We arrived in March, and in April we were already working.”

37-year-old woman, a house cleaner, in Poland for 1,5 years

Employment conditions

During the interviews, the migrants' remarks revealed that working conditions varied greatly depending on the time of their arrival. Those who arrived after the war started generally had a better experience due to the more open attitude of employers and a positive atmosphere for taking in refugees. Female refugees in this group felt greater job satisfaction, and often developed closer relationships with their employers. They also highlighted that cleaning was a quick and easily accessible job where they received immediate payment, which was crucial for women who had arrived in a foreign country with nothing and with children to support.

„So that it was quick, so that there was money.”

37-year-old woman, a house cleaner, in Poland for 1,5 years

On the other hand, those who arrived before the start of the war often faced harsher conditions, less trust, and more control from employers. Moreover, many individuals initially sought employment in factories or larger companies, but were unsuccessful. However, once they transitioned to the domestic sector, they found immediate improvement in their working conditions and in overall well-being.

„I was treated normally by people. Very nice.”

37-year-old woman, a house cleaner, in Poland for 1,5 years

While there were instances of employers refusing to pay a particular agreed upon amount, our respondents did not encounter such practices personally.

„I know that such situations happen, but it never affected me personally.”

39-year-old woman, a house cleaner, in Poland for 1,5 years

Migrant women emphasized that the flexibility of setting their own hours in the domestic sector was important, as it allowed them to attend to their children's needs and gave them more freedom than in salaried jobs. They also appreciated receiving immediate payment upon completing their work, as opposed to waiting for a monthly paycheck.

Regarding conditions in the households where they work, a few of the domestic workers brought their own cleaning equipment. Some did not have their own, while others felt that it was convenient when employers provided the equipment.

„Some (employers) may have allergies or other beliefs of their own.”

28-year-old woman, a house cleaner, in Poland for 10 years

However, some women preferred to bring their own equipment for safety reasons, and because they were familiar with their own tools, which made their job easier.

„I have a car. I take my vacuum cleaner, my mops, and rags. I do it to make the job easier for myself.”

36-year-old woman, a house cleaner, in Poland for 7 years

Jobs in the domestic sector were often found quickly and without verification, relying on recommendations from friends, the families they worked for, or online platforms such as Facebook, OLX, and WhatsApp. This posed a significant risk, as the homes they went to were not thoroughly vetted. If the house was recommended by a friend who had worked there before, the situation was different. However, in cases where they took on single assignments, such as cleaning after a renovation, women were unaware of who they were going to be working for. This made them vulnerable, especially those who arrived after the war and believed that everyone was kind and open to them. Unfortunately, domestic workers had no way to verify in advance the homes they were going to, and government officials also stated that they were unable to enter someone's private home. This situation could lead to many risks.

Knowledge of the law vs. undesirable situations

According to the data collected, none of the respondents were aware of their rights as a migrant living in Poland, and especially rights relating to work in the domestic sector. The most common response was: “I don't know anything”. Some said that they knew they should be paid for their work, but their knowledge ended there. One woman who was responsible for caring for young children demonstrated a level of awareness by acknowledging that each child and family is unique. She emphasized the importance of being treated as a member of the family, which includes ensuring the well-being of the children and having a positive rapport with the parents and their approach to child-rearing. However, this is a matter of upbringing, not the laws themselves.

„I am very grateful to the employer, but I will not suffer mistreatment.”

37-year-old woman, a caretaker of an elderly person, in Poland for 1,5 years

Overall, domestic workers had little to no knowledge of their rights, especially in the domestic sector. Individuals were unable to say anything about their rights at work in general, much less their rights in this particular sector. They mentioned that they came to Poland and happened to find such a job, so they started working without seeking information about their rights. No one took an interest in such situations. Only those who arrived after the start of the full-scale war were aware of their residence status, insurance coverage, and the fact that they could work without worries. The only such information people were able to give during the interviews was their knowledge of health insurance.

This lack of knowledge and awareness poses significant risks and demonstrates a certain level of negligence. Representatives from various organizations and administrations believe the information is available, but workers are unaware of it. In particular, domestic workers do not know their rights or the legal protections available to them. They often found work immediately without seeking information about their rights.

Female workers who arrived in Poland before the start of the full-scale war were more likely to encounter discrimination or even violence. They reported a lack of trust demonstrated by their employers, as well as constant checking and supervision. There were occasions when an employer wouldn't pay the money for the service provided or didn't want to pay as much as the employee had asked for.

„Once I had a situation where a lady didn't agree to my rate, and I told her to give as much as she thought. I was there once and didn't go back, and such a situation never happened again.”

28-year-old woman, a house cleaner, in Poland for 10 years

However, these situations were rarely reported or addressed, as the workers were unaware of their rights and did not know they should take action.

Some workers shared specific incidents related to their work, such as employers testing their trustworthiness by leaving valuable items around to see if they would be stolen. Others mentioned being closely monitored during their initial visits, which created uncomfortable situations and a lack of trust. However, workers did not complain about or report these incidents, often only confiding in family or friends instead.

In contrast, those who arrived after the war had a more positive outlook. They believe that people are open and helpful and typically have good relationships with their employers. They are content with their jobs and employers. Very often they start with a tea or coffee, and only then go to do the cleaning.

**„People invite you to the table.
They offer you coffee.“**

31-year-old woman, a house cleaner, in Poland for 1,5 years

In addition, they have not experienced any other unpleasant situations either. Sometimes their employers even give them extra money for their work so they can buy something for their children.

This situation puts trusting employees at risk in the future, as they may be vulnerable to exploitation due to their belief that everyone has good intentions.

There is a paradox in this situation, as respondents mentioned that they would likely report bad situations if they occurred. However, when asked about reporting mistreatment or discrimination, they admitted that they would only share it with family or friends and avoid confrontation. They expressed a reluctance to report such incidents to the police or authorities.

**„I believe that karma comes back and
if someone treats someone badly, they
will be treated that way themselves.“**

36-year-old woman, a house cleaner, in Poland for 7 years

Overall, the lack of knowledge about their rights and the reluctance to report undesirable situations leaves domestic workers vulnerable to mistreatment and exploitation. There is a need for better education and awareness about labor laws and protections to ensure the well-being and safety of these workers.

Attitude to Poles

Almost everyone we spoke with had some form of support from family or friends when they came to the country. Those who arrived before the war had often been encouraged by their mothers, husbands, or friends, while those who came after usually had larger families or friends accompanying them. Only one woman came alone, and she sends all her earnings back to her sick husband and son in Ukraine. This indicates that most migrants and refugees have social support that they take care of and rely on. However, this also leads to a reluctance to report dangerous or undesirable situations to the authorities. Instead, they prefer to confide in family and friends. In addition, many migrants are unaware of the need to report certain situations, and it is inadequate to ask Polish citizens because they are governed by distinct laws compared to migrants, rendering them an unsuitable source of information.

**„I prefer not to ask Polish citizens
because they are bound by other
laws, so I rather ask other migrants.“**

39-year-old woman, a house cleaner, in Poland for 1,5 years

Another issue is that migrants and refugees are unsure of whom to report incidents of discrimination to. While they would report theft to the police, they are less certain about reporting discrimination. According to the interviewees, there is a lack of transparency regarding how to handle such situations. There are no designated places for migrants to report incidents, and only a few have sought help from NGOs. Most migrants live with their families in rented accommodation, and take the first available job they can find, without knowledge of existing NGOs or their rights. This lack of information and awareness is concerning. Furthermore, there is a pervasive fear among employees when it

comes to contacting the police. This fear stems from uncertainties about potential repercussions, concerns about job security, and financial constraints. Apart from this, a significant portion of the workforce operates in undocumented employment, further dissuading them from reporting incidents due to the perceived likelihood of adverse consequences.

„I honestly don't know. Either about the organizations that help, or about our rights.”

40-year-old woman, a house cleaner, in Poland for 4 years

Migrants working in the domestic sector need:

„More information regarding documents and the rights they have. More information regarding documents and the rights that apply.”

37-year-old woman, a house cleaner, in Poland for 4 years

We also observed a worrying attitude among those who arrived after the outbreak of war. People who arrived after that date have a very different attitude to reporting situations and to people from Poland in general. They are very grateful to the Polish men and women who have helped them. **“Such good Poles”** – they say. They believe that they cannot report since they are very grateful for the work they do; they are very thankful for having been taken in, and their employers usually provide additional help and sometimes give them extra money. They are sometimes afraid to mention unpleasant situations because they think it would sound as though they are ungrateful, while Poles have been doing so much for the Ukrainian people. The words **“we are not at home”** were often repeated by the refugees. They also feel that they are in a foreign country, and that they are not on an equal footing with Polish citizens. This attitude could carry risks, because these people might not report abusive or dangerous situations since they feel it would be a

gaffe or an expression of lack of gratitude. And this in turn can lead to them being discriminated against or exploited.

Plans for the future

In regard to future plans, the responses varied greatly. Some people felt that they had settled so well they would like to stay. One woman in Wroclaw plans to open her own cleaning company. Others believe their children have acclimatized and are comfortable, and would stay for their sake, at least until they finish a particular grade.

„My child likes it here, and I like it where my child is comfortable.”

37-year-old woman, a house cleaner, in Poland for 1,5 years

Others, on the other hand, are determined to return and therefore are not looking for a more suitable job, because they think they will be going home any minute. The rest are waiting for the war to end. They would like to return to Ukraine but acknowledge that it is currently impossible. They are unsure whether to stay in Poland or go back.

These individuals are living in a precarious situation that can have a negative impact on their mental well-being. They do not feel at home in Poland, are hesitant to seek new job opportunities, and often do not voice their concerns or complaints. At the same time, they have been living in Poland for at least a year and a half. This situation also makes them vulnerable to exploitation, as they may not speak up when faced with it, due to the belief that their stay in Poland is temporary.

5. EMPLOYERS' PERSPECTIVE

Who were the respondents?

10 individual in-depth interviews were conducted with employers. The interviewees were diversified and included 8 natural persons and 2 representing legal entities: a representative of an employment agency, and a small entrepreneur from the beauty industry who employs a migrant to clean her beauty salon and private apartment on a B2B contract. The latter demonstrates the extraordinary complexity of the worker-employee relationship in the domestic sector, where informality can also be concealed under the guise of legality. Of the natural persons, 7 employed workers informally (without a contract), and one – on an employment contract. They lived in Warsaw, Wrocław, and Kraków.

The vast majority of the interviewees employed people from Ukraine, while one employed a migrant from the Philippines. All employees were women. As for the employment agency whose representative was interviewed, it employs several hundred migrants from Ukraine as well as from the Philippines, Bangladesh, Colombia, and Bolivia, in various sectors (the domestic sector, construction, catering, and industry, etc.), most often on the basis of the mandate contract (*umowa zlecenia*).

Employers' perception of working conditions of migrant workers

All the employers interviewed employed registered migrants (on the basis of a visa, residence permit, provisions of special act on refugees from Ukraine, etc.). Interestingly, the only case in which an employer employed a migrant legally, on the basis of an employment contract, concerned the only migrant from outside Ukraine (Filipino). One can presume that the paradoxically worse situation of migrants from outside Ukraine “upon entry” (without an easy process of arrival to Poland and access to simplified legalization procedures) could be the reason why her situation in regard to residency and legal employment

had to be legally regulated. This is confirmed in the conclusions from the interview with the employment agency representative, who admitted that migrants look for legal work primarily when they want to extend their stay, as it is a prerequisite for applying for a residence card. However, employment on an employment contract rarely applies to the domestic sector, where there is tacit permission to work in the undeclared economy, and only in exceptional situations are both employer and employee interested in signing a contract.

What is distinctive of migrations of Ukrainians to Poland is that they are more often circular; Ukrainians decide to come for a few months, and then return home for some time. This is possible due to the simplified regulations applicable to them (see section Legal background) as well as the geographical proximity of their home country and relatively low travel costs (compared to, for example, citizens of the Philippines or Bangladesh).

The working conditions of migrants in the domestic sector can be split into two types, depending on the place of stay of the worker. The first group consists of migrants who live with their employer, and the second – those living elsewhere. They also differ in the type of work they do: live-in employees are most often employed to care for an elderly person, frequently requiring 24-hour care. In addition, they also perform other work related to broadly understood domestic help (e.g., cleaning, cooking). People who do not live with their employers are usually employed to clean or help in the garden. This is most often a periodical cleaning service, e.g., once a week or twice a month. Employees living with the interviewees had their own room and were typically also provided with meals or products for preparing meals. However, the price for their free accommodation and meals is usually their full availability; basically, their work does not end. Such an employee does not have Sundays or other days off, or has them to a very limited extent, e.g., only at specific hours, upon prior agreement with the employer. Availability also often includes working at night, depending on the needs of the dependent person. An employee of the employment agency admitted:

„You know, a Pole will not go [to work]... because so what if they earn 4,000 [zlotys, per month] when they are available the whole time.”

A representative of an employment agency

Working time is not specified in any way, but in practice always exceeds the limits set in the Labor Code (40 hours per week). This applies to both employees who live with their employers, and those residing elsewhere. In the latter group, the employers were unable to estimate the total working time of the migrants employed because they were not their only employers; such migrants usually work for at least a dozen people and work 7 days a week.

The only exception here was the interviewee legally employing a migrant from the Philippines on an employment contract. Pursuant to the provisions of the Labor Code (Kodeks Pracy), her work is 40 hours per week. At the end of the week, the schedule for the next week is set, and any overtime is paid additionally. The interviewed employers paid between PLN 20 and PLN 35 for one hour of work in the domestic sector. In most cases, it was the employers who set the rate and the migrants accepted these arrangements.

In Poland it is taken for granted that migrants employed in the domestic sector have no contract. This may be evidenced by a remark from one of the interviewees who employed a migrant legally, under a permanent contract. She admitted that her situation was so bizarre and unusual that officials at the Tax Office (Urząd Skarbowy) and Social Insurance Institution (Zakład Ubezpieczeń Społecznych) did not always know the appropriate procedures and could not advise her on certain issues. She admitted that:

„...in SI they were shocked that a natural person wanted to sign a permanent contract with a migrant worker.”

A woman employing a domestic worker for child care

And this indeed proves that the unregistered employment of migrant workers in the domestic sector has become a kind of norm and an open secret known to everyone, including public officials; due to the lack of contract, and the nature of the domestic sector – “private” and “hidden from the outside world” – there is basically no sectoral control.

Because their employment is unregistered, migrant workers are not entitled to paid holiday or sick leave. In the case of an employee’s illness or cancellation of an agreed-upon job, the work is postponed to another date. One of the employers with whom a migrant lives, when asked what happens if her employee falls ill, replied that:

„Luckily she is not sick, she is healthy and has not brought us any disease.”

A woman employing a domestic worker to care for elderly person

The position of migrant workers working in the domestic sector depends on specific conditions: on the migrant’s nationality, residence status, and the character of their employment. When it comes to the most common situation, i.e. the undocumented employment of workers from Ukraine for cleaning or care, it is not difficult to find an employee. Importantly, it is also not difficult for migrant workers to find a job.

Both jobs and the workers themselves are most often found through friends’ recommendations (“word of mouth”) and over the internet (mainly on Facebook groups). One employer pointed to their former employee as an example, saying she found another job within two days after the death of the person she had been caring for. However, this situation may differ significantly in the case of migrants other than from Ukraine and those who want to take up legal work, especially on an employment contract.

Challenges and risks in employing migrants in the domestic sector

In the employers' opinions, their dealings with the migrant workers are harmonious and smooth, with no major problems or disputes. Some of them even said the collaboration was "excellent", and described the relationship between them and their employees as "heartfelt" or "friendly". The employers rate the migrants' work very highly – and believe they work a lot and hard, and complete their tasks properly. Some of them indicated minor difficulties, but these were usually quickly resolved. Language problems and communication problems in general, related not only to not speaking another language but also to intercultural differences, were mentioned most often. The employer who hired a Filipino woman to care for children pointed out that this migrant was not fluent in English. Sometimes there were things she did not understand, but she was ashamed to ask due to language and cultural barriers. As a result, the arrangements were not always kept.

In addition to problems with communication, one of the interviewees indicated that work performed by migrants was unsatisfactory, for example an apartment was not cleaned sufficiently, or food did not taste good enough. As a source of potential disputes, she pointed to work performed carelessly due to a lack of education and "social graces" among some migrant workers. Another interviewee pointed to the high mobility of migrant workers, and the dynamic nature of their personal situation, meaning that there is uncertainty as to whether the worker will continue to provide services. The risks mentioned by the interviewees are primarily related to the unregistered work performed by migrant workers, which carries a potential risk for both the employer and the employee.

According to the interviewees, in the event of problems with their employer, migrant workers would ask for help primarily from the informal networks they maintain with people of the same origin residing in Poland. They would rather not report cases to officials; they tend to be unaware of their rights and have a certain fear of official bodies.

(Lack of) migrant workers' rights

The representative of the employment agency admitted that:

„If someone is employed illegally, they have no rights.”

A representative of an employment agency

It is difficult to talk about the employment rights of migrant workers in the domestic service sector, since they are almost never employed on a permanent contract and are not considered employees (*de jure*). Most of the interviewed employers are aware of this, admitting that labor rights are fiction in their case, and therefore migrants are very vulnerable to various forms of exploitation.

Since unregistered workers do not have employment rights, there is also no possibility of enforcing these rights. One employer mentioned that due to the informal nature of the employment, it was her responsibility to protect the worker. Another admitted that undocumented workers:

„....are not informed of any rights because they have no rights. If I were just “a wheeler-dealer”, I could tell her to clean up everything with a toothbrush and then not pay her. There are no rights, none!”

A woman who employs a domestic worker for home cleaning

Working in the informal economy is basically associated with an absence of any control. There are no institutions responsible for protecting migrant workers. The office established to protect employees, i.e., the State Labor Inspection (Państwowa Inspekcja Pracy), does not fulfil its function for domestic workers. The employer from the employment agency stated:

„There is no such thing. There is simply the State Labour Inspection, but it will not come to a house where a foreign woman works.”

A representative of an employment agency

Almost none of the interviewed employers had any contacts with state authorities responsible for protecting the rights of migrant workers, and usually they were unfamiliar with such institutions. The exceptions were the employer legally employing a migrant woman and the employment agency representative. The first of them had contacts with various institutions in order to settle formalities related to the stay and employment of the migrant worker (including the Office for Foreigners [Urząd do Spraw Cudzoziemców] or the Social Insurance Institution). The second pointed to numerous inspections performed by the State Labor Inspection that his company was subjected to.

The case is similar in regard to the state of knowledge about institutions that protect employers. No employer was able to indicate any institutions that would protect them:

„I wasn't interested in that. Maybe there is such a thing...”

A woman who employs a domestic worker for home cleaning

The only interviewee legally employing a migrant, when asked about her knowledge of programs or services provided by the government or local authorities supporting employers in employing migrants, indicated the government website “Green Line” (“Zielona Linia”: <https://zielonalinia.gov.pl>), where she checked information on how to apply for a work permit for her employee. She appreciated the website, saying it was necessary and needed to be developed. However, she was unaware of any particular formal institutions. She indicated that there are informal groups on Facebook regarding the employment of nannies (which is where she obtained information on rates and requirements),

but did not know similar websites or groups regarding the employment of migrants.

Employers' needs & proposed changes

Employing migrants is associated with certain risks and challenges. There are formal and informal strategies that employers can follow to cope with them. The former type involves the signing of a contract, meaning the legal employment of the migrant. However, such action was indicated by only two employers – those who legally employ foreigners. It is worth noting that signing a contract protects both the employer and the employee.

A crucial risk faced by employers is that they are letting a stranger, somebody “from the outside”, into their home. This person has constant and unlimited access to personal belongings and is often entrusted with the safekeeping of loved ones (old, sick parents or young children).

Unofficial strategies include, above all, building trust between the employer and the employee, emphasized by all employers in the interviews. Trust is built over time. The first step here is to find a person recommended by others. An important role may also be played by a background check – asking for information about a potential employee, e.g., from former employers.

As mentioned above, the crucial role that employers attach to building trust is related to the migrant entering their private sphere. However, there may also be another reason. Perhaps its role is so large due to the fact that most migrants work without a contract. Informal relations, such as making friends or building trust, take on the function of a “fuse”, which is supposed to replace legal guarantees and to be their prosthesis to a certain degree.

Another informal strategy for dealing with the challenges of employing migrants is to develop a common means of communication. This is especially important when workers do not speak a language other than their native language well enough. One of the employers found a solution in writing down the arrangements on WhatsApp (which the employee can read multiple times, translate, and which it is easier

for them to refuse in writing). Changing the form of communication to written information eliminated communication problems between them.

Migrants working in the domestic sector in Poland do not have proper working conditions, and they do not have access to a secure and, above all, legal form of employment. This is seen by employers as being caused mainly by the complexity of procedures related to the legalization of the residence and employment of migrants. The current procedures are not very transparent and are too convoluted, they require multiple visits to public offices, and many different documents have to be filled out. In addition, the official deadlines for certain procedures are almost never met by officials and often take many months. As indicated by one interviewee:

„Poland repeatedly breaks the law when it comes to procedures; they are not performed in accordance with the Code of Administrative Procedure. Things that should take two months take a year.”

A representative of an employment agency

There is no coordination between particular offices, and officials are not always able to provide full information. As a need, the employers pointed primarily to the simplification of procedures, reducing the number of documents to be completed and improving the organization of work in public offices. There is a very strong need for a better, comprehensive system of advising and informing employers about procedures. This system should cover matters involving the Social Insurance Institution, the Tax Office, as well as matters related to labor law and the law on foreigners.

Another problem is the very high cost of officially hiring employees – including those from Poland (taxes, health and sickness insurance contributions, pension contributions, etc.). Many employers admitted that they would not be able to afford to hire an employee based on an employment contract. The migrants

themselves sometimes also prefer unregistered work because it is more profitable for them. Exemptions or reliefs for employers are needed, for example vouchers for employing domestic help or tax credits for domestic services. One of the interviewees noted:

„If the state created a framework that would be attractive to both the working person and the job giver, then I would gladly use it.”

A woman who employs a domestic worker for home cleaning

The employment of a foreigner entails many legal and financial problems and uncertainties. It would therefore be a good idea for the state to organize a helpdesk, so that an employer could call and dispel any doubts related to the legal employment of migrants. There are some sources of information (e.g., Green Line, as mentioned), but awareness of them is insufficient and they do not always provide knowledge on specialized issues concerning the law on foreigners. The last aspect indicated by employers was the need to raise employers' awareness of the legal situation of migrant workers in the domestic sector. This is well illustrated by the statement of one employer:

„The fact that we are talking about it now opens my eyes. I just needed awareness.”

A woman who employs a domestic worker for home cleaning

6. PUBLIC ADMINISTRATION PERSPECTIVE

Who were the respondents?

For this report, a total of 10 interviews were conducted with 11 representatives of public administration. At the central level, interviews were conducted with representatives from the Ministry of Family and Social Policy (Ministerstwo Rodziny i Polityki Społecznej) and the State Labor Inspection (Państwowa Inspekcja Pracy). In Warsaw, interviews were conducted with representatives from the Warsaw Labor Office (Urząd Pracy m.st. Warszawy; two individuals), the Warsaw City Hall (Urząd m.st. Warszawy), and a former employee of the Warsaw Family Assistance Center (Warszawskie Centrum Pomocy Rodzinie). In Krakow, three interviews were conducted with representatives from the City Hall (Urząd Miasta Krakowa) and the Grodzki Labor Office (Grodzki Urząd Pracy). In Wrocław, two interviews were conducted with a representative from the District Labor Inspectorate (Okręgowy Inspektorat Pracy we Wrocławiu) and the Lower Silesian Regional Labor Office (Dolnośląski Wojewódzki Urząd Pracy).

This section provides an overview of the viewpoints expressed by the interviewees regarding the main topics discussed during the interviews. These topics include the unique characteristics of the domestic labor sector in Poland, the involvement of migrants and refugees in this sector, and the corresponding activities undertaken by the administration.

Challenges and complexities of the domestic work sector in Poland

The interviewees emphasized that the domestic work sector, due to its **limited institutional dimension**, poses numerous challenges for public administration, control services, researchers, and policymakers. This is not unique to Poland and is also observed in other European Union (EU) and non-EU countries. However, despite these challenges, the domestic work sector is

an important area of social life that **requires attention and regulation**.

The market for domestic work does not emerge overnight; it requires specific conditions to be present simultaneously. These conditions include a society that is affluent enough to afford domestic work, and cultural changes that allow for the outsourcing of domestic responsibilities. Factors such as decreasing fertility rates, an aging population, and changes in women's preferences in regard to education and professional development contribute to the emergence of this market.

In Poland, the market for domestic work first appeared in Warsaw due to its economic development and lower level of social control, which allowed for the hiring of domestic workers without facing social ostracism. Currently Poland's domestic work sector is still in its early stages. Its emergence is the result of a convergence of economic, social, and cultural factors. However, the **institutional context** in Poland plays a significant role in shaping the sector. According to our interviewees, Poland is considered a **relatively liberal country with limited state intervention in the domestic sector**. As a consequence, the domestic work market is poorly regulated, and there is a lack of state responsibility for the system.

As emphasized by some interviewees, it is important to note that the **main employers in the domestic work sector are primarily from the middle class**, specifically the upper five deciles of society. This group tends to have better media representation, a higher rate of political participation, and is the frequent subject of surveys. The perspective of the lower socio-economic classes, who also work in domestic positions, is largely absent from the discourse. Thus, the regulation of domestic workers also has class implications.

Leaving the domestic work sector to self-regulate, as a laissez-faire option, is a consideration on the table in Poland. However, this approach could result in the **exploitation of workers and the violation of their rights**. In the current legal system, protecting the rights of those working in the domestic sector is challenging. Both employers and employees often disregard formal contracts due to the additional burdens they entail, such as their cost, taxes, and bureaucracy.

The available **statistics on employment in domestic work** may not provide a comprehensive or accurate representation of the sector. Data on the employment of foreigners published by the Ministry of Family and Social Policy (Ministerstwo Rodziny i Polityki Społecznej) and other state institutions fail to provide a clear understanding of the sector's true scale. The process of recording migration and employment in the domestic work sector may vary depending on the administrative office, making it difficult to ascertain the exact numbers.

Moreover, the extent of the **informal economy within the domestic work sector** is unknown and may never be accurately determined. The nature of this sector, with its informal and often cash-based transactions, makes it difficult to track and measure. The informal economy plays a significant role in the domestic work sector, but its true magnitude remains elusive.

The interviewees confirmed that the sector has **many risks and vulnerabilities**. These include excessive dependence on employers, a heavy psychological workload, weaker networks for migrant workers, the absence of contracts and social protection, and the work being informal. On top of that there are risks related to the sector's specialization, the lack of privacy and proper living conditions, and legal risks when changing employers.

Representatives of local authorities emphasized that individuals with migration or refugee experience have specific support needs and face various risks related to their status. These include legalizing their stay, as foreigners need assistance in understanding the processes and institutions responsible for different matters. Obtaining accurate information is crucial, as people **rely primarily on sources such as Telegram and QR codes for information**. Language is another significant barrier, with officials often inadequately prepared for communicating with foreigners in their

native language. It is also important to help them find employment that matches their skills and competencies, and to assist in securing housing and financial support for overall independence. A respondent in Warsaw confirmed that migrant women report instances of violence, most commonly within their personal relationships rather than from employers.

Strengthening rights and protecting workers in the domestic work sector: challenges and strategies for cooperation

GOVERNMENTAL LEVEL

The interviewees, particularly those representing the central level of administration, agreed that inspections in the domestic work sector are an issue of concern. In Poland, the State Labor Inspection (Państwowa Inspekcja Pracy) and Border Guard (Straż Graniczna) have **limited ability to control the sector**, and there seems to be a lack of interest from state authorities in addressing this problem. The “domestic order” is often cited as a reason for the lack of inspections, with regulators and inspection practitioners avoiding the sector.

One of the main challenges in inspecting domestic work is the **difficulty in accessing the sector**. The State Labor Inspection (Państwowa Inspekcja Pracy) does not have wide access to domestic work and lacks control over compliance with labor laws and labor rights. Employers, whether individuals or business entities, may avoid inspection by choosing to employ under civil law contracts or informally. If someone is not an employer or entrepreneur, the Labor Inspection cannot initiate inspection due to violation of the “home order”, for which there is criminal liability.

The limited access to inspections is further compounded by the fact that agencies rarely send domestic workers to Poland. Instead, they delegate them to other countries such as Germany, where the demand for their work is higher, especially for elderly care and housekeeping. In these cases, formal employment is more common and can be subject to State Labor Inspection control.

The inspection of employment by natural persons in the domestic work sector is a complex issue. While the Border Guard (Straż Graniczna) can carry out certain checks, they do not have the authority to control compliance with labor laws such as ensuring fair wages. Occasionally, there are complaints from employed foreigners that prompt the State Labor Inspection (Państwowa Inspekcja Pracy) to investigate. However, these cases are rare, and the focus is on whether the person is subject to inspection control.

Overall, the lack of inspections in the domestic work sector raises concerns about the protection of workers' rights and labor conditions. The informal nature of employment, reliance on civil law contracts, and the presence of an informal market contribute to the absence of oversight and accountability.

At the same time, while it is true that public administration faces challenges in reaching the target group of domestic workers, there are measures that can be taken to strengthen their rights. The Warsaw Labor Office (Urząd Pracy m.st. Warszawy) has recognized the **importance of language skills among foreign workers**, including those working in the domestic work sector, for accessing information about their rights and opportunities in the labor market. To address this, they have launched a network of partnerships and provided **training in Polish** for 1-1,500 people. This initiative not only helps domestic workers in their day-to-day interactions, but also empowers them to understand and assert their rights. Furthermore, the Labor Office actively participates in projects that aim to better care for foreigners in the labor market. In terms of access to information and support, efforts have been made by the city and the Labor Office to provide **packages of information** specifically tailored to Ukrainian workers. The availability of these materials, along with internet resources, can assist unfamiliar workers in finding the relevant institutions and addresses to report any problems they may encounter.

Also, the Grodzki Labor Office in Krakow (Grodzki Urząd Pracy) carries out **information activities** targeting both employees and employers regarding the legality of migrant employment (although not specifically focusing on the domestic sector). These activities include the launch of a hotline, which is operated by native speakers of Russian and Ukrainian, as well as webinars on legal employment and training for NGOs. However, it is important to note that these activities

are mostly conducted online and may not reach the elderly population, who often employ migrants for caregiving purposes.

Additionally, the State Labor Inspection (Państwowa Inspekcja Pracy) plays a role in supporting workers by providing **free legal advice and counselling services**. This includes daily legal advice sessions in each district labor inspectorate, as well as a dedicated hotline in Russian and Ukrainian. By offering accessible and multilingual support, the State Labor Inspection aims to assist workers, including foreigners, with any concerns or questions they may have regarding their rights and working conditions.

The interviewees described the **cooperation between public authorities** in the field of work as **insufficient**. For instance, the Labor Office in Warsaw attempted to involve both the State Labor Inspection and the National Revenue Administration (Krajowa Administracja Skarbowa) in determining the definition of an employment relationship. However, these institutions claimed not to have the authority to make decisions in this regard.

The interviewees also emphasized the need for **effective information sharing and cooperation between the various institutions operating in the region**. In regard to cooperation with NGOs, they highlighted the limited capacity of NGOs to protect the rights of migrants and refugees working in the domestic sector. At the same time there is a need for increased cooperation in this area between NGOs and the state. This cooperation could involve providing information on rights and advocating for migrant organizations to enhance the protection of workers in this sector.

LOCAL AUTHORITIES

The role of local authorities in supporting migrants in domestic work is crucial for ensuring their integration and well-being in the host society. However, there are several challenges that hinder their effective support and assistance.

Vertical coordination between local authorities and the central government is important in order to **align policies and resources** for the benefit of domestic workers with migration or refugee experience. Local authorities should work closely with the relevant

government agencies to ensure that the needs of this specific group are addressed, and their rights protected.

One major challenge faced by local governments, as pointed out by the interviewees, is the lack of a body that would be responsible for **horizontal issues**. While vertical coordination helps in implementing policies, horizontal coordination between stakeholders at the local level (including NGOs) is equally important for sharing best practices and strategies. This can help in identifying successful initiatives and replicating them in other cities, thereby creating a more comprehensive and inclusive approach towards migrants in domestic work.

Another key aspect to consider is **intersectionality**. Cities should take into account the diverse needs and experiences of domestic workers with migration or refugee backgrounds. Inclusiveness, multiculturalism, and diversity should be at the forefront of policies and activities designed to support this group. This can include providing language support, cultural events, and awareness campaigns to foster understanding and acceptance in the local community.

However, there are limitations to the measures that local governments can take due to the poor visibility of domestic workers with migration or refugee experience. This group often remains invisible to the city and its institutions, making it difficult for local governments to identify their needs and provide the necessary support. Another challenge faced by local governments is the lack of legal basis to deal with this group of residents. Since many domestic workers do not have registration, PESEL numbers, or city cards, local governments struggle to provide them with the necessary assistance and support. This further highlights the **need for comprehensive and inclusive policies** that recognize the unique circumstances and challenges faced by domestic workers.

Institutions such as social welfare offices (ośrodek pomocy społecznej) can only provide support to certain categories of foreigners, excluding those whose presence in the country is unregulated. Additionally, many domestic workers with migration or refugee experience choose to function outside of the formal system, making it difficult for institutions and local governments to reach and support them effectively.

Despite these challenges, our interviewees pointed out

small success stories demonstrating the potential for positive change. For example, making forms available in Ukrainian at local government offices can increase accessibility and support for Ukrainian domestic workers. Moreover, signing initiatives such as the **Diversity Charter** and implementing measures to increase diversity and accessibility policies can create a more inclusive environment for domestic workers with migration or refugee experience. Cities in Poland have been developing local integration strategies for migrants residing in their areas for several years. However, the specific needs and challenges faced by domestic workers have not been specifically addressed in these strategies.

According to the local authorities' representatives we interviewed, NGOs play a crucial role in supporting migrants, but they often lack the necessary funding to focus specifically on domestic workers. Many NGOs operate based on multi-year and annual programs with limited funding, which often do not prioritize domestic workers. This lack of funding and attention means that domestic workers remain overlooked and their needs unaddressed. At the same time, cooperation between local authorities and NGOs in supporting migrants in domestic work is currently facing several challenges. One of the main issues is the **low level of knowledge about the migration system among both NGOs and officials at the local level**. This lack of understanding leads to misplaced or exaggerated expectations of local authorities, resulting in a lack of adequate services for foreigners. A lack of knowledge and awareness among officials hinders the ability of local authorities to effectively support migrants in domestic work. It also prevents them from implementing appropriate policies and initiatives to address the needs of this vulnerable group.

Strategizing to support migrants in domestic work

In order to support migrants in domestic work, several measures can be taken, based on the information obtained during the interviews:

- The first one is to **simplify the legal system surrounding work contracts**. The current system is complex and lacks clear rules, leading to confusion and misclassification of contracts. This can be addressed by digitalizing the application process,

providing simple and understandable forms, and ensuring clear communication of rights and obligations to both employers and migrants.

- It is also important to **guarantee that the working time and earnings of migrants in domestic work are comparable to those of Polish workers**. This can be achieved by verifying earnings through the Labor Office (Urząd Pracy) and providing reference lists to employers to ensure fair pay. It is also crucial to prevent employers from using civil-legal contracts as a means to avoid paying taxes, thus ensuring that migrants are protected and receive proper compensation.
- Furthermore, it is necessary to **increase awareness of the services and support available through the Labor Office (Urząd Pracy)**. Many migrants may not be aware of the assistance they can receive from this institution. By promoting the services provided by the Labor Office and other relevant institutions, migrants can be better informed and guided through the process of finding work and understanding their rights.
- Moreover, **collaboration between the Labor Office (Urząd Pracy) and other relevant institutions**, such as the State Labor Inspectorate (Państwowa Inspekcja Pracy), Border Guard (Straż Graniczna), Social Insurance Institution (Zakład Ubezpieczeń Społecznych), and tax office (Urząd Skarbowy) **is crucial**. Strengthening this cooperation will enable a more comprehensive approach to supporting migrants in domestic work and ensure a coordinated effort to address their needs and challenges. The sharing of information, resources, and best practices among these institutions can result in more effective and efficient support for migrants.
- In addition, it is important to engage in a **broad information campaign aimed at both migrants and the general public**. This campaign should provide information about the activities and services offered by state and local government institutions, as well as on how to access assistance and support. By increasing awareness and knowledge, migrants will be better equipped to navigate the system and access the resources available to them.
- Finally, it is necessary to develop a national integration policy in which migrants working in the domestic sector would be recognized. While local policies are important, they can lead to

inconsistencies and variations in the interpretation and application of regulations. A national integration policy would provide a unified and consistent approach to supporting migrants and ensuring their successful integration into society.

During the interviews, there were also suggestions that more extensive changes be put into effect. The first proposal involves various steps:

- Maintain a database of legally approved individuals for domestic work (responsible: relevant government agency, such as the Labor Office (Urząd Pracy)).
- Publish and make accessible accurate and comprehensive information about the rights and responsibilities of both employers and domestic workers on the website of the relevant ministry, to be promoted by NGOs (the state holds chief responsibility for the provision of information).
- Develop a simple model contract to facilitate the contracting process (responsible: the Labor Office (Urząd Pracy)).
- Involve the Consumer Ombudsman (rzecznik praw konsumenta) for disputes over contract implementation.
- Labor Office to play an active role in supporting migrants in the domestic work sector (provision of information and advisory services).

The second proposal focuses on a **broader support system for all individuals engaged in domestic work**, regardless of their nationality or citizenship. It suggests that the focus should be on justice, judiciary and enforcement, rather than limiting support to specific groups. This can be achieved by improving the efficiency and accessibility of the legal system, shortening the path of redress for employees, and ensuring the effective enforcement of judgments. The proposal also highlights the need for an **alternative system to expedite the resolution of disputes and enforce judgments**. While this alternative system may require individuals to give up certain claims, it would ensure quicker results and minimize issues with enforcement. This alternative system could run in parallel to the regular legal system, providing a more streamlined and efficient process for resolving domestic work-related disputes.

7. NGOs AND ACADEMIA

Who were the respondents?

As part of the research, we conducted 10 interviews with representatives of NGOs and the academy. A list of the organizations and researchers who agreed to talk to us can be found in the Annex.

Risks

The interviewees, looking somewhat from the outside at the situation in the domestic work sector in Poland and at the relationship in the worker-employer-authority triangle, pointed to two main sources of risks of a very different nature. Firstly, the risks arising from the legal situation of domestic workers, above all from their work in the informal economy. Secondly, the risks associated with the social perception of domestic work.

INFORMAL ECONOMY

The reasons for the predominance of informal relationships in the domestic work sector in Poland in general and migrant and refugee domestic work in particular are discerned by the interviewees in three areas: **extensive bureaucracy, lack of adequate solutions for the sector and pervasive temporariness.**

Above all, they pointed to **the difficulty of the procedures** involved in employing foreigners in Poland. They indicated the lack of knowledge of regulations and procedures among both employees and employers. The vague wording of the regulations, as well as their complexity related to different legal regimes (citizens of Ukraine arriving before 24 February 2022, those arriving after that date, and citizens of other third countries, etc., are all subject to different regulations – see Legal background section), causes legal uncertainty. The absence of simplified procedures that could be applied in the domestic service sector results in reluctance to formalize the employment relationship.

The situation could be improved through legislation tailored to the specificities of the sector. Meanwhile, the interviewees pointed to **the inadequacy of existing**

options, which, being mostly of a general nature, do not apply to the specific conditions of migrant domestic work. In theory, this work should be performed under an employment contract – especially when the employee provides services only or mainly to one employer. Polish law, however, treats the individual employer in a manner similar to a large corporation, in terms of fiscal burdens and additional employer costs, as well as recording and reporting requirements. The need to meet these requirements makes people reluctant to formalize the employment relationship.

A final factor that reinforces the dominance of the informal economy in the sector is the **pervasive temporariness** of such work, which is partly due to its nature. Where caring for an elderly person is concerned, the end of the work relationship is determined by natural factors that are often difficult to predict. Cleaners or babysitters, in turn, are often treated as temporary help, and can be the first to be affected by budget cuts when households must reduce spending. Added to this is the temporary nature of the migrant's stay, which is limited by regulations on temporary residency and a declaration on entrusting work to a foreigner.

For the time being, this is not a problem for those arriving after 24 February 2022, who are covered by a special legal regime, but the war started by the invasion of Ukraine will not continue indefinitely. At the moment, the interviewees have indicated an interesting paradox related to the general legalization of the stay of those fleeing the war. According to many, the situation in which these individuals do not have to worry about the legality of their stay further weakens the incentive to legalize the work they perform – which was previously often done precisely for the purpose of legalizing their stay. On the other hand, however, it has undoubtedly contributed to improving their situation, reducing stress and increasing their sense of stability and security.

SOCIAL PERCEPTION OF DOMESTIC WORK

A second source of risk is the social perception of domestic work as a social phenomenon, as well as the cultural characteristics of this sector. This is related,

firstly, to **the nature of the space** in which such work takes place; secondly, to **class issues**, which play a large role in shaping the relationship between employee and employer; and thirdly, to **gender issues** – particularly important in the context of the recent migration from Ukraine to Poland.

The nature of the space in which domestic work is carried out is not the same for both sides of the employee-employer relationship. For the employer, it is their private, domestic sphere into which they are admitting an outsider. But for the employee it is a **hybrid sphere** – on the one hand the private sphere of another person, on the other it is somewhat public, as it is the sphere of work. It is similarly ambivalent for the various levels of the state authorities.

This imbalance generates a number of risks and, moreover, makes it more difficult to protect rights and less likely for undesirable situations to come to light. Employers, being in a sphere that is private to them, can cross boundaries that they would not cross in a sphere they consider public. The difference in agency, already present in the employee-employer relationship, is amplified yet further. The home is also beyond external control – whether social or that performed by the relevant authorities (see the Authorities section). **Hardly anyone has access to what goes on behind closed doors**, reinforcing the perception that the domestic work sector remains in the shadows.

An important component of the domestic work situation, especially for migrants and refugees, is **the relationship between social classes**. In describing this, it is easy to fall into clichés portraying workers as members of the lower class and employers as representatives of the upper class. However, both the scant data available and the statements made by our interviewees suggest that it is more complicated.

Migrants and refugees who have been forced to leave their homes (due to the invasion of Ukraine, but not only, as also, for example, by the political situation in Belarus) account for a significant portion of migration to Poland in recent years, especially since 24 February 2022. The class differentiation among these people is large – with people of different backgrounds, education and occupation fleeing the war or persecution. Their expectations, ambitions and aspirations when coming to Poland also differ. As such, only some of them take

jobs in the domestic sector, and this is often seen as temporary.

At the same time, a significant proportion of employers are middle-class people for whom occasional help with cleaning or childcare is a significant expense, and live-in care that has to be hired for an elderly family member constitutes a major financial burden. Of course, among these employers there are also situations where hiring a domestic worker is a way to raise their status in their own eyes or in the eyes of others, which can lead to the instrumental treatment of the people hired and violation of their rights. Nevertheless, the situation of migrant and refugee domestic labor in Poland can now be described as not so much occurring between parties with a large class distance, but rather as **symbolically generating this distance between parties** that in another reality would not be so detached from each other.

Furthermore, domestic work in Poland is performed primarily (though not exclusively) by women, which adds a **gender dimension** to the situation. The performance of women's work in the private sphere of their employers, often without legal protection, can give rise to many undesirable situations involving harassment, abuse or even more serious crimes. However, interviewees from NGOs and the academy mainly mentioned how **gender shapes the employee-employer relationship**, reinforcing inequalities and triggering paternalistic reactions.

INTERSECTIONALITY

One of the most common concepts that came up in the conversations with representatives of NGOs and academia was intersectionality, meaning the interconnected nature of social categorizations (such as race, class, gender, and others) regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

In the case of migrant domestic work, the risks that affect many people are often the result of the intersection of at least three dimensions of risk:

- work in the domestic sector;
- migrant or refugee status;
- and gender.

In addition to these dimensions, there are often others – related to whether or not one lives in a major city, the color of one’s skin, or one’s legal status related to arrival before or after 24 February 2022.

Addressing problems in an intersectional situation must take into account as many intersecting dimensions as possible. One-dimensional actions will often fail to reflect and address diverse needs of various distinct groups.

Protection of rights

In regard to factors affecting the degree of protection of migrant and refugee domestic workers’ rights, the interviewees singled out two issues: **the way information is provided and the sources where foreigners seek information, and the potential role of NGOs and academia in this respect.**

SOURCES OF INFORMATION

The authorities (see Authorities section) remain confident that they are adequately fulfilling their disclosure obligations. Meanwhile, the interviewees from NGOs and academia agree that the lack of information is one of the sector’s most important problems. Disruption in the communication process was mentioned as an important factor contributing to risks and hindering the protection of rights. The information provided by public offices is most often presented passively, and as such it requires an active stance by the migrant, who must want to access it and must know how to do so. The content posted on the administration’s websites, or available as printed material in buildings, is written in difficult, formal, and legal language and presented in an unattractive manner. Hence, **NGO and academic representatives rate the flow of information between the authorities and migrant domestic workers as almost non-existent.**

Because of the above, NGOs take on some of the information dissemination activities, especially when simultaneously conducting interventions or face-to-face counselling activities. However, this channel is mainly limited to people who use a particular organization’s services. An extremely important source of information, according to the interviewees, is the internet, and especially social media. Experts

pointed to the relatively widespread access to the administration’s e-services in Ukraine, which makes the internet a natural environment for solving such problems, especially for people coming from that country. Due to the advanced digitization processes in Ukraine, as well as the socioeconomic diversity of the group of migrants arriving after 24 February 2022, digital exclusion is not a common phenomenon, according to the interviewees.

However, the representatives of both NGOs and academia agree that **the most common source of information remains other migrants**, and therefore the social networks available to them in Poland. The flow of information occurs in both face-to-face communication and communication facilitated by social media and internet communicators (WhatsApp, Telegram, etc.). Importantly, migrants are present both on platforms associated with countries east of Poland (VKontakte, Telegram) and those traditionally present in our country (Facebook, Instagram, WhatsApp).

THE ROLE OF NGOS AND ACADEMIA

With the difficulties that authorities have in engaging in the process of improving the home services sector (see Authorities section), the third sector – including NGOs and academia – is emerging as an important actor in this regard.

Meanwhile, migrant and refugee domestic work is not a popular topic in academic circles. Experts in this field can be counted on the fingers of one hand (see Desk research section). At the same time, it is an issue that is often mentioned in various reports and studies, without being the focus of attention. Domestic workers are referred to as a hard-to-reach group, and research on the subject itself as challenging. This results in a very **limited number of experts** who can advise authorities from scientific positions, making evidence-based policy difficult.

For NGOs dealing with migration issues, the period since 24 February 2022 has been a period of rapid growth. After a difficult time in the second decade of this century, when their funding was significantly reduced, the past year has brought new sources of funding, which has allowed many organizations to scale up operations and hire more people, among other things. At the same time, however, with the arrival of refugees from Ukraine, the needs and number of people assisted

by the organizations have increased significantly. As a result, NGOs are still heavily burdened with work finding little time for non-intervention activities.

Domestic workers are not a group that would be targeted by NGO efforts. There is **a lack of programs** aimed directly at them, and the situation in the sector is not monitored. Although some authorities would be willing to offload tasks related to the domestic work sector precisely to NGOs (see Authorities section), such a solution (which we are familiar with in the context of migrant integration efforts in Poland) has its drawbacks. NGO activities are most often based on grants and projects, which makes them limited in time to the audience they manage to reach. While they provide a great deal of assistance to specific individuals, they only make a limited contribution to building a stable and sustainable support system. Such organizations are most often located in large cities, which puts those migrants who are outside the metropolitan areas at a significant disadvantage.

Empowerment

In terms of potential activities that could lead to the empowerment of migrant and refugee domestic workers, the interviewees mainly suggested inspiration from other sectors and other countries. They also pointed to the need for action in both the legal and social fields.

INSPIRATIONS – OTHER SECTORS, OTHER COUNTRIES

As has been mentioned in this section, the interviewees pointed to the need for legal solutions that are appropriate to the unique domestic work sector and the migratory context in which a significant portion of those working in it operate. When asked about possible inspirations, they pointed primarily to **solutions used in other sectors**, which also required more flexible legal forms, as well as **regulations from countries other than Poland – most notably Austria and Belgium**.

Transferring certain solutions between countries or sectors, rather than developing something new from scratch, can have a number of benefits. One can treat proven solutions as dependable, and it is easier to convince decision-makers of their effectiveness. At the

same time, it is very important to adapt the transferred solutions to the specifics of the sector (if they are from other sectors) and to the Polish legal and cultural conditions (if they are from other countries).

For further elaboration on this line of thinking see our Recommendations section, where we take a closer look at Polish solutions to seasonal labor in agriculture and childcare, as well as Austrian and Belgian regulations for the domestic work sector.

THE NEED FOR COMPLEX ACTION, NOT “STICKING A PATCH ON AN OPEN FRACTURE”

The interviewees also pointed to the need for **two-pronged action – on the one hand in the area of legislation, and on the other in the area of social beliefs**. This is consistent with their observations about the dual nature of the causes of risks associated with the sector – stemming from both the legal situation and public perception.

Law is a social phenomenon, and its effectiveness is strongly influenced by context. Hence, for there to be real and effective change related to improving working conditions in the domestic sector, changing regulations alone will not be sufficient. The best regulations are of no use if they are widely ignored or deemed inadequate.

Thus, at the same time as changes in the law, it is necessary to push for social change that seeks to recognize work in the domestic sector as work that should be regulated, and domestic workers – including migrants – as people with labor and human rights.

As **the problems troubling the sector are the result of systemic failures**, the result should be a profound remodeling of the whole system related to domestic work on the one hand, and migrant labor on the other. Appropriate solutions require changes in the residence system, in the work permit system, in the institutional environment related to the control of legality of residence, work and working conditions, as well as changes in social awareness. Otherwise, ad hoc measures taken may only be seen as (to quote one of the interviewees) – **“sticking a patch on an open fracture”**.

8. BRINGING PERSPECTIVES AND PARADIGMS TOGETHER

The perspectives presented in the previous chapters, although distinct, have numerous points in common. It is on these points that the recommendations at the end of the report are built. At this point, we address a few more issues arising from a comparison between the positions of the different groups of actors.

Firstly, none of the groups have a sense of responsibility for the situation in the sector. Secondly, each group accepts the existing situation to some extent, and they are learning to function in it.

The absence of workers' rights is seen as something natural – by workers as an inevitable risk of working in the sector, by employers as a consequence of domestic work being considered non-work, and by the authorities as a result of domestic work remaining in the informal economy – and efforts are being put into coping with this situation rather than trying to change it.

The invisibility of the sector, and consequently of the people who work there, suits employers because it reduces the fiscal burden of hiring, the authorities because it does not force them to take specific action, and the employees, who often treat work in the sector as a temporary or occasional source of income.

Each group of actors is placing **the circulation of information, which our research indicates is severely distorted**, on the shoulders of another group. The authorities are convinced that they are fulfilling this duty (which is, after all, often a legal obligation) sufficiently, and that employers and employees simply lack awareness. Employers assume that the regulations are too complicated and out of touch with reality for them to even seek information about them, and they expect the authorities to simplify them. And employees in turn focus on work and limit their search for information to the bare minimum while simultaneously placing no trust in official communication channels.

All this means that the potential for change in the sector is limited. It is worth remembering, however, that within each group there are individuals and communities that show more initiative. It is on them, and on supporting the self-organizing activities of individual groups, that change in the sector can be based.

In this context, it is worth mentioning the **Trade Union of Domestic Workers within the Workers' Initiative** (Komisja Środowiskowa Pracownic i Pracowników Domowych w ramach Związku Zawodowego Inicjatywa Pracownicza). This is the first trade union structure for domestic workers in Poland. The aim of the unionized people is to fight together to improve working conditions in the sector. They want legal contracts, decent wages, respect, and recognition.

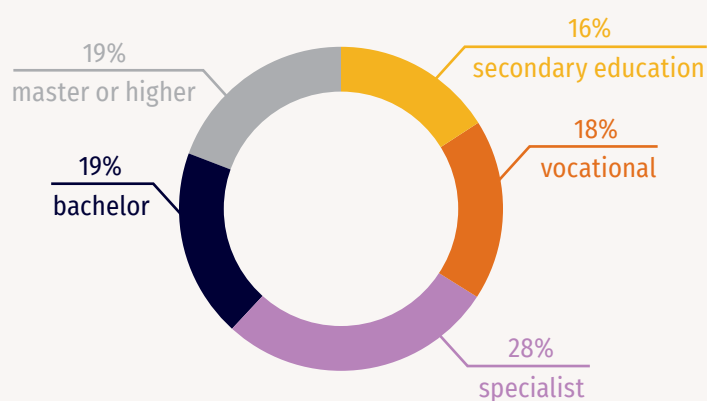
Their main activities are interventions: if the rights of any of them are violated by the agency or the family they work for - they can count on the Union's support. Moreover, they learn about Polish labor law, the law related to the legalization of residence and, as a result, how to function safely in the labor market. Last but not least, together they create a community of support, a space for the exchange of information, experience and opinions. The Union's activities, however important, are limited to the relatively small number of people involved and their presence only in Warsaw. Hence, it is important to support them in broadening their spectrum of activities and geographical coverage.

9. QUANTITATIVE SURVEY RESULTS

To complement the qualitative research findings, a quantitative survey was also carried out (see Methodology section). Here we present its main results. In total 137 people filled in our questionnaire.

arrived in Poland earlier; these were predominantly daughters. In addition, many had mothers, sisters, and sometimes husbands already residing here, and in some cases, fathers. Men were the least represented

Education



The results confirm the far-reaching feminization of the domestic work sector in Poland, and as many as **95% of the respondents were women**. Moreover, the respondents were **educated women** with university degrees or specific professional qualifications. This indicates that working in the domestic sector is often a situation of over-qualification and skills mismatch. According to the respondents, **for 65% of them, working in the domestic sector is a new experience**, and 35% have also done so in Ukraine. Among the professions indicated by the respondents were lawyer, economist, accountant, nurse, cook, teacher, and engineer.

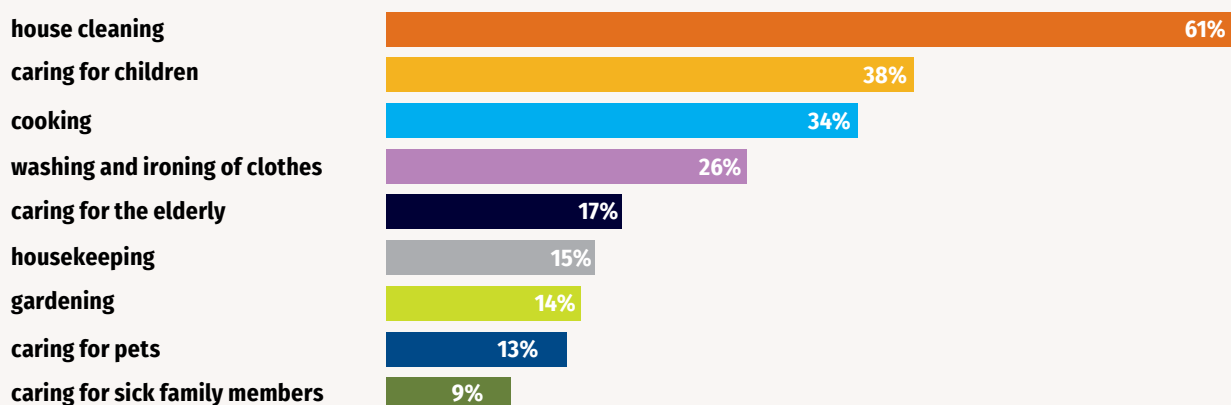
A significant proportion of the respondents joined family or friends already living in Poland and used their social networks upon arrival. The majority of individuals reunited with their children who had

in our study group, resulting in the fewest instances of individuals reuniting with their wives.

The people we reached with our questionnaire were **predominantly those who arrived after 24 February 2022** – as many as 85% of them. As this was forced migration, as many as **90% of them did not speak Polish prior to their arrival**.

Among the jobs that the respondents do in the domestic sector, **cleaning dominates** (61% of them do such work), followed by childcare (38%), cooking (34%) and laundry and ironing (26%). These results show that the respondents most often do more than one type of work.

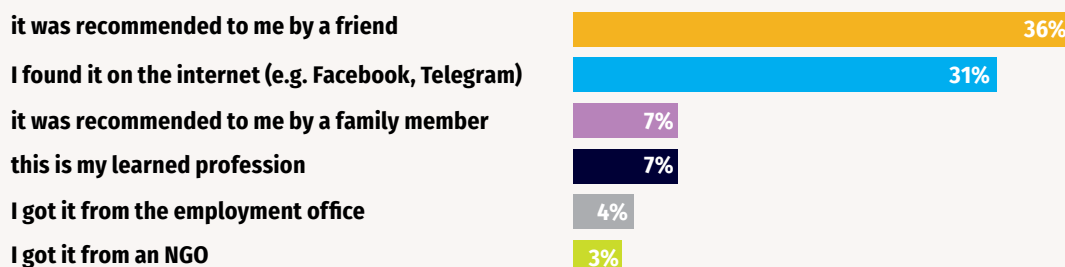
Type of work



When asked why they had chosen to work specifically in the domestic sector after migration, and how they had found a job, they mainly pointed to the availability

of such jobs on the internet or said friends and family had helped them enter the sector.

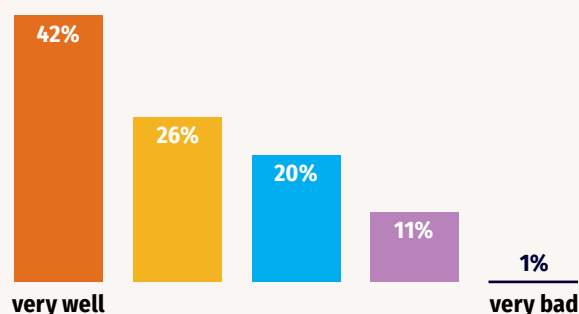
Finding a job



Respondents' declarations about the type of contract on which their work was based confirm opinions about the largely informal nature of these relationships. However, the percentage of people with legal employment is higher than the interviews with the authorities, NGOs or representatives of academia would suggest. **Almost half of the respondents were working without any contract.** A further 13% could not answer this question, suggesting either an informal relationship or a very low level of awareness. Other types of contracts – civil contracts, employment contracts, or B2B relationships – were represented by similar numbers of respondents.

A little over 50% of the respondents work exclusively for one household. At the same time, **only around 10% of the respondents work more than 40h per week,** and many work well below this figure. This indicates that for a significant proportion of our respondents filling out the questionnaire, domestic work is only of **a part-time nature.** They may also have other sources of income. Among the respondents, 39% work on Saturdays and 22% also work on Sundays.

How do you feel you are treated by your current employer(s)?



In general, the respondents rated their relationship with their current employers as good or even very good. Only 10% of them indicated that they had ever had a dispute with the people who employed them. When describing these conflicts, the respondents mentioned mostly disputes related to compensation for their work. Individuals frequently encountered delays in payment or experienced reductions in their expected payout. Another noteworthy concern was the disparity between verbal agreements and the actual compensation received. Many individuals noted instances of unequal treatment, particularly when comparing Polish and Ukrainian workers. This unequal treatment frequently led to disputes with employers.

Based on the literature and previous research, we distinguished five types of risks and undesirable situations that migrant and refugee domestic workers are exposed to. Unfortunately, **around half of the respondents had encountered most of these risks several times**. Only the serious offence of the employer withholding one's documents appeared not to have been experienced by the respondents. In most cases the incidents were occasional, marked as "several times" or "sometimes". The kind of incident encountered commonly by the largest group of respondents was discrimination and unequal treatment, but this represented only about 10% of them.

Domestic workers' experiences in Poland

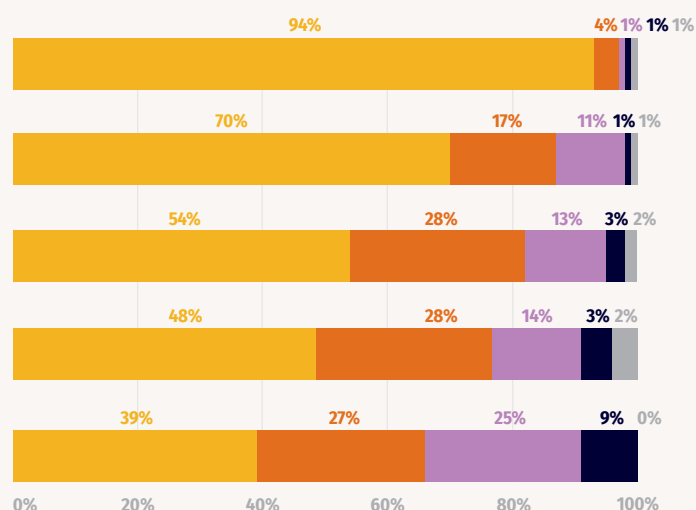
denied access to your documents, such as your passport or identity card

bullied, physically or mentally abused, or coerced into doing things you didn't want to do in the workplace

forced to work for too long or denied adequate rest and breaks

forced to work while sick or after accident

unequal treatment, discrimination, harassment or abuse at work on the basis of your nationality, religion, gender or any other characteristic



■ never
 ■ happened a few times
 ■ happened occasionally
 ■ happened more often than not
 ■ every time

It is interesting to compare the results presented in the chart above with the previously cited statements that current employers treat employees generally well. This discrepancy can be explained in two - arguably complementary - ways. Firstly, the relatively positive assessment of the relationship with the employer relates to the current employer, while the reported undesirable situations relate to the entire period of stay in Poland. Domestic workers often make use of the possibility to change employers when the employer violates their rights. Secondly, the general statements showing the positive side of staying and working in Poland among those arriving after 24 February 2022 may partly be the result of a perceived gratitude for help after the full-scale war broke out (see more in Chapter 4: The Perspective of Domestic Workers).

Changing jobs and employers was considered by respondents as something **moderately** (25.5% marked 3 on a 6-point scale) or even **very difficult**. However, there were those who found it **very easy** (18% marked 1/6). At this point, it is important to remember that the respondents overwhelmingly arrived in Poland after 24 February 2022, meaning that they are still just adapting to the Polish labor market.

At the same time, the fact that respondents have a special legal status given to those fleeing Ukraine means that they should have good access to health insurance and social security. The survey results show that this is not the case, or they are not aware of it. **Only**

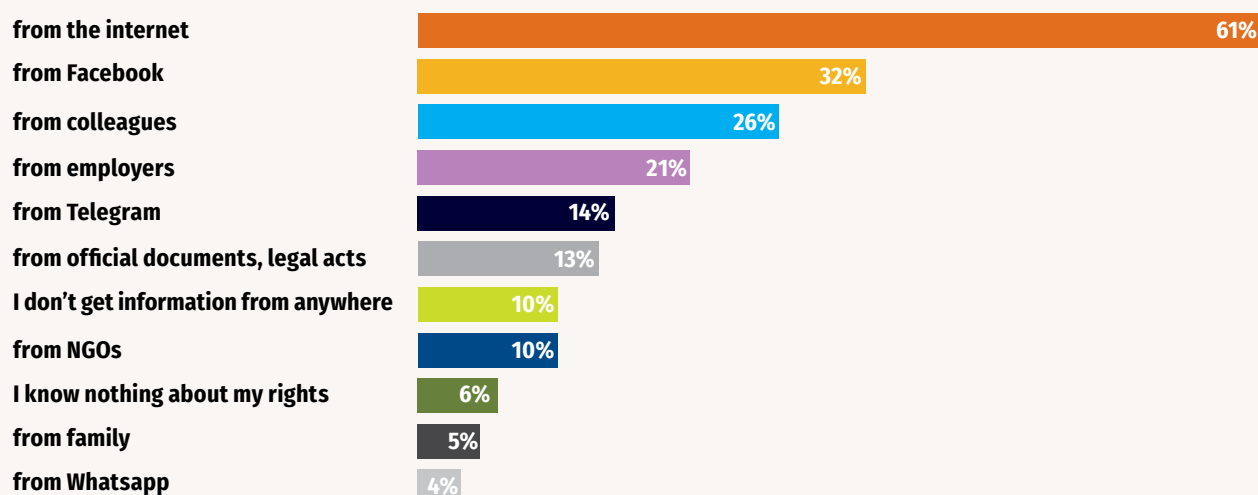
69% said they have access to health insurance (another 16% said they did not know). For **social security**, these figures are even lower, with **only 45% saying they have access** to it and as many as another 36% not knowing. They rate their **housing conditions as decent** (60% marking 3 or 4 on a 6-point scale) or good (28% marking 4 or 5).

When given the opportunity to list additional difficulties not foreseen in the survey, respondents indicated, that their job was physically demanding and characterized by substantial instability. Workers often grapple with uncertainty regarding contract extensions or finding new employment opportunities. Furthermore, they frequently shoulder blame for any damage to the employer's property. Some also mentioned contracting an infection from the person they cared for. Limited proficiency in the local language also presents a significant challenge.

Self-assessment of knowledge of one's own rights varied widely. On a six-point scale, the highest number of people marked 3 (27%). However, an **alarming 22% of respondents marked 1, admitting to having no knowledge in this area.**

As for sources of information concerning their rights and the law, but also life in Poland in general, the respondents indicated mainly **the internet** (including **social networks and instant messaging** for exchanging information), as well as **friends**. **Employers** were also found to be an important source of information.

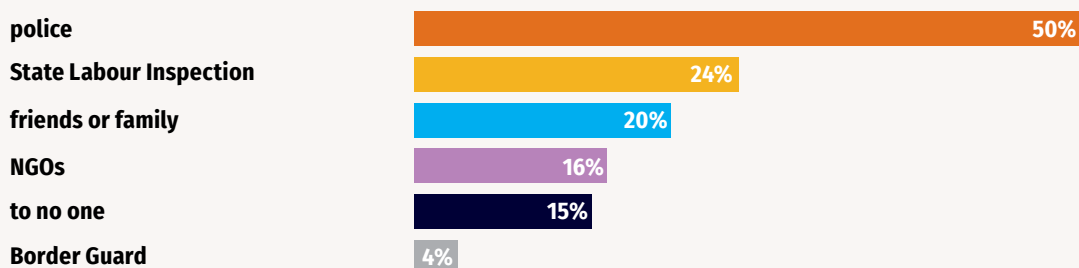
Where do you get information about your rights?



When faced with a violation of their rights, **most people would turn to the police** (half of those surveyed), while the **fewest would approach the Border Guard** (4%). One in six respondents explicitly indicated that they would not turn to anyone.

also resort to coping mechanisms such as singing, reading, meditation, and even attempting to reduce their working hours to mitigate the inherent challenges associated with domestic sector employment. The most pressing requirement is that for formal employment

Which of the following institutions would you turn to for help if your rights were violated?



Among the ways of coping with a crisis and their needs, our respondents expressed their readiness to compromise with their employers. In most cases, they aim to avoid disputes and navigate their work situation diplomatically. Occasionally, when faced with a crisis, some opt to endure the difficult situation in silence, or to seek alternative employment. Nevertheless, individuals

opportunities. Apart from this, the respondents also emphasized the importance of having regular and shorter working hours, as their current prolonged hours leave them perpetually exhausted and devoid of the energy needed for daily life and work. Individuals also stressed that wages needed to rise to meet their needs.

10. RECOMMENDATIONS

Recommendation 1: The way forward towards legal solutions for domestic work

All the groups of respondents we interviewed in the preparation of this report (employees, employers, NGOs and academics, and to a lesser extent the authorities) indicated the need for legal solutions appropriate to the specific nature of the sector. The current institutions are widely judged to be inadequate, hence the need for new ones.

The effectiveness of the new regulations, and the very possibility of their introduction, depends to a large extent on finding a common value that brings together all the stakeholders in the relationship in question. Two values emerge from our analysis that may have the potential to be the axis around which the efforts and actions of all stakeholders could be focused: **safety and reduction of uncertainty**.

For this to happen, however, certain conditions must be met. The proposed regulations must provide safety for everyone involved – workers with social security and freedom from violation of their rights, employers with confidence that their home and family members they entrust to care are safe, the authorities with transparency, and a way out of the shadows for the entire sector. At the same time, these rules must be uncomplicated and transparent so that formalizing the relationship could be seen by both employees and employers as reducing uncertainty rather than (as has often been the case to date) increasing it.

The conditions of the domestic work sector, which we have discussed in this report, give rise to a **number of tensions** related to the potential shape of a dedicated legal institution. On the one hand, it should simplify procedures and reduce the burden on employers (reporting, fiscal and other) compared to the institutions currently available. On the other hand, it must ensure that workers' rights are duly protected and enforceable. While balancing on this thin line, one must be careful to ensure that the solutions introduced **do not simply legalize existing pathologies** in order to reduce the informal economy at all costs.

A new type of contract may be introduced specifically to meet the needs of employers who are individual households or employees providing live-in work. It could involve reduced costs on both sides, including tax burdens, social security, or health insurance (which, however, should be mandatorily provided to the employee in this relationship) and specially tailored regulations on vacations or working hours.

Inspiration for legal solutions can be sought from other sectors that share certain characteristics with the domestic work sector. Such a sector could be **agriculture**, where also a significant proportion of workers are migrants and the working conditions during harvesting do not correspond to those associated with, for example, an employment contract.

A special work permit for seasonal work for foreigners exists there. It features a simplified application procedure, whereby the head of district administration (starosta) issues a decision within only 7 working days from the application's date of submission. The type of contract under which a particular foreigner may perform work recognized by law as seasonal is determined by the "S" work permit issued to him or her. Another such contract is the harvest assistance contract. It is important to note that there is no minimum hourly rate in the case of such a contract, with parties agreeing on this rate individually. However, an employer faces refusal of a foreigner's seasonal work permit if he plans to pay them a salary significantly lower than the usual wage for this type of work in the region. Another limitation is the length of such a permit; it is issued for no more than 9 months per calendar year; in the case of a harvest assistance contract, this assistance can be provided by a single person for a maximum of 180 days per calendar year.

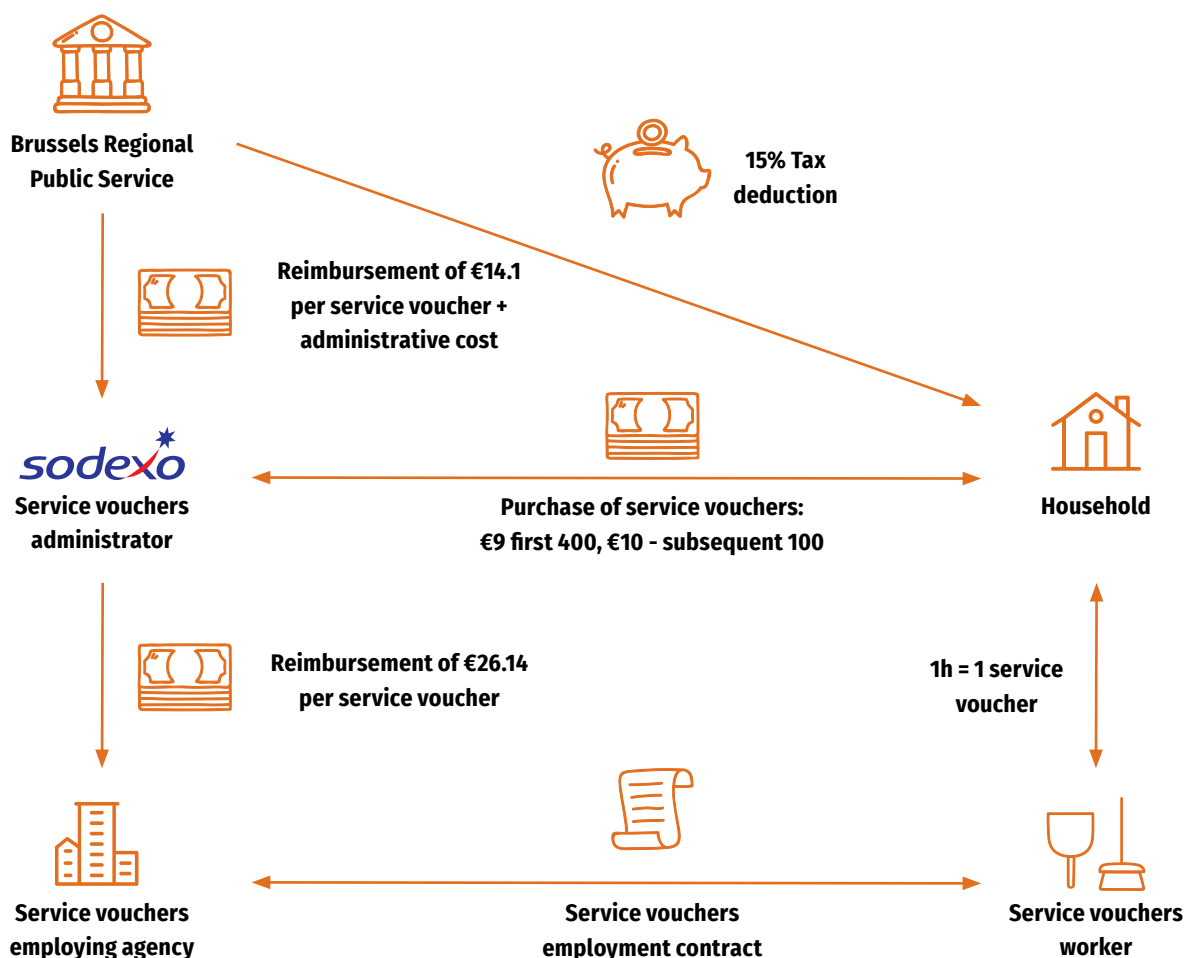
The result is an institution that responds to the needs of the market and the specifics of the type of work. On the one hand, it allows people to work many hours during the day for less than the minimum wage. On the other, it is intended as a temporary occupation for workers and provides them with insurance and social security. The above example shows that it is possible to de-bureaucratize and speed up procedures as

much as possible, and to deviate from certain labor law standards, in the name of legalizing the informal economy. While the former should guide the legislator in the context of potential regulation of the domestic work sector, the latter should be treated with caution, so as not to make workers even more vulnerable than they currently are.

In **Belgium**, the Federal Government introduced the service voucher system in 2004, known as “Titres-services/Dienstencheque”. This initiative aimed to promote the employment of domestic workers and has demonstrated its effectiveness in formalizing the sector. The Belgian system does not consider the household as the employer. Instead, households engage accredited companies that establish employment contracts with domestic workers. This labor arrangement involves three key components: accredited agencies, serving as the employers; households as the end-users; and domestic workers, who are employed and remunerated by the accredited firms. Consequently, households seeking services

enter into agreements with the accredited firms (employers) to engage domestic workers.

The Belgian government designated a single agency, SODEXO, as the administrator of the service voucher system. Users (households) are required to register with them to acquire Service Vouchers. Domestic workers receive these service vouchers and subsequently submit them to their employing agency, which then forwards a payment request to SODEXO. For each service voucher the government is providing substantial subsidies making up the difference between the price paid by the user for the services and the amount collected by the approved companies. It is estimated that, overall, up to two-thirds of the final cost is covered by the state. Moreover, Belgium has made employment contracts without service vouchers illegal, resulting in enhanced monitoring of sector requirements and quality. This policy shift has also fostered greater professionalism within this field. Following the adoption of a royal decree on 13 July 2014, all domestic workers became subject to social security (see more ILO 2016, 2022).



Austria has implemented a service voucher system wherein households are required to contribute an additional 2% of the voucher's value as a social security contribution. This contribution is intended to cover accident insurance for domestic workers and administrative expenses. The introduction of the household service voucher system is believed to have played a role in formalizing the contractual relationships between some households and domestic workers.

However, worth noting is that coverage provided in Austria is limited to employment insurance. As a result, there is no coverage under health, pension, or unemployment insurance schemes. Nevertheless, in cases where a domestic worker has multiple employers, and the combined payments from these employers exceed the established income threshold (€485.85 per month in 2022), they become subject to mandatory health and pension insurance (see more ILO 2016, 2022).

The above success stories from Belgium and Austria show us the conditions that must be met for a legal solution to a situation in the domestic sector to be effective. These are:

- involvement of all actors;
- simplification of procedures;
- monitoring and enforcement;
- and subsidies.

Firstly, comprehensive regulation of the domestic work sector requires the various authorities to **cooperate** with each other (see Recommendation 2), as well as with employers and the workers themselves. The absence of this cooperation can result in solutions that are flawed, failing to address some part of the relationship they regulate or the rights they should protect.

Secondly, an effective solution must involve **maximum simplification**, not of the system as such, but of the procedures to be followed by employers and employees. As can be seen from the diagram of the Belgian system, it is multidimensional, multi-component and requires more activities than is the case with simple employment in the informal economy. However, the vast majority of these activities lie with the state and the professional system operator. This is

where the complex recalculations take place – and for the end users, meaning employees and employers, this is not at all demanding.

Thirdly, this system must be accompanied by **extensive monitoring** and the rights it protects must be enforceable. Circumvention of the system, including through the use of other types of contracts, should be prevented. The flow of information between the different authorities related to employment and social security, etc., has to be continuous. The enforcement of one's rights (be it before the courts or other authorities) must occur via a fast-track process and not be a burden on those affected, otherwise it will not be an option for migrants devoting most of their time to work.

None of this, unfortunately, can be achieved without **subsidies** of some kind from the state. This does not mean, however, that regulating the domestic work sector involves only expenses for the state budget. Bringing the entire sector out of the shadows brings numerous benefits, including financial ones – both directly and indirectly. In Belgium, where, as we mentioned, subsidies account for up to two-thirds of the total cost of employment, half of the expenditure incurred has been directly recovered. It has been estimated that the total gross cost for public authorities at the national level was about €2 billion, while the earn-back effects were equivalent to €1 billion (in 2018, ILO 2022).

Changes such as those described in the recommendation above involve a significant revolution in the system, so we are aware of the difficulties that await those who would advocate them. At the same time, only far-reaching measures will achieve far-reaching results. Hence, this is our recommendation in the long term.

Recommendation 2: Improved cooperation between all key stakeholders

The current state of cooperation between key stakeholders, including public authorities and NGOs, in supporting migrants and refugees in domestic work is limited. There is a **lack of vertical coordination** between the government and local authorities, as well as **limited responsibility for horizontal activities**. This is detrimental to the visibility and recognition of the

needs of domestic workers with migration or refugee experience.

Moreover, the **lack of coordination and communication** between different institutions, such as the Labor Office (Urząd Pracy), State Labor Inspection (Państwowa Inspekcja Pracy), and National Revenue Administration (Krajowa Administracja Skarbowa), hinders the effective regulation of the labor market and protection of domestic workers' rights. Collaboration between public administration bodies, civil society organizations, and relevant stakeholders is crucial in addressing the challenges in the domestic work sector. By working together, these entities can share expertise, exchange best practices, and develop effective strategies to improve the conditions and rights of domestic workers. Efforts should be made to improve data collection methods, collaborate with relevant stakeholders, and develop strategies to reduce the reliance on the informal economy. By working together, the various stakeholders can improve the regulatory, enforcement, and support mechanisms for domestic workers, ensuring their rights are upheld and protected.

Possible areas of cooperation include (the list is not exhaustive):

- collecting data and information on the domestic work sector;
- provision of information accessible to employees and employers;
- advocacy;
- social support for employees;
- legal support for employees and employers;
- improvement of related regulations;
- improvement of enforcement of binding regulations;
- improvement of the visibility of domestic workers.

Efforts should be made to use and adjust the existing frameworks for cooperation at different levels, to facilitate information sharing, and to allocate resources to address the specific needs of domestic workers, particularly migrants and refugees.

In order to strengthen the rights and protection of domestic workers, it is essential that **cooperation be improved between public administration bodies and**

NGOs. Public administration bodies should recognize the significance of NGOs in advocating for the rights of domestic workers and acknowledge that their criticism of administrative actions can serve as a catalyst for positive change. By collaborating with NGOs, public administration bodies can ensure that these individuals receive the necessary information about their rights, access to support services, and assistance in navigating the legal system. To improve this cooperation, public administration bodies can use the existing formal channels of communication and collaboration with NGOs or establish new ones. Such cooperation can be realized in forms of regular meetings, joint projects, and the sharing of relevant information and resources.

In this context, the cooperation between public administration bodies and migrant-led organizations is of utmost importance. It is key to addressing the specific needs and rights of migrant domestic workers with whom **migrant-led organizations** have established close contacts. By partnering with migrant-led organizations, public administration bodies can better understand and respond to the unique challenges faced by migrant domestic workers, ensuring that their rights are protected. Such organizations also frequently have expertise and experience in supporting and advocating for the rights of migrants.

Local authorities can play an important role in supporting and integrating domestic workers with migration or refugee experience. However, there are several challenges that hinder their ability to effectively address the needs of this group. Collaboration and coordination with the central government, as well as horizontal cooperation between involved stakeholders, is essential. Moreover, recognizing the intersectionality of domestic workers' experiences and implementing inclusive policies and activities can contribute to their successful integration.

Recommendation 3: Raising awareness of domestic workers' rights and available services

Our research indicates that domestic workers are unaware of their rights. This is a concerning situation, as public officials assume this information to be readily available. Migrants do not feel entitled to assert their

rights, even when they experience mistreatment. They lack confidence in reporting such incidents, believing it is not their place to do so. This poses a significant danger, as perpetrators can continue to harm without consequences, while their victims do not receive adequate support. Many workers expressed a lack of knowledge regarding their rights in Poland, and when asked about their rights as domestic workers they were unable to provide any answers. They were also unaware of the organizations that support migrants, mothers with children, and domestic workers. Based on the information shared by the respondents during the interviews, we have identified important points to increase awareness.

Firstly, there is a need for clear and easily understandable information about the rights and necessary documents for migrants in general. These people, especially those who arrived before the start of the war, have struggled to find information, and when available it is often written in complex language. We recommend **creating accessible materials**, such as brochures, flyers, and posters, that can be distributed through various social media platforms. Domestic workers mentioned learning from online videos or friends about completing documents for temporary residency. We suggest making these informational materials available at Voivodship Offices (Urzędy Wojewódzkie), city halls, and even train stations or borders likely to be visited by newcomers. It is crucial to address the feeling of inferiority among non-Polish citizens and educate them through information and education campaigns that they are protected by the law.

Secondly, it is important to **educate domestic workers about the contracts** they sign or should not sign. Many workers are employed without contracts, which further exposes them to risks, as they have no formal means to claim unpaid wages. There is a lack of understanding regarding the differences between work contracts, mandate contracts, and employment contracts. Migrants need to be educated about the types of contracts applicable in Poland and their distinctions. Information campaigns and website resources should highlight these aspects.

Collaboration between public administration, NGOs, and trade unions is essential for raising awareness. A trade union for domestic workers has been formed, and though it is still small, it has the potential to shed light on the neglected issues faced by domestic workers in

general, and not just migrants. Cooperation among these entities can provide professional and legal support to domestic workers when they encounter undesirable behavior from employers. Domestic workers should be made aware of the labor union they can join. There is great potential for a domestic workers' union to bring them together, advocate and inform, and through it many organizations can pass information to more workers.

Public administration offices and websites should also **provide a list of organizations that assist migrants**, particularly in the domestic sector. During our interviews, we provided a list of organizations and phone numbers obtained from CARE International, which proved to be extremely helpful for the respondents. We believe that disseminating this kind of information is crucial.

Support programs and counselling tailored specifically to the domestic sector should be established in larger cities. These programs should be staffed by specialists from city halls and various NGOs. In addition, social dialogue should be encouraged between the government, domestic workers, and employers. Although challenging, we believe that when domestic workers have a voice and share their stories, employers will gain a better understanding of the difficulties they face and the importance of proper documentation.

Migrants should also be informed about **the availability of psychological assistance**. Moving to another country to earn money is not easy, and many mothers have had to leave their children behind. The ongoing war has made this situation even more challenging, as families and support systems are left behind. The constant stress and uncertainty can take a toll on their mental health. It is therefore recommended that affordable psychological support be made accessible to migrants and their children.

Lastly, it is crucial to **educate migrants on how to handle the threats** they may encounter in the domestic sector. Many respondents mentioned that their only solution is to confide in relatives. However, they are unprepared for potential risks they may face while working in someone's home, such as exploitation, non-payment, or even physical harm. They lack knowledge on how to handle such situations and where to report them. Campaigns, leaflets, and training programs specifically designed for domestic workers are necessary. The

formation of a domestic workers' union can serve as a platform to disseminate information to a larger number of workers through various organizations.

In conclusion, raising awareness of domestic workers' rights is crucial. This can be achieved through accessible and understandable information materials, education on contracts, collaboration between public administration, NGOs, and trade unions, support programs and counselling, dissemination of information about available resources, and training on handling risks in the domestic sector. By implementing these recommendations, we can empower domestic workers and ensure the protection of their rights.

It is crucial to establish support systems and inform migrants that regardless of their plans to stay in Poland, they have the right to a dignified life and should be treated with respect. It is necessary to demonstrate that they deserve a good and comfortable life, especially considering the ongoing fear they have for their family and friends in Ukraine.

Recommendation 4: Raising awareness in society

In order to improve the situation of migrant workers in the domestic sector, it is necessary to constantly raise public awareness, for example through social campaigns, providing access to information, as well as education of adults and youth. Social awareness should be built not only among the employees or employers themselves but should reach the general public and concern elementary issues related to equal treatment in various areas of life. There is a strong need for cooperation between the central and local administration and non-governmental organizations in this regard. **Raising public awareness** should address three main dimensions:

- the situation of refugees and migrants in Poland;
- workers and working conditions in the domestic sector;
- the position of women in society.

In recent years, more and more migrants have been arriving in Poland, and it has turned from a country of emigration into one of immigration. In 2016, the number of immigrants in Poland exceeded the number of emigrants for the first time (GUS, 2020). Migrants are

beginning to be visible, especially in urban space. Their presence, however, is still a kind of novelty in Poland, and not all parts of society are prepared for such dynamic changes. One can observe unequal treatment of migrants, for example them being offered lower rates than Poles for the same work. On the other hand, as indicated by the interviewees covered by this study, migrants from Eastern Europe in particular are often perceived as hard-working, undertaking the kind of jobs that Poles would not take. The image of migrants has probably warmed up somewhat since Russia's invasion of Ukraine and the taking in of refugees, as well as Poland's strong involvement in aid activities. However, it is worth building awareness regardless of the political situation. Due to Poland's economic and social development, the country will be seeing more and more migrants arriving. The appropriate measures have to be taken in order to **change attitudes in Polish society towards migrants** to more open and receptive.

The second dimension that requires wider discussion is the issue of employees who work in the domestic service sector and the conditions in which they work. In Poland, the domestic sector is dominated by migrants, mainly from Ukraine. The work is low-paying and physically demanding, and often requires a high degree of availability, going beyond the generally accepted working hours. Moreover, it is almost always undeclared work, so people in this sector are not entitled to benefits, such as paid sick leave, paid holidays or a pension. The regulations that came into force after the outbreak of the war concerning people from Ukraine only seemingly improved their conditions. These people have been granted the right to certain benefits, for example free health care, which makes employers more willing to employ them illegally.

It is worth emphasizing that, in addition to financial aspects, employment without a contract in the domestic sector may also result from a kind of social consent that such services are provided outside the "official" labor market. Migrants, mainly from Ukraine, agree to such conditions, because as in Ukraine there is also a relatively high degree of social acceptance in Poland for unregistered work, especially in cleaning or care. This situation needs to be changed by educating people about the **risks of undeclared work** and weakening the acceptance of this type of practice. Such education should also embrace information on the **benefits of legal employment**.

Employers themselves also need support and access to information. Efforts should be made to broaden their knowledge regarding the possibilities of legal employment of foreigners, based on the existing legal provisions. Secondly, openness to employing migrants should also be increased. What is needed is a campaign promoting legal employment among employers, as well as raising awareness about the difficult conditions in which people from abroad are often forced to work.

Compiling information on safe, legal employment is also a good practice. An example is the “Green Line” website, intended for employers, which also contains information on the employment of foreigners. Unfortunately, awareness of this website is poor, and in the interviews we conducted only one person indicated it as a source of information. There should be more publicity for this, just as it should be constantly expanded.

The last dimension listed above is related to gender. Migrant workers employed in the domestic sector in Poland are practically only women. Women are treated less favorably on the labor market, they occupy lower-paid jobs, and their wages are lower than those of men in the same positions. According to OECD, in 2020, the gender pay gap in Poland amounted to 8.7 percent (OECD 2023). There is also the phenomenon of feminization of professions on the labor market, which contributes to the perpetuation of negative gender stereotypes and has an impact on identifying professions performed by women with low-paid work and low social prestige. This type of “women’s” work undoubtedly includes work in the domestic service sector – in particular cleaning and caring for dependents. Perhaps in the domestic service sector there is strong social acceptance for work without a contract, but this work is highly undervalued, because women’s domestic work is generally unpaid. A representative of one of the NGOs noted that:

„It’s 100% women. (...) Lack of respect for, let’s call it stereotypically, women’s work around the house. They are socially undervalued, so the pay rates are lowered... It is mostly based on beliefs.”

An NGO staff

The above conclusions indicate that unequal treatment of migrant workers in the domestic sector should be considered in the context of **intersectional (multiple) discrimination**. The workers’ origin (non-Polish) is additionally overlapped by the gender factor, as well as a professional status (working in the domestic service sector) – perceived as lacking prestige. Social campaigns should take into account each of these three dimensions.

Awareness-raising should be in parallel and compatible with amendments of provisions. Modifications of the legal regulations will not bring about the desired change if they are not accompanied by a change in thinking about the fundamental rights of every human being, regardless of gender, origin or professional position.

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Annex

List of NGOs that participated in the study:

Amnesty International

Fundacja Dobry Start

Fundacja Ocalenie

International Organization for Migration (IOM Poland)

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the District Labor Inspectorate (Okręgowy Inspektorat Pracy we Wrocławiu)

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