



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

# In the Shadows. Ukrainian Domestic Workers in Poland



**The escalation of the war in Ukraine in February 2022 resulted in a humanitarian crisis and the arrival of a million of refugees to Poland. Before 2022, there was already a large community of Ukrainian immigrants, many of whom have been working in the domestic sector, as care takers of the children, or the elderly, or housekeepers. In 2023, in cooperation with CARE International in Poland, CASE has conducted a study of migrant and refugee domestic workers living in Poland. Some of the key findings include the following figures: 61% of the respondents have experienced unequal treatment, discrimination, harassment or abuse at work; 51% were forced to work while sick; and 46% reported being forced to work for too long or denied adequate rest and breaks.**

The lack of adequate regulations and solutions for the domestic work sector in Poland is resulting in an informal system where workers are often exploited, and their rights are violated. For instance, many workers are forced to work for long hours and often do not receive benefits such as paid holidays or sick leave. The analysis of the situation reveals that workers are exposed to various risks, such as discrimination and unequal treatment.

The barriers to the protection of rights of migrant and refugee domestic workers in Poland include the social perception of domestic work as undervalued “women’s work”, the imbalance of the private and public nature of the employer-employee relationship, the lack of legal protections, and the lack of knowledge of rights and obligations among workers and employers. Many of these workers often choose to compromise or endure a difficult situation rather than report cases of discrimination or violence due to fear of the authorities, lack of knowledge of the aid organizations, and of their rights.

Other issues faced by migrant and refugee domestic workers in Poland include the lack of legal protection and representation. There is a need for change in both law-making efforts and public awareness. Proposed solutions include increasing monitoring of the sector by public authorities to ensure protection of workers’ rights, simplifying procedures for hiring in the domestic sector, and strengthening collaboration between stakeholders. In addition, information pertaining to domestic workers’ and their employers’ rights should be made easily available and accessible across a number of platforms, in languages they understand. Above all, however, the recommendations are to support self-organization by migrant and refugee workers and to utilize their potential to advocate for equal treatment and improved conditions.

To learn about the experiences of migrant and refugee domestic workers from Ukraine, we talked to their employers, authorities, NGOs, academics and, of course, the domestic workers themselves. The methodology and results of our research are described in more detail in the report: Klakla, J.B., Koss-Goryszewska, M., Kulesa, A., Pająk-Załęska, K., Zarychta, M. (2023). *In the Shadows: Ukrainian Domestic Workers in Poland*. Warsaw: CARE International in Poland.

## THE LEGAL FRAMEWORK OF THE DOMESTIC WORK SECTOR IN POLAND

**The domestic work market is poorly regulated, and the responsibility of the state institutions for the system is lacking.** There is a predominance of informal relationships in the domestic work sector in Poland in general, and in migrant and refugee domestic work in particular. Although the experts estimate the domestic workforce to be 100,000 people, **the domestic work sector in Poland is largely invisible** – to the administration, to the non-governmental sector and to the public. This is due to the informal nature of the relationships within it, including the employee-employer relationship. At the same time, however, none of the institutions who could take responsibility for the situation in the sector are doing so. The authorities (both at the central and local levels), NGOs, employers and employees avoid taking responsibility, although the latter are the least to blame, **being a vulnerable group with little agency**. In this context, it is worth to mention the Trade Union of Domestic Workers within the Workers' Initiative (Komisja Środowiskowa Pracownic i Pracowników Domowych w ramach Związku Zawodowego Inicjatywa Pracownicza) - the first trade union structure for domestic workers in Poland working together to improve working conditions in the sector. They advocate for legal contracts, decent wages, respect and recognition.

The reasons for the sector remaining in the shadows are discerned in three areas: **extensive bureaucracy, lack of adequate solutions for the sector** and the **pervasive temporariness**. The vague wording of the regulations, as well as their complexity related to different legal regimes, causes legal uncertainty. The lack of simplified procedures that could be applied in the domestic service sector results in a reluctance to formalize the employment relationship. Moreover, there are no legal solutions tailored to the specificities of the sector. The temporary nature of domestic work, as well as the uncertainty related to the duration of migrants' or refugees' stay in Poland, further discourages the search for more stable solutions.

**Leaving the domestic work sector to self-regulate, as a laissez-faire option, may 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.

Therefore by “rights” we most often mean not these workers' rights – those working in the informal economy have few of those – but rather the rights of every person, every resident of Poland or every individual entering into business relationships with others.

## MAIN CONSEQUENCES OF THE SECTOR'S INVISIBILITY

### **The sector's invisibility leads to an information gap.**

Information on procedures, rights and obligations (of better or worse quality) is put together by the authorities. Meanwhile, migrant and refugee domestic workers do not receive it, and remain largely unaware of their rights and obligations, and find their only support in this regard in family and friends. Each group of actors is placing the circulation of information, which 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), and that the employers and employees simply lack awareness. Employers assume that the regulations are too complicated and out of step 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. The government's cooperation with the non-governmental sector in the dissemination of information must be strengthened.

**“I am very grateful, but I will not suffer mistreatment.”**

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

Without this, **the lack of knowledge of the rights and obligations** – among both employees and employers – **leads to widespread risks and exploitation**. The results of the survey indicate that as many as 61% of domestic workers have faced discrimination or unequal treatment, 52% have had to work while sick, 46% have been forced to work beyond their strength and without rest, and 30% have been physically or psychologically harassed.

## WORKING CONDITIONS

The working conditions for migrants and refugees in

the domestic sector depend on where they live. There are two groups: those who live with their employer, and those living elsewhere. The type of work they do also differs. Live-in employees are usually hired to care for an elderly person who needs 24-hour care. They often perform other tasks such as cleaning and cooking.

Such live-in employees typically have their own room, and most often are also provided with meals or products for preparing meals. However, the price for this free accommodation and meals is usually the workers' full availability – as basically there is no end to their work. 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, after prior agreement with the employer. Availability also often includes working at night, depending on the needs of the dependent person. The working time for both groups is not specified in any way, but in practice it usually exceeds 40 hours per week. Because their employment is unregistered, migrant workers are not entitled to a 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.

## RISKS AND VULNERABILITIES

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:

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

In addition to these dimensions, there are often others – related to whether one lives in a major city, the colour of one's skin, or one's legal status related to their arrival before or after 24 February 2022.

The results of the questionnaire indicate that approximately half of the respondents had encountered various risks multiple times. Experiencing the serious offence of their employer withholding their documents

was less common (total of 6% have ever experienced it). In most cases, these incidents occurred occasionally, described as happening “several times” or “sometimes”. Incidents that were experienced frequently or even every time were discrimination and unequal treatment - in the case of approx. 10 % of respondents.

## BARRIERS TO THE PROTECTION OF RIGHTS AND IMPROVEMENT OF THE SECTOR

The social perception of domestic work is a particularly significant barrier to protecting the rights of migrant and refugee workers. Domestic work is socially understood as undervalued “women’s work”, is not treated as proper work or an occupation, and is performed in an intimate social sphere – in the employer’s home.

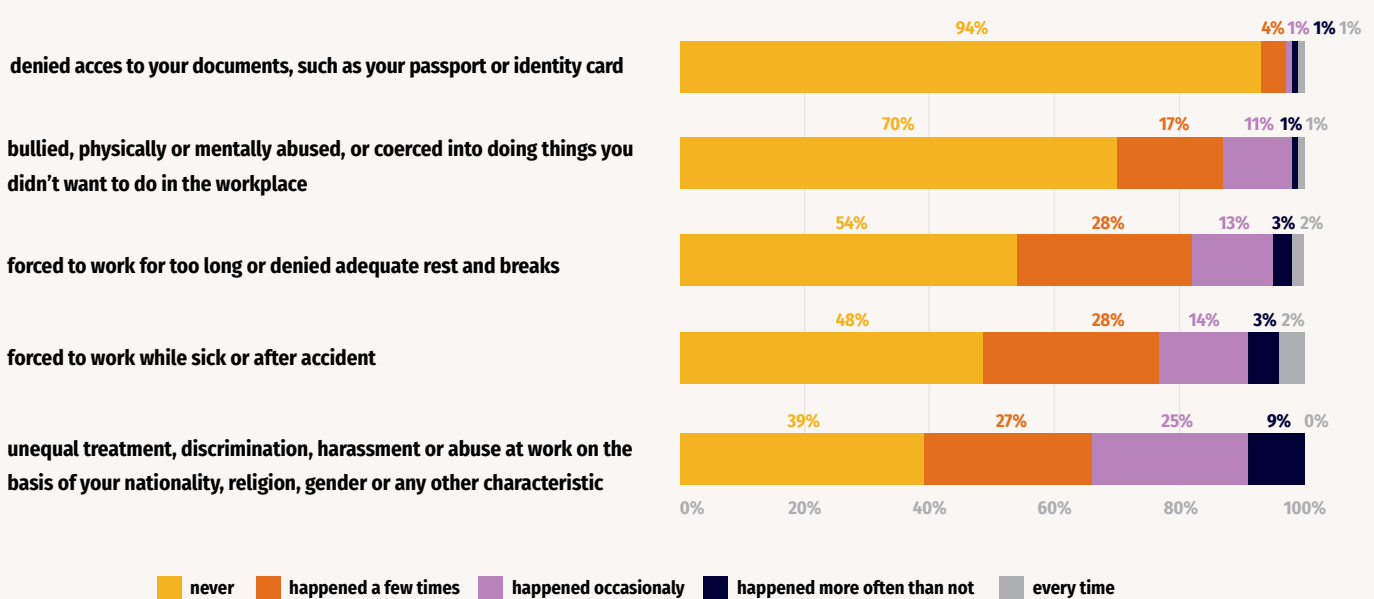
Domestic work is carried out in space that is private for the employer, and hybrid private-public for the employee. It is similarly ambivalent for the various state authorities. This imbalance generates a number

of risks and, moreover, makes it more difficult to protect workers’ rights and less likely for undesirable situations to be reported and addressed.

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. Moreover, gender shapes the employee-employer relationship, often reinforcing inequalities.

On top of this there are the difficulties associated with the flow of information already mentioned at the beginning of this report. While public officials believe that such information is available, domestic workers are largely unaware of their rights. This makes the institutions designed to protect these rights ineffective

### Domestic workers’ experiences while working in Poland:



## COPING WITH VIOLATIONS

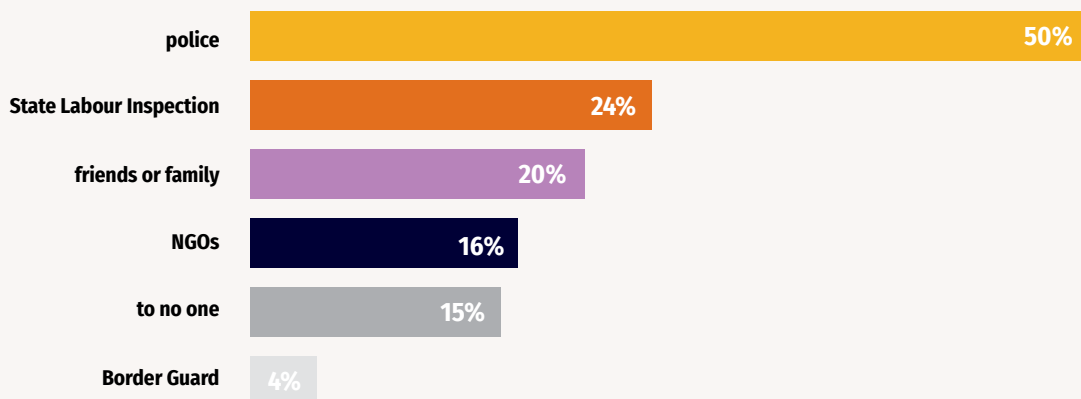
**“I believe that karma comes back and if someone treats someone badly, they will be treated that way themselves.”**

36-year-old-woman, housekeeper, in Poland for 7 years

In the case of problems with the 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 through official channels as they are typically not aware of their rights and feel a certain fear of official bodies. In the questionnaire, most respondents stated that they would turn to the police (half of those surveyed). However as many as one in six respondents explicitly indicated that they would not turn to anyone.

Among the ways of coping with the violation of their rights the respondents often expressed a readiness to compromise with their employers. In most cases, they aim to avoid disputes and navigate their work relationships diplomatically. Occasionally, when faced with a crisis, some opt to endure in silence, in some cases seeking alternative employment.

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



## RECOMMENDATIONS

There is a need for change in many areas in order to improve the domestic work sector and the situation of migrant and refugee domestic workers in Poland, including:

### 1. The need for solidarity and community representation

**The lack 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 grey area – and efforts are 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 allows them to not take any

specific actions, and the employees themselves, who often treat work in the sector as a temporary or occasional source of income.

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 – for example the newly established **Labor Union of Domestic Workers within the Workers' Initiative** (Komisja Środowiskowa Pracownic i Pracowników Domowych). The group's solidarity activities of information, awareness-raising and intervention have already had a significant impact on the situation of the domestic labour sector in Poland.

**Self-organization** can generate tremendous social power that is capable of bringing about even far-reaching changes. It is therefore on them, and on supporting the self-organizing activities of individual groups, that the change in the sector can be based.





## 2. The need for adequate legal solutions

There is a need for legal solutions appropriate to the specifics of the sector. Current institutions are widely understood to be inadequate.

**“The change must be far-reaching, otherwise it is like sticking a patch on an open fracture.”**

Prof. Witold Klaus, Institute of Legal Sciences,  
Polish Academy of Science

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

The conditions that must be met for a legal solution to the situation in the domestic sector to be effective are: the involvement of all actors, simplification of procedures, monitoring and enforcement, and government subsidies. Examples include solutions operating successfully in Austria and Belgium.

## 3. Need for coordination between stakeholders

The current level of cooperation between public authorities and NGOs in supporting migrants in domestic work is low. There is a lack of vertical coordination between the government and local authorities, as well as limited responsibility for horizontal activities. There are, however, many possible areas of cooperation, including: collection of data and information on the domestic work sector; provision of information; advocacy; social support; legal support; regulation improvement; improvement of enforcement; and improvement of the visibility of domestic workers.

To improve the cooperation, public administration bodies can use the already existing channels of communication and collaborate with NGOs.





This cooperation could include regular meetings, joint projects, and the sharing of relevant information and resources.

#### 4. Need for better information flow and increased awareness

There is a need to create accessible and understandable materials that will inform migrant and refugee domestic workers in a clear and lucid manner. Since many refugee workers only relate their problems to their relatives and families, it is also important to support communities that facilitate distribution of knowledge. From this perspective, organizations such as the domestic workers' union should be engaged.

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

Polish woman employing a housekeeper from Ukraine

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 also 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, and the position of women in society.**

**Unequal treatment of migrant workers in the domestic sector should be considered in the context of intersectional discrimination.** Migrant origin (non-Polish) is additionally overlapped by the gender factor, as well as professional status (working in the domestic service sector), perceived as lacking prestige. Social campaigns directed at raising social awareness should take into account each of these three dimensions.



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