

GEN-MIGRA:

Gender, mobilities and migration during and post COVID-19 pandemic - vulnerability, resilience and renewal

The COVID-19 pandemic and labour market inequalities experienced by migrants in Poland

Anastasiya Stelmakh, Krystyna Slany, Ewa Krzaklewska and Magdalena Ślusarczyk Jagiellonian University, Kraków

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Introduction

The COVID-19 pandemic triggered a wave of multi-layered crises that have exacerbated existing inequalities for migrants in Poland. Poland had one of the lowest level of unemployment within the EU in 2021 (Eurostat, 2021) and the labour market appeared initially to be less affected by the pandemic in comparison with other EU countries. Its GDP contracted by 3.5% compared to OECD's average of 5.5% (Bukowski and Paczos, 2021). Though the Polish economy has managed to cope better with the challenges of the pandemic, migrant workers were suddenly in a more vulnerable situation as the number of jobs available to them decreased. Although unemployment rose by only 1%, the numbers of migrants in precarious jobs or the informal economy were not captured in official statistics. Given the lack of data on the informal economy where migrant women are vastly engaged, it is difficult to fully document the impact of the changes in the labour market on their lives.

The COVID-19 pandemic in Poland has also coincided with a need to increase migrants' engagement in the labour market, while the government was developing a long-term migration policy. This policy briefing analyses the impact of the COVID-19 pandemic and the war in Ukraine on the Polish labour market and related policies. Challenges that arose during the COVID-19 pandemic are evaluated from an intersectional lens, in order to determine the extent to which the needs of the most vulnerable groups of migrants were addressed.

COVID-19 restrictions and legislative changes in Poland

In The COVID-19 pandemic led to the introduction of public health measures based on #DDMAW (distance, disinfection and mask #stopCovid application airing). The regulations comprised quarantine measures, lockdowns and restrictions on border crossings which immediately increased migrants' uncertainty over their situation. This led to a considerable number of migrants returning to their countries of origin. After the state of emergency started on 13th March 2020, regulations on quarantine measures and restrictions were issued on a biweekly basis. From 19th June 2020, migrants arriving from Albania, Canada, Georgia, Japan, Montenegro, Republic of Korea and Ukraine were exempt from guarantine measures, and on 2nd July 2020, Ukraine was added to this list (Florczak, 2020). Frequent changes to COVID-19 restrictions, combined with a lack of information in minority languages, meant that many migrants could not keep up with changing restrictions.

The First Regulation on Anti-Crisis Shield Measures did not mention migrants. The Act that was adopted on 31st March 2020 mentioned migrants for the first time in relation to procedures of residence application and extension of work permits (Kancelaria Sejmu, 2020c). The series of Regulations adopted during this period introduced the possibility for migrants to take on jobs other than those specified in their original application, authorising legal employment only if the employer made use of Anti-Crisis Shield Measures and made adjustments to working conditions. For new permits, migrant workers were faced with long delays, depending on regional standards of service. The pandemicimposed restrictions challenged an already overwhelmed bureaucratic system in Poland and left many migrants vulnerable and dependent on the system's capability to process applications.

Legal residence and employment deadlines were extended via a blanket policy for all migrants, until the end of the month in which the government would declare the pandemic threat had ended (Kancelaria Sejmu, 2020b, p. 106). The same procedure was applied to the validity of

visas. However, this only applied to migrants who arrived in Poland before 14th March 2020. Also, the extension of residence permits did not allow travel between countries, meaning that once a migrant had left the country, they would not be able to return, so many were stuck and unable to visit family abroad. In case of job losses, migrants were allowed to stay for a maximum of 30 days. The ambiguity over the length of the epidemic period made it very challenging for migrants in terms of future plans.

Seasonal workers and those working under the "entrustment of work" rules were also impacted by changes. If their documents were valid for at least one day after 14 March 2020, they could continue to work up to 30 days after the end of the pandemic threat without requiring a new permit (Kancelaria Sejmu, 2020b). Before the COVID-19 pandemic, Ukrainian seasonal workers were arriving under the visa-free regime and then applying for the special work permit to remain for up to three months. In the first months of COVID-19 pandemic, the issuing of visas by Polish Consulates and visa centres was temporary suspended, which meant that only migrants who were already residing in Poland were able to engage in seasonal jobs.

Restrictions to border mobility with Belarus, Ukraine and Russia were introduced soon after the pandemic was declared. Bus, pedestrian and train traffic between Ukraine and Poland was suspended, leaving travel by car as the only option to crossing the border. As of 15th March 2020, there were only five border crossings with Belarus, two with Russia and seven with Ukraine (RMSWA, 2020). In 2021, the number of border crossing points decreased further, leaving three cross points with Belarus and five with Ukraine (Straż Graniczna, 2020). Limited points of entry caused long queues and around 35,000 people were denied entry, including 24,617 Ukrainians, 8,719 citizens of Belarus and 273 Russians (Komenda Główna Straży Granicznej, 2020, p. 5). The pandemic measures also suspended the previous right of Ukrainian nationals residing within the 30 km border zone to cross the border without a visa.

Despite the above restrictions, in 2021, Poland issued the highest number of residence permits for foreign nationals among the EU countries

(Eurostat, 2022). Though the first few months of the pandemic led to a situation where around 12% of Ukrainians living in Poland left the country, after May 2020, a new increase in arrivals was observed, especially among people coming for seasonal jobs. The difference between the total number of migrants leaving the country in March-April 2021 (938,014) and those arriving after May 2021 (714,834) shows a decrease of about 10% in comparison to February 2020 (GUS, 2020). The situation changed further, as the demand for seasonal workers topped the agenda, and guarantine measures were lifted for this group of migrants (Agronomist, 2020). While manufacturing, construction, transport and support services did not experience vast changes in demand, hospitality, the food industry and the care sector were significantly affected.

Impact of COVID-19 pandemic on the labour market

The pandemic coincided with the adoption of Poland's Migration Policy - Directions of Activities 2021-2022, issued in July 2021. Though the pandemic has exacerbated the already existing inequalities, migration policy did not address these. The proposals were focused on economic benefits from migration for the economy and analysis of potential risks and losses. While between January 2020 and February 2021, the unemployment rate increased from 5.2% to 6.2%, this does not reflect the full effects of the COVID-19 pandemic on the labour market (OECD, 2021). The number of people who lost their jobs during the pandemic is estimated at around 1.5 million (Diagnoza Plus, 2020). In 2020, there was a 10% decrease (about 406,496) in work permits issued in comparison to 2019. In 2021, these numbers quickly recovered as 504,172 migrants were issued new work permits (GUS, 2022, p. 466). Many entrepreneurs lost their businesses and were forced to fire their employees or send them on unpaid leave. At the same time, IT specialists and those in manual labour saw an increase in demand for their services (Czapski and Janczu, 2020).

As migrant workers are more likely to be employed on fixed-term contracts that are easier to terminate, they faced higher risks of becoming unemployed. Many Ukrainian women working in the food industry, informal care and other precarious sectors, and who were employed based on non-standard work arrangements without a contract, lost their jobs or were not paid for their last weeks in work (Cope and Keryk, 2021). According to a survey conducted during May-June 2020, 49% of migrants thought that their economic situation had deteriorated during the COVID-19 pandemic due to reduced pay, loss of employment, the deepening of the economic crisis and deteriorating living conditions (Kowalewska et al., 2021).

Women migrants employed in sectors like housekeeping, cleaning or care, often working without formal contracts, became the most vulnerable to the sudden termination of their employment. Being unemployed meant challenges in finding work, exacerbated by long waiting periods in unemployment and career offices, due to restrictions to services. Many migrants who were not able to find new work left, especially to Ukraine. Other nationalities, like Vietnamese nationals, were unable to travel, and many changed profession, becoming involved in delivery services, which were in demand (Brzozowski et al., 2020).

Like many other countries, Poland's health sector was also under pressure and the government aimed to attract Ukrainian healthcare workers through the so-called Covid Act, which was an amendment to the original Covid-19 Response Law. The Act abolished the previously mandatory diploma validation for Ukrainian and Belarusian doctors and doubled the salaries for doctors treating COVID-19 patients. The difficult working conditions and low salaries for doctors in Ukraine and Belarus caused a wave of resignations among health workers in these countries; as of November 2022, around 66,000 medical personnel left Ukraine (Razumkov Centre, 2020, p. 235). Poland has the lowest number of doctors (2.4 doctors for 1.000 inhabitants) in the EU countries. After the start of the war, Ukrainian doctors and dentists could apply to the Ministry of Health to work for

18 months without additional validation of their qualifications. As a result, over 3,000 Ukrainian doctors were granted right to work in Poland. While the process used to take up to 3 years for qualifications to be recognised, it was reduced to between 3 to 5 months (Rynek Zdrowia, 2022). Migrants legally residing in Poland were granted a one-off financial benefit (Kancelaria Sejmu, 2020b, p. 126). This included people who had lost their income if working on a permanent or temporary contract or as self-employed, who were given 2,000 PLN (about 440 euros) for two months. However, this social assistance measure was only granted to those migrants with a work contract agreed before February 2020. Foreign nationals under temporary protection whose period of entitlement expired were still able to access social assistance and access medical care. They were paid a jobseeker's allowance (from 541 to 880 PLN, about 120-200 euros, depending on experience) for 6 to 12 months.

Changes in the labour market after the war in Ukraine: legal provisions and social assistance

Since the Russian invasion of Ukraine on 24th February 2022, over 7.7 million Ukrainians have fled the country. Of these, over 1.45 million have officially registered for temporary protection and national protection schemes in Poland (UNHCR, 2022b). Poland also became the main transition hub for Ukrainians fleeing to other European countries. According to the Act on Support of Citizens of Ukraine during the Military Conflict on the Territory of Ukraine (12th March 2022), nationals of Ukraine arriving legally in Poland had the right to work and the employer was obliged to notify the district labour office within 14 days (Kancelaria Sejmu, 2020a, p. 42). Employers were also responsible for providing the employee's PESEL (identification number required before employment commences), which was an important factor in refugees' legalisation of residence.

The profile of Ukrainian refugees arriving in Poland since February 2022 is different from that of previous migrants. Before, Ukrainian men were heavily represented in construction and transport sectors, while once the war started,

many left Poland to return and fight for Ukraine (Міністерство внутрішніх справ України, 2022). Since 2022, 89% of those arriving from Ukraine as refugees are women and children (aged 3-14), which has resulted in a 2% increase of the working age population in Poland (Bukowski and Duszczyk, 2022). According to a report of UNHCR, 95% of those arriving from Ukraine were women, of which 52% had a higher education qualification and 25% had a technical education. The majority (61%) said they came to Poland for their safety, family ties and seeking temporary protection; the language barrier was seen by many as a significant obstacle to employment (UNHCR, 2022c).

Two months after the Act of Support for Citizens of Ukraine was introduced, about 160,000 Ukrainians were legally employed, indicating Ukrainian refugees' fast integration into the labour market. While about 50% of those newly employed were in manual or low-skilled work, 15% were engaged in industry and 10% in the service sector (Bukowski et al., 2020). The job offers targeting Ukrainian workers increased to by about 15-20% and many job offers in the Central Job Offer Database during March-May 2022 were published in Ukrainian, Russian or Belorussian or had Ukrainian words as "tags" to facilitate job searches.

Poland also experienced a boom in Ukrainian entrepreneurship. Half of those who opened businesses in Poland had previous business experience. Many Ukrainian companies moved their businesses to Poland and by September 2022, 14,000 new companies headed by Ukrainians or with partial Ukrainian capital were established in Poland. There were 24,000 companies with Ukrainian capital, which represents 25% of all companies with foreign capital in Poland. Of the newly established business, 41% were owned by women. Many companies were established in the service sector, like hair or beauty salons (31%), information and communication services (11%) and online trade (11%) (Polski Instytut Ekonomiczny, 2022).

Gendered labour market inequalities during COVID-19

In Poland, women are underrepresented in the labour market. Before COVID-19, the share of economically inactive women aged 15 to 64 years was 36.6% (OECD, 2021). The pandemic deepened the existing inequalities, as women were also more represented in sectors heavily hit by the pandemic (care sector, beauty, food industry). In services and retail, women tend to be in precarious working conditions, such as temporary or no contracts, which leads to lower pay and risk of sudden dismissal. After the COVID-19 pandemic hit, women were also more likely to resign due to childcare duties, care duties for vulnerable family members and a greater share in household chores. Women are also paid less on average than their male counterparts (Kluska-Nowicka, 2021), which may mean that they will sacrifice their employment over their partners' when it comes to care duties. The pandemic has put migrant women in Poland at greater vulnerability, especially those with lower levels of education or their qualifications not recognised, working as domestic workers, seasonal workers or providing informal care. They were forced into low paid jobs in order to support their families and were more likely to seek flexible work in the informal economy (OECD, 2021).

During the first year of the COVID-19 pandemic, the share of women migrants with work permits was only 27% (MRPT, 2021). Many migrant women work in service and retail sectors under informal arrangements, and their numbers are not reflected in the official statistics. Those engaged in precarious employment faced job losses and some were left without an income during the pandemic, without a support network and unable to pay rents. Many in the care sector whose work was crucial during the pandemic were low-paid and undervalued, faced with poor work conditions, long working hours, low pay, low job satisfaction and poor work-life balance (Instytut Badań Strukturalnych, p. 23).

Migrant women in domestic care jobs are another group of vulnerable workers in Poland, bound by informal contracts, with limited access to rights protection mechanisms. While women are meant to take care of children or elderly, they are also expected to help with household duties and routine medical care. As their contracts are based on the civil law, their working hours tend to be unregulated. Though they can be paid above minimum wage, contributions to Social Security (ZUS) are not paid, thus they do not have access to state health services. As domestic workers are recruited on the basis of informal arrangements, there are numerous cases of reported exploitation, where employers retain their passports, do not pay salaries agreed or impose work long hours (Cope and Keryk, 2021). In 2021, Ukrainian domestic workers organised themselves in a Domestic Workers' Committee, which is affiliated to the Workers' Initiative (OZZ IP) (Kucharska, 2022).

Data on migrants working in domestic care jobs, seasonal or other unregistered work are not available from official statistics. These workers, predominantly women, remain invisible in data terms, lack institutional support and face unsafe working conditions (Magdziarz et al., 2021, p. 81). For seasonal workers, the limiting visa-free regime leads to family separation and interrupted migration flows. Many migrants who planned to come to Poland for seasonal jobs on visas or short-term work permits were impacted by quarantine measures, expensive Covid tests and border restrictions. Two thirds of seasonal workers are women and the temporary nature of their residence rights deprived them of many benefits, such as unemployment benefits when losing work. If a seasonal worker wants to benefit from professional training and education, they also need to change the type of residence permit they are on, so they could not engage in retraining (Europejska Sieć Migracyjna w Polsce, 2020, p.25). They were also deprived of state assistance for children (500 + and Dobry start). Given the closures of schools and childcare settings, many migrant women were forced to stay at home with their children, elderly family members and those with special needs. Women in undocumented work had to either renegotiate their work hours, take unpaid childcare leave or quit their jobs. Thus certain groups among women migrants, like single mothers

or caregivers, were more vulnerable, especially when quarantine measures were in place.

Migrant women with high-level qualifications are often forced to work beneath their level of qualification in Poland in order to secure an income for the families and this has continued during the pandemic (Cope et al., 2021). Many also attend vocational colleges to get new qualifications and/or advance their Polish language skills to increase their chances of better employment (Gremi Personal, 2021). During the COVID-19 pandemic, those with recognised qualifications or in a higher paid job had better chances to work remotely and keep their income. In Poland, the number of jobs amenable to teleworking is lower than the OECD average, due to a higher share of industrial jobs (OECD, 2021). Migrant women mostly engaged in jobs requiring physical presence were at a higher risk of contracting Covid-19 and also unable to provide care for children or vulnerable family members. Among the Ukrainian refugees arriving to Poland, approximately a third had at least one family member with special needs (person with disability, serious medical condition, protection needs) (UNHCR, 2022). This means that apart from access to employment, families need access to health services and social assistance schemes. Women need access to affordable childcare in order to be able to work. As 86% of recent refugees were separated from immediate family members, many had no networks of support and were at risk of emotional burnout. The role of informal communities and NGOs that support vulnerable groups was key here, in the absence of state services, to support migrant women with care, education and language skills and any other needs they may have before they can enter the labour market.

Conclusion

Though the COVID-19 pandemic has started as a health crisis, it has led to a significant accumulation of crises, with women migrants and their families likely to bear a significant cost longterm. The gendered nature of the COVID-19 crisis lies in the greater vulnerability of women's structural positions, the effects of which have been predicted to last for up to seven years in labour market, education, health and presence in politics (Blanton et al., 2019). All this indicates that the COVID-19 pandemic has led to a so-called "shecession", a deeper recession for women (Szewczyk, 2021), the consequences of which are not yet fully understood. This requires an intersectional approach to an analysis of future effects on migrant women's opportunities. It has been argued that "the goal of intersectionality policy is to identify and address the way specific acts and policies address the inequalities experienced by various social groups, taking into account that social identities such as race, class, gender, ability, geography, and age interact to form unique meanings and complex experiences within and between groups in society" (Hankivsky and Cormier, 2011, p. 217). The interdependence of factors impacting women's lives post COVID-19 pandemic needs to be considered in the context of systemic processes of oppression.

An analysis of labour policy changes that occurred in Poland during the COVID-19 pandemic shows that decisions were made adhoc, without considering the likely long-term consequences for particular groups which found themselves at risk and vulnerable. Migration policy is still under development and focuses on temporarily fills to emerging gaps in the labour market. While authorities are aware that more substantial reform is needed to provide better support for migrant workers, the initiation of these reforms coincided with crisis of the COVID-19 pandemic. The lack of continuity in the transformation of current provision has led to further instability, where vulnerable groups became even more vulnerable. After Russia's aggression in Ukraine, the labour market in Poland has faced significant changes in terms

of workers' demographics, skills and needs. The COVID-19 pandemic and the war in Ukraine have made it essential for Poland to prioritise its migration strategy, which needs a rightscentered holistic approach and incorporate labour policy, integration measures, guidance on provision of social welfare, education and health services. A government unit to deal with issues of migrant well-being and migrants' rights in a comprehensive manner is needed, given the reliance on migrant labour and predicted changes

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