



POLICY BRIEF

The Impact of COVID-19 on Ukrainian Labour Migrants in Czechia, Hungary, Poland and Italy

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EXECUTIVE SUMMARY

The policy brief scrutinises the main effects of the coronavirus pandemic on Ukrainian labour migrants who form the largest group of foreign workers in the European Union (EU). The four EU member states featuring the most significant number of Ukrainian workers are in the focus, i.e., Poland, Italy, Czechia, and Hungary. The challenges that migrants encounter nowadays include unemployment and the loss of their livelihood because of the crisis, overstays, and difficulties with return when countries impose travel bans for foreigners. Meanwhile, the host country economies suffer from the lack of migrant farmworkers who are essential for the food supply chains.

The countries in focus address these issues with varying success. Here we aim to show what works and what does not. For instance, the host countries may allow for online applications and organise journeys for seasonal workers from Ukraine to sustain their food supply chains. Meanwhile, Ukrainians toiling and moiling abroad would benefit from longer-term stay permits to find a new job and from being relieved of the required connection to a particular employer or position. More information in Ukrainian language would help labour migrants to protect their rights and get some host state support. Furthermore, chatbots¹ may help to manage the communication overload suffered by the competent authorities. Tailor-made support and more options of return would assuage the plight of those who lost their livelihood.

1. Chatbots are computer programs that can hold a conversation with a person, usually over the internet (Oxford Advanced Learner's Dictionary).



CURRENT CONTEXT

The coronavirus (COVID19) pandemic put the world on pause in spring 2020. Entire countries are in lockdown including most of the Prague Process states. People are forced to stay at home. Many states declared emergency and sealed their borders off.

On 16 March, the European Commission recommended restricting non-essential travels to the EU for third-country nationals for 30 days. The member states followed the plea. Everything was happening fast, taking people by surprise.

The national economies have suffered a nosedive because of these measures. The unemployment is rampant. The situation is exacerbated for the countries whose food supply relies on seasonal migrant workers planting and harvesting crops. Their entry is hindered by travel bans and other restrictions.

Those labour migrants remaining in the host country face other challenges. Some lost their jobs and struggle to find a new one. Others face the expiration of their residence and work permits, which are even harder to renew when offices are closed and you are forced to stay home. When the situation and policy measures are changing so fast, it is hard to keep up. Foreigners may encounter additional difficulties in fully understanding these developments in a foreign language. This is particularly an issue for circular short-term migrants.

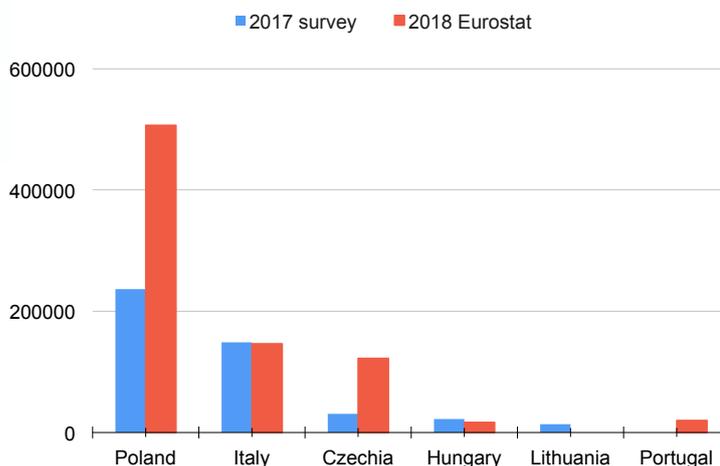
Countries are often forced to respond fast. As a result, some challenges that might return when the situation is back to normal will remain unaddressed. For instance, the legalisation of stay after the pandemic or the movement of people without valid documents.

The challenges that labour migrants and governments are facing right now are both unique and typical. They require fast response to keep economies running and prevent human rights violation safeguarding public health.

This should not imply that economy comes before health. The lockdown is necessary to save lives. At the same time, a better design of the respective policy measures could relieve the plight of labour migrants who are among the most vulnerable in the context of the new reality. Here we focus on the challenges that Ukrainian labour migrants face in Poland, Italy, Czech Republic, and Hungary because of their COVID19-related policy measures.

Ukrainians belong to the largest migrant groups with valid residence permits in the EU. According to Eurostat and the Ukrainian State Statistics Service, Poland, Italy, Czechia, and Hungary represent leading destinations for Ukrainian citizens in terms of all valid permits for remunerated activities.

Ukrainian labour migrants in EU: TOP-5



Sources: All valid permits for remunerated activities, 2018, Eurostat; Number of labour migrants, 2017 survey of State Statistics Service of Ukraine

A better design of policy measures can relieve the plight of labour migrants which are among the most vulnerable in the context of the new reality.

In addition, many Ukrainians in these countries may work in spite of having a different residence status. For instance, Italy issued 76 thousand residence permits to Ukrainian citizens for family reunification (valid as of 2018), turning them into the largest migrant group in this sphere. Hungary granted citizenship to at least 90 thousand residents of the Ukrainian Zakarpattia region. Meanwhile, Czechia is known as key destination for thousands of Ukrainians working irregularly or were posted there with Polish visas.

The pandemic timeline

Already in January and February, when Europe had not yet been hit by the pestilence, first analyses on the effectiveness of travel restrictions appeared in the public discourse. Italy registered the first two cases of COVID-19 on 30 January and suspended all flights to China on the next day. On 11 February, the World Health Organisation for the first time conceded that travel restrictions “may have a public health rationale” if they are short-term and proportional.

By mid-March, Ukraine and the four countries in focus had all closed their borders for foreigners, albeit with some exceptions, and fully or partially suspended air, bus and sea traffic. All countries issued lockdown measures, requesting their populations to stay home. Ukrainian labour migrants staying and working in these countries are directly affected by these measures for at least two months. The dire consequences could meanwhile linger for a longer period.

POLICY OPTIONS

Layoff and job shift

While some industries are stranded and bear the brunt of coronavirus-related restrictions, others struggle with labour shortages. Therefore, the governments could ease the flow of workers from mothballed businesses to the thirsty ones.

To date, there are neither statistics available concerning the most recent developments in individual labour market sectors, nor about the mobility of workforce between them. We can nevertheless assume that such mobility is taking place to some extent.

The Embassy of Ukraine in the Czech Republic has received numerous queries from migrant workers regarding the possibility to change their employer². Consequently, this issue now also features in the online form set up to support those in need during the ongoing pandemic. The need to switch jobs may thus figure among the current priorities for Ukrainians in Czechia.

In the Facebook group ‘Ukrainians in Budapest’, there are occasional job announcements (e.g. for machine operators, sewers, loaders). In Poland, there is extensive demand for workers in trade, transport, logistics, construction or agriculture. Our interviewees in Italy, however, have not noticed a surge in job announcements in those particular sectors, which might require more workforce because of the scourge. One mentioned more working hours at the box-producing factory where her husband works³. We may thus estimate that job changes among Ukrainian labour migrants occur in all countries in focus except Italy. However, in how far do the countries allow for this?

All four countries legalised the stay of migrant workers whose documents expire to keep them on the labour market. In practice, however, it is not always easy to change jobs.

The Czech Republic, for instance, as of 19 March released employee card holders from the need to work for at least 6 months before being able to change their employer or job position. At the same time, work permit holders still have to apply for a new work permit if they change job. Moreover, business people have to wait 30 days and, only if no local applied for the position, can hire a foreigner. However, they need workers right away to respond to emergencies linked to the coronavirus.

All four countries legalised the stay of migrant workers whose documents expire. As a next step the governments could ease the job shift.

2. From the email response of the Embassy of Ukraine in Czech Republic to author's request, 10 April
3. Interview with the author, 1 April, 8 April.



In their attempts to return from Czechia and Italy through Belarus, Austria, Hungary or Romania, Ukrainian workers still fear fines at the border.

Ukrainians and other foreigners in Poland and Hungary also have limited possibilities to change jobs, as this requires new documents. People hired and registered by Polish temporary agencies are in a better position now. Those agencies were vituperated for bending the laws before. Whereas they formally hire a person, this person in fact works for another company. However, they can now transfer workers to other companies without the need to issue new documents since they formally work for the agency.

If a person lost a job, which is common considering the exceptional circumstances, s/he is in a worse plight. In Czechia, work permit holders need to have a new employer to get a new work permit while employee card holders have 60 days to find a new job. Ukrainian labourers in Poland have 30 days. Hungarian employers have to notify migration authorities about the end of employment within 5 days while the employee has 8 days to appeal or find a new job after the notification. After this time expires, they must leave the country when there is no other legal ground to stay.

Return can still be an option

While Ukrainian labour migrants are stuck in their host countries, there are ways to return for those in urgent need. However, many obstacles prevent them from using this possibility, including those applied by their own country.

Ukraine closed most of its border crossing points and banned cross-border bus, pedestrian and train traffic on 16 March. The only remaining option was to travel by car. Moreover, the restrictions made many people think that they would not make it into the country anyway. Therefore, many Ukrainian migrants based in Poland and Hungary desperately tried to return home earliest possible, which led to queues and crowds at the open border posts. Meanwhile, those without a car had to wait at checkpoints for special shuttle buses.

Later on, Ukraine introduced the obligation of a 14-day isolation upon entry, which also prevented many people from returning. Since 15 April, only two border posts have remained functional at the border to Poland and one towards Hungary. Meanwhile, the overall traffic is at a record low within the past 29 years.

Ukrainians living in Czechia and Italy, which have no common border with Ukraine, face even greater difficulties as they have to pass through a number of countries, most of which have banned entry of foreigners. They thus have to rely on transit corridors via Belarus, Austria, Hungary or Romania. As the travel options remain very limited, many migrants are seeking a passage back to Ukraine in various social media groups.

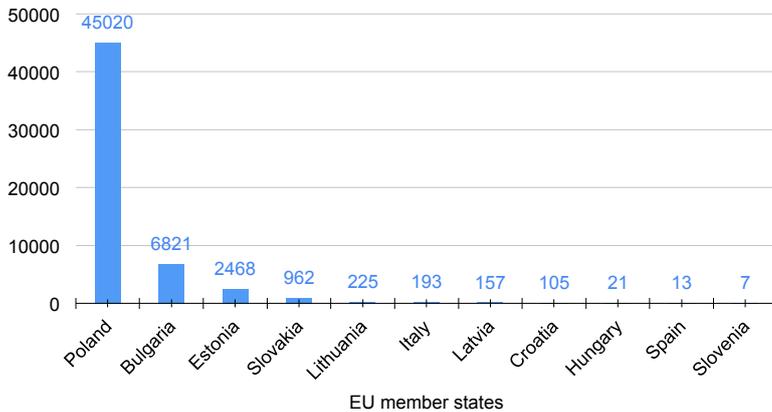
The European Commission has encouraged Member States "to waive administrative sanctions or penalties on third country nationals unable to leave their territory due to the travel restrictions". Whereas Hungary announced that it would not fine Ukrainians with expired documents, the Ukrainian Embassy in Czechia still advises its nationals to remain in the country due to the risk of fines on behalf of Hungarian border guards. The Embassy further seeks information about such fines in order to address them later on.

Seasonal workers

Poland is by far the prime destination for Ukrainian seasonal workers with some 45 thousand people accounted for in 2018. In comparison, Bulgaria ranks second within the EU with only up to 7 thousand Ukrainian workers.

4. An employee card issued by the Czech Republic is a long-term residence permit for the purpose of employment in the Czech Republic. It combines both the residence and work permits (Labour Office of Czech Republic).

Authorised seasonal workers from Ukraine

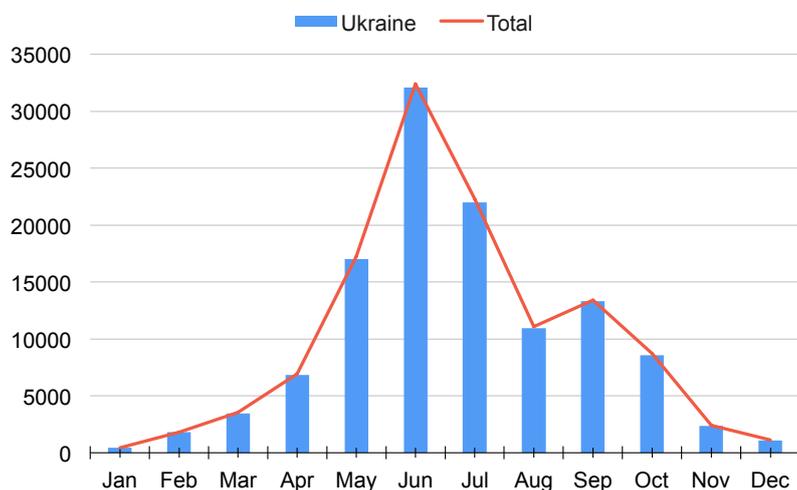


Source: Eurostat 2018

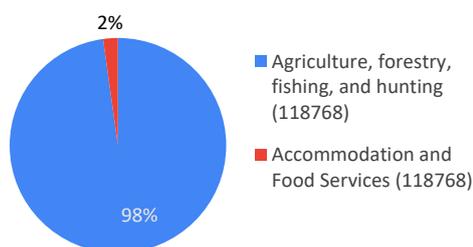
Having obtained about 99% of all seasonal work permits in 2018, Ukrainians constitute the key workforce for the Polish agriculture. The demand surges from May to September, with the peak usually reached in June.

Polish seasonal work permits

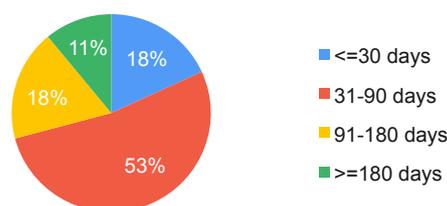
Share of Ukrainians



Sectors



Period of work



Source: Ministry of Family, Labour, and Social Policy of Poland, 2018



Potential seasonal workers are no longer allowed to enter visa-free and cannot obtain visas while Polish consulates in Ukraine remain closed.

About 12% of the Ukrainian labour migrants whose legal grounds of work were to expire and who remained without a job, including seasonal workers, left the country by 1 April due to the COVID19-related restrictions, thereby forcing Polish farmers to ring the alarm.

Seasonal workers are considered essential throughout the coronavirus-crisis, especially when they perform critical harvesting, planting or tending functions. Therefore, the Polish authorities have made steps towards legalising the stay of foreigners whose documents expire during the state of emergency. The respective measures have been in vigour since 14 March. Their validity has been extended to seasonal workers.

According to the Polish border guards, even newbie labourers can now enter the country with seasonal permits, which is in line with the European Commission's guidance of 30 March to derogate workers from third countries such as Ukraine.

While the introduced preliminary measures seem to prevent the agriculture sector from major losses, the reality might be different due to the following reasons. Seasonal workers require a special work permit, which is not always issued before entry. Many Ukrainians enter Poland as visa-free short-term travellers, before their employers apply for a seasonal work permit. In such cases, the workers can stay in Poland for up to 3 months. Meanwhile, they are entitled to work for up to 9 months when entering the country with visa and the permit already in hands.

Nevertheless, entering visa-free seems to be easier and more popular - out of 121,436 foreigners, 86,034 (70%) have entered the country for stays limited to 3 months. However, potential seasonal workers are no longer allowed to enter visa-free nowadays. These potential workers cannot obtain visas either since the Polish consulates and visa centres in Ukraine are closed. Moreover, the closing of airports, bus and train stations are further impeding mobility. Finally, the requirement to remain in isolation for 14 days after entering Poland and Ukraine represents another major obstacle.

As a result, only those Ukrainians who are already present in Poland may become seasonal workers in practice. In addition, the estimated 30% of Ukrainians in Poland who lost their job or work reduced hours could potentially work in the fields as well. Meanwhile, those seasonal workers remaining in Ukraine who planned to come in May or June have few options to do so, unless policy measures tailored to bring them in are issued.

Domestic workers in Italy

Ukrainians in Italy tend to stay longer in comparison to those in Czechia, Hungary or Poland. About 20% of them reside in Lombardy, the region hardest hit by the coronavirus outbreak. Three out of four Ukrainians in Italy are women, most of whom work as domestic workers (e.g. housekeepers, caregivers or babysitters). Their current situation is quite critical.

Italy considers domestic workers as critical and key to keep the country running. The same applies to seasonal workers. As a result, they can work and make a living. At the same time, the state does not protect them from dismissal. 90% of caregivers can keep their jobs as their services are needed by the elderly. Most often, they even live with their patients. Housekeepers and babysitters, on the contrary, are much worse off, having lost their jobs or working reduced hours. In fact, the latter may be even worse for contracted employees as they may profit more from being dismissed. This would entitle them for a liquidation payment and other emergency state support (e.g. for purchase of food or hygienic products).

Ukrainian domestic workers do not come in sight of the national measures to rescue the economy. Only self-employed, seasonal workers or those working in the tourism or entertainment industry, for instance, are entitled to a payment of 600 EUR.

Whereas parents may have the right to claim 600 EUR for babysitting, the domestic workers can presently only hope for "last resort income". Consolingly, there are talks to render more tailored pecuniary support for them.

The numerous irregular migrants present in Italy even fear to leave their homes. According to the Italian Statistical Institute (2017), about half of all domestic workers are irregular. Everyone who strolls through the streets must carry a self-declaration explaining the reason for the walk and an ID. Those staying in Italy illegally risk expulsion. Moreover, they may face arrest and imprisonment for false self-declarations.

Meanwhile, some Italians who used to employ Ukrainians without issuing a contract to dodge taxes but now need their services have started issuing regular contracts, thereby legalising their stay. However, this is only the case when their work is indispensable.

Information provision

Timely, accurate and relevant information in plain language is key to ensure the rights of Ukrainians working abroad and their well-being at this critical juncture. Foreign citizens should know the opportunities and restrictions to avoid dire consequences. For instance, the Ukrainians in Italy whom we talked to said that many migrants do not know about the so-called buono spesa, a voucher for meals and other essentials for low-income families and those who lost their livelihood. This information can be found in dedicated Facebook groups or on the websites of the competent authorities⁵.

The Ukrainian Embassy and consulates have issued some information about the legalisation of foreigners whose documents have expired in the context of the ongoing restrictions. It can also be found in the social media. Ukrainians can still contact the Embassy and consulates via messenger, phone or email. The Embassy has also created a closed Facebook group to support and protect its citizens. Ukrainian diplomats in Hungary have taken a similar approach. Meanwhile, the public authorities in these countries do not target Ukrainians in their communication, which is largely provided in the native language only.

As Ukrainian nationals in Italy are usually long-term rather than circular migrants, their knowledge of the local language is much better than that of the mostly short-term migrants staying in Czechia, Hungary and Poland. They would nevertheless benefit from information in Ukrainian. Although over 60% speak Italian in private and 98% at work, 71% still have difficulties with the language.

Preparation for post-COVID19 world

It remains unclear when the COVID19-related measures in the countries in focus will end. Until now, they have been repeatedly extended and adapted. Nevertheless, some potential bottlenecks can already be identified. To avoid the kind of unexpected situations as the closing of the Ukrainian border, which prompted thousands of Ukrainians to rush back home and queue at the border, a proactive approach on behalf of the authorities is needed. One foreseeable risk consists in that crowds of foreigners (including Ukrainians) gather in front of the migration offices once the lockdown is over⁶. Poland then provides foreigners with only 30 days to legalise their stay, which will further increase the burden on the national migration authorities, which already are considered as overly slow.

POLICY RECOMMENDATIONS

Layoff and job shift

When migrants lose their job or earn less, they should have a possibility to work elsewhere, especially if they can thereby help to address the current emergency. Among the four countries discussed, Italy provides for a good practice in this regard as labour migrants here are not tied to a particular employer. As their work permits were not issued for a particular position or company,

Ukrainian domestic workers in Italy do not come in sight of the national measures to rescue the economy, and many remain irregular.

5. Interview with Ukrainians living in Italy, 1 and 8 April

6. Interview with author, 1 April



they merely have to notify the authorities about the intended change. Moreover, migrants who lost their jobs can nevertheless apply for a work permit and remain in Italy for up to a year in search for a job.

The transfer of offline procedures and applications into the online mode would represent an improvement that reflects the need to remain home and maintain physical distance. In addition, it could make the procedures faster and more efficient.

Return can still be an option

The further facilitation of transit for third-country nationals whose residence and work permits have expired and for those longing to return home should be further considered by the EU Member States. As the returning migrants often have to cross several countries along their journey, inter-state cooperation on this issue is essential.

Seasonal workers

Poland legalised the stay of furloughed or laid off migrant workers whose documents expire so they can head to the fields and harvest the ripening crops. Meanwhile, even though the border is open, new migrant farmworkers have overcome many hurdles to come. Polish farmers are urging the government to introduce online applications for seasonal work permits. They are even ready to ensure a 14-day quarantine to newly arrived workers.

Other countries have already streamlined the process. For instance, Germany aims to bring people by plane to avoid lengthy bus trips. The migrant workers are then kept apart from the domestic workforce for two weeks. All newcomers will have to undergo health checks. Meanwhile, Spain agreed with Morocco to bring in some 16,000 seasonal workers to pick the red fruits although only less than half of them effectively made it to Spain.

Domestic workers in Italy

Since domestic workers are considered as key and critical for Italy, they should be treated as such. For instance, undocumented immigrants harvesting the crops in the U.S. cannot be arrested for violating stay-at-home rules if carrying an "essential work" letter from their employer. As a result, they can move freely to their workplaces and earn some money. Nevertheless, they remain at risk of deportation.

A similar but adjusted approach could be adopted towards Ukrainian domestic workers in Italy. Even if their work or stay is irregular, they should neither be punished as long as they render 'essential' services, nor deprived of the ability to carry out their job. While this should not imply an automatic regularisation of their situation, the idea of such regularisation (sanatoria) is also being discussed in Italy. There should also be incentives for Italians to formally employ their domestic workers. Otherwise, they would continue working irregularly, in spite of their stay often being legal. Moreover, the mentioned state support should be directed towards the domestic workers themselves in order to relieve those who lost their jobs or work reduced hours. The introduction of such emergency income was expected for April.

Information provision

Proper information and communication are essential during the ongoing crises. Many Ukrainian labour migrants in Poland, Italy, Czechia and Hungary need support and clarification regarding the ever-changing rules. The approach of the Ukrainian representations in the Czech Republic and Poland represent a good practice in this respect, as they proactively communicate online with their compatriots in need. They have addressed the most important questions and regularly update the information provided on their websites. Ukrainians in need have the additional option to request support or explanations through the hashtag #ЗАХИСТ (protection). They can ask about imminent issues such as the legalisation of expired documents, possible ways to get home, the applicable lockdown measures or even the addresses and working hours of pharmacies, supermarkets or hospitals.

Ensuring that essential services can operate online could make them more efficient and spare migration offices from overload in post-corona times.

The Embassy in Czechia even addresses the following question: "I have lost job and cannot find a new one. Who can help me?". Since the introduction of the lockdown on 12 March, it has responded to over 8 thousand requests. Meanwhile, the Embassy in Poland has received over 50 thousand requests since 15 March⁷. According to Eurostat (2018), there are some 132 thousand Ukrainians holding valid permits in Czechia and 404 thousand in Poland.

There is of course always room for improvement. The FAQ section, which should prevent Ukrainians from asking the same questions over and over again and spare staff from a communication overload, should be highlighted on top of their homepages. In addition, the communication could be managed through chatbots, which are already in place but tailored for foreigners visiting Ukraine rather than Ukrainians abroad.

Meanwhile, some host countries do provide key information in Ukrainian as well. Such is the case with the Office for Foreigners of Poland. While the Ukrainian community in Poland is the biggest inside the EU, its members often do not know Polish. About half of them has no or very limited knowledge of the language at all. Similarly, the Czech Labour also provides information in Ukrainian, albeit without providing any on the measures introduced in response to COVID19.

Preparation for a post-COVID19 world

Once the ongoing lockdowns have passed, migration authorities may face potential overloads in terms of incoming requests. In order to prevent this from happening, Hungary is already accepting online applications from employers and appointments with employees.

Meanwhile, Czechia and Italy give foreigners more time than Poland to legalise their stay once the quarantine has ended. The holders of work permits and visas with contract in the Czech Republic have 60 days to do so. While employee card holders can apply already during the quarantine and work until a final decision was issued. Italy provides for until 15 June for all those migrant workers whose residence permits expired between 31 January and 15 April.

In short, online applications during the lockdown and more time to regularise the status after the quarantine has ended could ease the potentially onerous burden on migration offices, especially in Poland.

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