



Doi: <https://doi.org/10.15407/dse2018.03.071>

УДК 314.7(477)

JEL CLASSIFICATION: J 61, O15

### **T.O. HNATYUK**

PhD (Political Science), Senior Researcher  
Ptoukha Institute for Demography and Social Studies  
of the National Academy of Sciences of Ukraine  
01032, Ukraine, Kyiv, blvd Taras Shevchenko, 60  
E-mail: tetyana\_hnatyuk@bigmir.net

## **LABOUR EXPLOITATION AS A RISK OF UKRAINIAN LABOUR MIGRATION**

*The article describes labour exploitation as a risk of Ukrainian labour migration. The author estimates the approximate size of Ukrainian labour migrants who experienced labour exploitation while working abroad. The analysis is based on the system of indicators of labour exploitation, developed by the International Labour Organization, and the results of three modular sampling surveys on labour migration that were conducted in Ukraine under the same methodology and cover the periods 2007–2008, 2010–2012, and 2015–2017. The study uses six of the nine indicators of the International Labour Organization (“excessive working days or hours”, “hazardous work”, “very bad working conditions”, “no respect of labour laws or contract signed”, “low or no salary”, “no social protection”), which correspond to the twelve indicators that are presented in the modular sample surveys. Attention is paid to the following indicators of labour exploitation: “over 61 working hours per week”, “unfavourable working conditions”, “work was different from expectations”, “transfer from one employer to another”, “work place was different from expectations”, “non-payment or insufficient payment of salary”, “no written labour contract”, “no paid sick leave”, “no weekly rest day”, “no health insurance”, “no social security”, “ineligible to any benefits provided in labour contract”. Additionally the article analyses the ways of searching a job abroad and the legal status of Ukrainian labour migrants in destination countries. It has been established that from 10 % to 20 % of Ukrainian labour migrants have experienced some kind of labour exploitation while working abroad. There is up to 50 % of Ukrainian labour migrants who have been in the risk group due to looking for a job through unofficial channels and the absence of a written contract with an employer. The main reasons for the increase of labour exploitation among Ukrainian labour migrants are the low level of awareness about the phenomenon of labour exploitation, their rights, as well as the neglect of their own security.*

**Keywords:** labour exploitation, trafficking in human beings, Ukrainian labour migrants, labour migration.

© HNATYUK T.O., 2018

Т.О. Гнатюк

канд. політ. наук, ст. наук. співроб.

Інститут демографії та соціальних досліджень ім. М.В. Птухи НАН України

01032, м. Київ, бул. Т. Шевченка, 60

E-mail: tetyana\_hnatyuk@bigmir.net

## ТРУДОВА ЕКСПЛУАТАЦІЯ ЯК РИЗИК УКРАЇНСЬКОЇ ТРУДОВОЇ МІГРАЦІЇ

*Стаття присвячена визначенню приблизної кількості українських трудових мігрантів, які постраждали від трудової експлуатації під час роботи за кордоном. Автор використав систему індикаторів трудової експлуатації, що розроблена Міжнародною організацією праці. Аналіз здійснено на основі результатів трьох модульних вибіркового обстежень із питань трудової міграції, які були проведені в Україні за однаковою методологією й охоплюють періоди 2007–2008, 2010–2012 та 2015–2017 роки. У дослідженні використані шість із дев'яти індикаторів Міжнародної організації праці («надмірна кількість робочих днів або робочих годин», «небезпечна праця», «дуже погані умови праці», «відсутність поваги до законів про працю або укладеного контракту», «низька зарплата або її відсутність», «відсутність соціального захисту»), яким відповідають дванадцять індикаторів, що присутні у трьох модульних вибіркового обстеженнях з питань трудової міграції. Увагу приділено таким показникам трудової експлуатації: «робота понад 61 годину на тиждень», «несприятливі умови праці», «робота відірвалася від обіцяної», «переведення від одного роботодавця до іншого», «робоче місце відрізнялося від обіцяного», «оплата затримувалася або виплачувалася в неповному обсязі», «відсутність письмового трудового договору», «відсутність оплачуваних лікарняних», «відсутність вихідних», «відсутність медичного страхування», «відсутність соціального захисту», «відсутність жодного виду соціальних пільг». Проаналізовано шляхи пошуку роботи за кордоном і правовий статус українських трудових мігрантів у країні призначення. Встановлено, що 10–20 % українських трудових мігрантів стикалися з проявами трудової експлуатації під час роботи за кордоном. До 50 % українських трудових мігрантів перебувають у групі ризику внаслідок пошуку робочого місця через неофіційні канали та відсутність письмового договору з роботодавцем. Основними причинами поширення трудової експлуатації серед українських трудових мігрантів визнано низький рівень обізнаності з явищем трудової експлуатації, своїми правами, а також нехтування власною безпекою.*

**Ключові слова:** трудова експлуатація, торгівля людьми, українські трудові мігранти, трудова міграція.

Т.О. Гнатюк

канд. політ. наук, ст. науч. сотруд.

Інститут демографии и социальных

исследований им. М.В. Птухи НАН Украины

01032, г. Киев, бул. Т. Шевченко, 60

E-mail: tetyana\_hnatyuk@bigmir.net

## ТРУДОВАЯ ЭКСПЛУАТАЦИЯ КАК РИСК УКРАИНСКОЙ ТРУДОВОЙ МИГРАЦИИ

*Статья посвящена определению приблизительного количества украинских трудовых мигрантов, пострадавших от трудовой эксплуатации во время работы за рубежом. Автор использовал систему индикаторов трудовой эксплуатации, разработанная Международной организацией труда. Анализ осуществлен на основе результатов трех модульных выборочных обследований по вопросам трудовой миграции, проведенных в Украине согласно единой методологии и охватывающих периоды 2007–2008, 2010–2012 и 2015–2017 годы. В исследовании использованы шесть из девяти индикаторов Международной организации труда («черезмерное количество рабочих дней или рабочих часов», «опасный труд», «очень плохие условия труда», «отсутствие уважения к законам о труде или заключенном контракте», «низкая зарплата или ее отсутствие», «отсутствие социальной защиты»), которым соответствуют двенадцать индикаторов, присутствующих в трех модульных выборочных обследованиях по вопросам трудовой миграции. Внимание уделено таким показателям трудовой эксплуатации: «работа более 61 часа в неделю», «неблагоприятные условия труда», «работа отличалась от обещанной», «перевод от одного работодателя к другому», «рабочее место отличалось от обещанного», «оплата задерживалась или выплачивалась в неполном объеме», «отсутствие письменного трудового договора», «отсутствие оплачиваемых больничных», «отсутствие выходных», «отсутствие медицинского страхования», «отсутствие социальной защиты», «отсутствие социальных льгот». Проанализированы способы поиска работы за рубежом и правовой статус украинских трудовых мигрантов в стране назначения. Уста-*

новлено, что 10–20 % украинских трудовых мигрантов сталкивались с проявлениями трудовой эксплуатации при работе за рубежом. До 50 % украинских трудовых мигрантов находятся в группе риска вследствие поиска рабочего места через неофициальные каналы и отсутствия письменного договора с работодателем. Основными причинами распространения трудовой эксплуатации среди украинских трудовых мигрантов определены низкий уровень осведомленности о явлении трудовой эксплуатации, своих правах, а также пренебрежение собственной безопасностью.

**Ключевые слова:** трудовая эксплуатация, торговля людьми, украинские трудовые мигранты, трудовая миграция.

**Introduction.** Low wages remain the main reason of labour migration from Ukraine. Currency fluctuations, constant rise in prices for food stuffs and public utility services undermine the administrative increase of the minimum wage in Ukraine and reduce the real purchasing power of the working population. As a result, short-term labour migration to neighbouring countries is considered by the Ukrainian population as a way of survival and providing for the urgent needs.

Economic impoverishment of the Ukrainian population creates conditions where Ukrainian citizens are at risk of becoming victims of trafficking in human beings, namely one of its forms – labour exploitation. At the same time employers of foreign countries sometimes use the opportunity to obtain cheap Ukrainian labour force in violation of labour legislation and working conditions. Therefore, the number of cases when Ukrainian citizens face labour exploitation abroad is becoming more widespread.

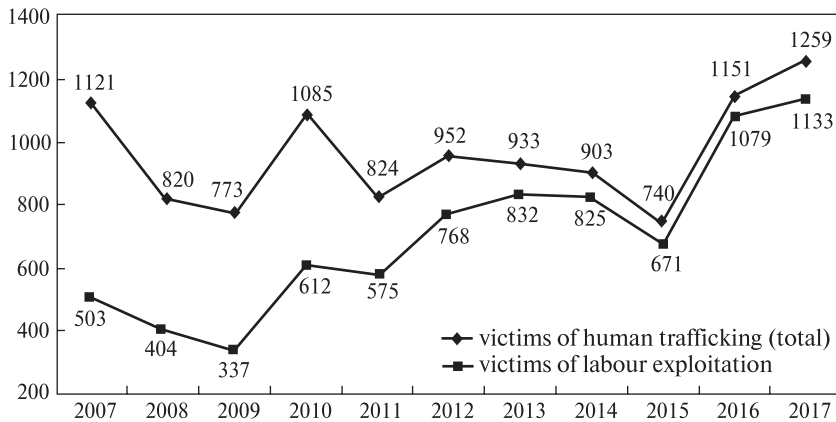
**Study of recent publications.** Issues of labour migration from Ukraine have been thoroughly developed in articles of Malynovska O., Pozniak O. and International Labour Organization (ILO) pieces of research. The phenomenon of trafficking in human beings in Ukraine was mainly analysed in view of sexual exploitation in scientific papers of Levchenko K., publications of the International Organization for Migration (IOM) and the non-governmental organization “La Strada”. Two National Reports on combating human trafficking in Ukraine were prepared by the staff of the Migration Studies Department of the Ptoukha Institute for Demography and Social Studies of the National Academy of Sciences of Ukraine in 2015 and 2017. Some issues of labour slavery on the territory of Ukraine were on focus of the last report. The phenomenon of labour exploitation has been studied by Ukrainian researchers much less. However, the definition system on labour exploitation and its basic forms have been developed in the papers of Orlean A. and Pustova O.

Recently the statistic data of the IOM show an increase in the number of Ukrainian citizens who have experienced labour exploitation abroad. But these are the people who applied for and received the official status of the victim. The actual number of affected Ukrainian citizens from labour exploitation abroad remains unknown.

Taking this fact into consideration the **aim of the article** is to estimate approximate size of Ukrainian labour migrants affected by labour exploitation.

This study is based on an analysis of the working conditions of Ukrainian labour migrants in the destination countries in accordance with the indicators of labour exploitation [2] developed by the ILO. The results of three modular sampling surveys on labour migration, which were conducted in Ukraine under the same methodology, were used in order to achieve the goal. The surveys cover the periods of 2007–2008 [8], 2010–2012 [6], and 2015–2017 [9], and include some questions related to the working conditions of Ukrainian labour migrants abroad. The analysis of these surveys allows us to see the main tendencies of working conditions of Ukrainian labour migrants over the past 10 years and to estimate the approximate size of victims of labour exploitation.

**Basic results of the research.** The number of identified victims of trafficking in Ukraine reached the record level of 1259 people in 2017, according to the IOM statistics [12].



**Fig. Total number of identified victims of trafficking and number of identified victims of labour exploitation, in Ukraine, 2007–2017 (persons)**

Source: IOM, 2017 [12].

The share of victims of labour exploitation has been more than 50 % among all victims of trafficking in Ukraine since 2010, and more than 90 % since 2014. Over the past 10 years, the average shares of male victims of non-sexual and mixed types of exploitation have been 58 % and 12 % correspondingly. Consequently, labour exploitation has been the main form of trafficking in human beings in Ukraine that currently mainly affects men.

The term “labour exploitation” refers to an unlawful use of the labour of another person [10, p. 54], which may be manifested in the form of forced labour, involvement in debt bondage or criminal activity, slavery or similar slavery of customs, servitude and involvement in armed conflict [11, p. 15].

Ukraine has ratified the main international documents on combating trafficking in human beings where labour exploitation is defined as one of the signs of this phenomenon: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Council of Europe Convention on Action Against Trafficking in Human Beings.

At the same time, statistical data and results of sociological research indicate that Ukrainian society is still not well-informed about the risks of trafficking in human beings. In addition, population of Ukraine does not associate trafficking in human beings with labour exploitation or one of its forms – forced labour. These results were revealed by a study on migration and trafficking in human beings in Ukraine that was conducted in 2017 [7]. Thus, 84 % of respondents were aware of trafficking in human beings, and only 52 % of them understood trafficking in human beings as compulsion of vulnerable people to work without pay or with negligible payment, which did not correspond with the definitions provided in the previously mentioned agreements. The survey also showed that 21 % of the total population of Ukraine belonged to the vulnerable group: there were people who intended to accept a risky offer to work abroad. In addition, the share of those who belonged to the vulnerable group was higher among male than among female population (24 % against 19 %).

The ILO has developed a list of indicators of adults and children trafficking for labour exploitation [2], which are divided by intensity into strong, medium and weak. An extended explanation of indicators is provided in a separate document [1].

For the purposes of this study, we are interested in a list of indicators of labour exploitation of adults that consists of six main parts: indicators of deceptive recruitment; indicators

of coercive recruitment; indicators of recruitment by abuse of vulnerability; indicators of exploitation; indicators of coercion at destination; indicators of abuse of vulnerability at destination [2].

Unfortunately, the results of modular sample surveys on labour migration [8], [6], [9] do not allow to assess the level of labour exploitation of Ukrainian citizens abroad by all indicators of the ILO, since this was not the purpose of the conducted surveys. In this study, six of the nine ILO indicators of the part “Indicators of exploitation” were used, which correspond to the twelve indicators that are present in the modular surveys (Tabl. 1).

Information on ways of searching for jobs abroad and legal status of Ukrainian labour migrants in the destination country are important for the study as well. These characteristics are not included in the list of the ILO indicators on labour exploitation, but they provide for a more thorough description of the conditions in which labour migrants from Ukraine find themselves.

**Ways of searching for a job.** According to the results of the three modular sample surveys on labour migration, three quarters of respondents search for work abroad through unofficial channels: friends, relatives or acquaintances (Tabl. 2). The tendency of looking for a job directly through employers decreases: by the results of the first two surveys, near 20 % of respondents looked for a job this way; the results of the third survey show a decrease by half in the share of respondents in this group (down to 10.5 %). Searching for a job through private recruiters remains stable: up to 15 % of respondents informed about this way. Trust in private employment agencies decreases among Ukrainian labour migrants: about 16 % of respondents commanded their services in 2007–2008, and only about 3 % of respondents in 2015–2017.

*Table 1. ILO indicators and their equivalent indicators in the modular sample surveys on labour migration in Ukraine*

Level of indicators	ILO indicators	Equivalent indicators of the modular sample surveys on labour migration in Ukraine	
Strong	Excessive working days or hours	Over 61 working hours per week	
Medium	Hazardous work	Unfavourable working conditions	
	Very bad working conditions		
	No respect of labour laws or contract signed		Work was different from expectations
			Transfer from one employer to another
			Work place was different from expectations
	Low or no salary	Non-payment or insufficient payment of salary	
	No social protection		No written labour contract
			No paid sick leave
			No weekly rest day
			No health insurance
		No social security	
		Ineligible to any benefits provided in labour contracts	

Source: estimated by the author.

Table 2. Job placement means used by Ukrainian labour migrants by destination countries, 2007–2008, 2010–2012, 2015–2017, %

Share of Ukrainian labour migrants	Thereof employed through, %														
	Via private employment agencies			Via private recruiters			Directly through employer			Through friends, relatives, acquaintances			Other		
	2007–	2010–	2015–	2007–	2010–	2015–	2007–	2010–	2015–	2007–	2010–	2015–	2007–	2010–	2015–
Total	9.6	4.0	3.0	...	15.9	14.5	22.2	18.8	10.5	73.8	77.3	76.4	6.4	7.0	6.7
<i>By countries of destination</i>															
Russian Federation	2.9	1.6	0.5	...	12.3	15.4	21.7	17.4	13.4	80.5	80.6	83.0	6.9	4.2	5.1
Poland	8.9	2.3	5.4	...	15.8	16.7	19.1	9.0	5.5	79.9	80.3	73.0	5.1	4.4	8.3
Italy	18.1	7.2	1.3	...	16.0	2.2	17.0	11.0	6.7	73.4	83.9	81.5	7.3	13.7	9.3
Czech Republic	7.1	3.5	1.9	...	26.1	22.3	39.7	25.4	18.0	62.0	70.8	79.8	4.3	1.4	7.8
Spain	24.9	13.3	...	...	10.3	...	8.9	38.2	...	84.3	72.2	...	10.4	14.3	...
Germany	...	...	...	...	40.6	24.5	...	13.7	...	...	66.5	75.5	...	6.5	...
Hungary	2.4	...	...	...	4.3	...	44.6	56.1	19.3	56.5	33.9	100.0	1.6	5.7	...
Portugal	5.9	6.0	...	...	24.0	...	14.9	17.5	9.4	82.8	91.7	88.2	1.4	23.5	...
Belarus	...	...	...	...	...	9.8	...	27.0	10.2	...	73.0	83.1	...	16.7	...
United States of America	...	...	...	...	...	35.7	...	...	57.0	...	...	22.6	...	...	...
Israel	...	...	10.1	...	...	...	...	...	...	...	...	81.3	...	...	8.6
Finland	...	...	...	...	...	...	...	...	...	...	...	100.0	...	...	...

Source: [8, 6, 9].

Table 3. Legal status in a country of destination, 2007–2008, 2010–2012, 2015–2017, %

Legal status, %	2007–2008	2010–2012	2015–2017
Residence and work permits	31.7	38.7	38.1
Work permits	...	12.8	19.9
Residence permit	3.4	...	...
Temporary registration	39.3	23.7	13.8
Tourist visa	...	3.7	5.5
No official status	23.2	16.7	17.9
Undefined status	2.4	4.4	4.8

Source: [8, p. 87; 6, p. 82; 9, p. 10].

In the context of separate countries, looking for a job through friends, relatives, acquaintances has been the main trend for all countries. The share of respondents who found jobs this way has been persistently high (up to 80 %) in Russia and Portugal, according to all three surveys. The share of respondents in this group increases in the Czech Republic, Belarus, Germany, and Hungary. According to the 2015–2017 survey, the share of people who found jobs through unofficial channels was 100 % in Hungary and in Finland. The share of respondents who found work through friends in Poland has decreased by 7 percentage points (from 80 % to 73 %). However, the majority of these countries are the traditional countries of destination for Ukrainian labour migrants. On the one hand, developed migration networks help to avoid mediators in employment and save money, but on the other hand, they increase the risk of being involved into labour exploitation.

**Legal Status.** The results of the three modular surveys show that one third of Ukrainian labour migrants have residence and work permits in the host country (Tabl. 3). The share of these people has increased by 7 percentage points in the last 10 years. The amount of people having a work permit increases as well: there were almost 20 % of such respondents in 2015–2017 (compared to 12 % in 2010–2012). At the same time, the share of Ukrainian labour migrants who work abroad without any official status remains notable: from 17 % to 23 %.

The situation with legal status of Ukrainian labour migrants depends on the destination country. According to the results of all modular surveys, the Czech Republic remains the only country where more than half of the labour migrants from Ukraine have a residence permit and a work permit. The countries of Southern Europe (Spain, Italy, and Portugal) are characterized by a high level of status regulation of Ukrainian labour migrants as well. The share of people with irregular status declined with every survey and it did not exceed 10 % in 2015–2017. Although in Italy, the share of Ukrainian citizens without official status was 30 %, according to the results of the 2007–2008 survey. It can be assumed that the reduction of irregular labour migrants in Italy was a consequence of the migration amnesty in 2009.

The two neighbouring countries – the Russian Federation and Poland – are the main countries where the vast majority of Ukrainian citizens go to work. After the beginning of the military conflict, the flow of Ukrainian labour migrants to Russia has decreased. According to the results of the surveys, there were about 30 % less Ukrainian labour migrants who worked in Russia in 2015–2017 in comparison with 2010–2012. The results of all three surveys show that a half of Ukrainian labour migrants in Russia have a temporary registration. The share of people who worked in the Russian Federation without official status fluctuated from

17.5 % to 20.7 % in the pre-conflict period. The survey for the period of 2015–2017 shows an increase in the share of this group up to 30 %.

Poland has become the main country of destination for the Ukrainian labour migrants after the beginning of the military conflict. According to the 2015–2017 modular survey, there were 506.5 thousand Ukrainian citizens who worked in Poland. Some experts [15, p. 2] argue that the amount of Ukrainian labour migrants in Poland exceeds the number of 800 thousand people and explain the increase of labour migration from Ukraine to Poland with auspicious Polish legislation<sup>1</sup> that allows Ukrainian citizens to have access to legal short-term employment. Additionally, the attitude of Ukrainians towards Poland has improved considerably in 2015–2017. According to the study on socio-political views in Ukraine [14, p. 25], the share of those who informed about positive attitude towards Poland fluctuated on the level of 53 % – 58 % at this period.

The consequences of the system of “claims” (“osviachen”) launched in Poland are partly reflected in the results of the three modular surveys. The share of Ukrainians working in Poland without official status or indeterminate status has decreased significantly: from 56.8 % in 2007–2008 to 40.2 % in 2010–2012. At the same time, every fourth Ukrainian labour migrant in Poland belonged to this group in 2015–2017.

However, the Russian Federation and Poland have been the two main countries where Ukrainian citizens became victims of trafficking in human beings more frequently than on other countries. In 2010–2017, Russia was the destination country for 65 % of the trafficked Ukrainian citizens, while Poland was the destination country for 13 % [12].

**An indicator “Excessive working days or hours”** is defined by the ILO [1] as a strong indicator of labour exploitation. The indicator includes cases of coercion to overtime work, a prohibition of having breaks and free time, cases of coercion to be on duty instead of colleagues or work 24 hours 7 days per week. The indicator also includes cases of heavy/excessive work and overestimated labour productivity standards.

The results of the three modular surveys show (Tabl. 4) that the vast majority of Ukrainian labour migrants work abroad more than 40 hours per week. That is more than the norm provided by Ukrainian labour legislation. Moreover, the share of these people tends to grow: 77.3 % in 2007–2008, 81.5 % in 2010–2012 and 83.8 % in 2015–2017. More than a half of the labour migrants work from 41 to 60 hours per week and this trend is constantly growing. At the same time, the share of those who work more than 60 hours per week is decreasing, but continues to stay on the level of 18 % –20 %. The data of the latest survey (2015–2017) show an increase in the share of Ukrainian labour migrants who work 41– 60 hours per week, and those who work from 61 to 80 hours (65.5 % and 16.5 % respectively).

As was mentioned above, duration of working time per week for Ukrainian labour migrants is usually 41–60 hours. This tendency is typical for the most countries of destination. However, there are countries where a share of Ukrainian migrants who work more than 61 hours per week is traditionally high. For instance, a share of Ukrainian citizens in Russia who work more than 60 hours per week was about 20 % in the pre-conflict period. According to the survey of 2015–2017, a share of people in this group reached 24 %. In the Czech Republic one out of four Ukrainians work more than 60 hours per week. These data were revealed by the surveys for 2007–2008 and 2015–2017. In Poland, the share of Ukrainian labour migrants with a working week of more than 60 hours is decreasing. According to the

<sup>1</sup> Since 2007, there has been a system of “osviachen” in Poland or claims of employers to place foreign workers in a job that are registered by local authorities. The claim gives the right to work in Poland for up to 6 months within one year without a work permit [15, p. 2].



Table 4. Duration of working time per week, 2007–2008, 2010–2012, 2015–2017, %

Duration of working time per week, %	2007–2008	2010–2012	2015–2017
less than 40 hours	12.0	17.8	15.7
41–60 hours	57.1	62.6	65.5
61–80 hours	16.6	14.3	16.5
over 80 hours	3.6	4.6	1.8
undefined	10.7	0.7	0.5

Source: [8, p. 47; 6, p. 54; 9, p. 17].

results of the 2007–2008 survey, there were 26.7 % of these migrants (almost 9 % of them worked more than 80 hours per week); a share of the group decreased down to 17 %–19 % in the next two surveys.

**Working conditions.** According to the results of the three modular surveys, from 60 % to 66 % of the Ukrainian labour migrants consider their working conditions abroad as normal. At the same time, other variants of answers on working conditions that are suggested in the modular surveys are signs of labour exploitation by the ILO indicators.

The labour exploitation indicators of the middle level include several characteristics [1]. The ILO indicator “Hazardous work” includes dangerous nature of a task (work without protection, work that is difficult to fulfil for a person), dangerous work environment (extreme heat, extreme cold), and a dangerous way to a workplace. The ILO indicator “Very bad working conditions” means coercion to work in unacceptable working conditions and work in constantly changing places.

The modular surveys used for this study contain only an indicator “Unfavourable working conditions” that can be used as a generalizing characteristic for dangerous work and bad working conditions. According to the results, from 10 % to 13 % of Ukrainian labour migrants worked abroad in unfavourable conditions (Tabl. 5).

The ILO indicator “No respect of labour laws or contract signed” also includes nature of work and working conditions. This indicator refers to cases of deception regarding nature of work, an employer, job opportunities, number of working hours, working conditions. There are several indicators in the modular surveys that can be involved in the ILO indicator: “Work was different from expectations”, “Transfer from one employer to another” and “Workplace was different from expectations” (Tabl. 5). Thereby, 14 % of Ukrainian labour migrants have faced the situation where their work in a destination country was different from the expectations, according to the results of the 2007–2008 survey. However, the results of the three surveys show a tendency to reduce the share of this group: 10 % of the respondents informed about this circumstance in the survey for 2015–2017. The results of the surveys show a slight decrease in the share of Ukrainian labour migrants who experienced transferring from one employer to another: 7 % in 2007–2008 and 5 % in the next two surveys. The indicator “Workplace was different from expectations” was introduced only during the 2015–2017 survey and 4 % of respondents answered the question positively.

Several ILO indicators relate to remuneration of migrants’ labour. The indicator “Low or no salary” refers to the following situations: refusal to pay salaries, payment of wages by goods, payment of smaller wages than was agreed, payment of wages that is lower than the minimum wage. Additionally, the ILO indicator “No respect of labour laws or contract signed” refers to payment issues as well. There are cases where a labour migrant receives

Table 5. Working conditions abroad, 2007–2008, 2010–2012, 2015–2017, %

Working conditions abroad, %	2007–2008	2010–2012	2015–2017
Normal conditions	59.3	66.3	66.5
Work was different from expectations	14.0	11.5	10.1
Transfer from one employer to another	7.0	5.0	5.1
Unfavourable working conditions	11.9	12.7	9.5
Non-payment or insufficient payment of salary	9.6	13.6	10.6
Overtime unpaid work	4.4	6.0	2.6
Work place was different from expectations	...	...	4.0
Other or undefined	5.3	6.1	6.0

Source: [8, p. 47; 6, p. 89; 9, p. 25].

Table 6. Ukrainian labour migrants by destination countries and form of labour contract, 2007–2008, 2010–2012, 2015–2017, %

Share of Ukrainian labour migrants	By form of labour contract, %					
	2007–2008		2010–2012		2015–2017	
	Written	Verbal or undefined	Written	Verbal or undefined	Written	Verbal or undefined
Total	34.5	65.5	38.0	62.0	38.3	61.7
<i>By countries of destination</i>						
Russian Federation	27.4	72.6	28.9	71.1	18.9	81.1
Poland	14.5	85.5	11.7	88.3	43.1	56.9
Italy	23.5	76.5	48.7	51.3	34.2	65.8
Czech Republic	52.0	48.0	58.1	41.9	47.8	52.2
Spain	52.2	47.8	48.5	51.5	...	...
Germany	...	...	52.9	47.1	24.5	75.5
Hungary	68.1	31.9	48.7	51.3	42.1	57.9
Portugal	40.7	59.3	35.6	64.4	71.9	28.1
Belarus	...	...	56.9	43.1	28.9	71.1
United States of America	...	...	...	...	100.0	...
Israel	...	...	...	...	13.2	86.8
Finland	...	...	...	...	100.0	...

Source: [8, p. 89; 6, p. 87; 9, p. 12].

less than other regular workers, as well as cases of payment in cash while other employees receive a salary on a bank account.

The modular surveys include an indicator that corresponds to the indicated ILO indicators to some extent: “Non-payment or insufficient payment of salary”. According to the

results of the surveys, approximately from 10 % to 14 % of the Ukrainian labour migrants has experienced this situation. At the same time, Russia and the Czech Republic were the main countries where Ukrainian migrants suffered from delay of salary payments. Mostly these cases occurred in a construction sector.

The ILO indicator “No social protection” refers to the indicators of the middle level and it describes nature of labour exploitation [1] in terms of lack of rights to social insurance, employment contract, sick leaves (compulsion to work during illness), or coercion to work during pregnancy, etc.

According to the results of the modular sample surveys on labour migration in Ukraine, less than 40 % of Ukrainian labour migrants conclude a written labour contract, although the share of these respondents has been increasing with every survey (Tabl. 6). The smallest shares of the Ukrainian labour migrants who worked under a written contract were in Poland, Italy and Portugal in 2007–2008 and 2010–2012.

The results of the modular surveys make it possible to see other types of benefits that Ukrainian labour migrants exercised (Tabl. 7). The majority of the Ukrainian labour migrants abroad had a right to a weekly holiday: 74 % of the respondents who had worked abroad in 2010–2012 and 71 % of respondents who were labour migrants in 2015–2017 informed about this type of benefits. However, the working schedule depends on a field of activity: almost a half of the labour migrants who work in commerce, transport and communications as well as every seventh Ukrainian labour migrant in the hotel and restaurant business have no days off.

Approximately 20 % of the labour migrants from Ukraine have had health insurance. However, in Russia this type of benefits appeared in contracts of the Ukrainian migrants very rarely: the share of respondents who had this benefit in a labour contract did not exceed 10 %. Additionally, paid sick leaves have been rarely found in labour contracts of the Ukrainian migrants as well: 3.6 % in 2007–2008 and 11 % in the next two surveys. Mostly sick leaves are provided in countries with the high level of social protection, such as the USA and Germany.

Social insurance has been more widespread in labour contracts. However, the results of the three modular surveys show a reduction of almost a half of the respondents who had this benefit in a contract. Only 22 % of Ukrainian labour migrants were covered by social insurance in labour contracts in 2015–2017.

*Table 7. Benefits provided in labour contracts, 2007–2008, 2010–2012, 2015–2017, %*

<b>Benefits provided in labour contracts, %</b>	<b>2007–2008</b>	<b>2010–2012</b>	<b>2015–2017</b>
Health insurance	...	20.8	21.3
Paid annual leave	9.4	18.7	13.2
Paid sick leave	3.6	11.2	11.3
Weekly rest day	...	74.1	71.7
Pay for overtime	...	28.3	30.4
Social security	51.5	24.7	22.2
Ineligible to any	21.1	17.0	20.8
Undefined	14.4	3.0	2.1

*Source:* [8, p. 46; 6, p. 52; 9, p. 23].

There were 9 % of the respondents in 2007–2008, 19 % in 2015–2017 and 13 % in 2015–2017 who had a right for a paid annual leave. These low rates are explained by the nature of Ukrainian labour migration that is predominantly seasonal and short-term (up to one year).

Despite of the fact that the main purpose of the Ukrainian labour migrants is to make money abroad, only a third part of the labour contracts included pay for overtime.

The response rate for the indicator “Ineligible to any benefits provided in labour contracts” has been quite substantial: from 17 % to 21 %. According to the latest survey (2015–2017), almost a quarter of the labour contracts of the Ukrainian migrants in Russia, Poland and Hungary did not include any benefits, while the share of such contracts in Belarus consisted of 36 %.

Consequently, the analysis of working conditions of the Ukrainian labour migrants abroad allows us to estimate the limits of labour exploitation according to the used indicators (Tabl. 8): from 18 % to 20 % of the Ukrainian labour migrants has experienced excessive work; from 10 % to 13 % have faced unfavourable working conditions; from 10 % to 14 % of the Ukrainian labour migrants informed that their work abroad has been different from expectations; from 10 % to 14 % of respondents have experienced a situation of non-payment or insufficient payment of salary; from 17 % to 21 % of the Ukrainian migrants have had no

**Table 8. Share of Ukrainian labour migrants who experienced labour exploitation according to the ILO indicators and their equivalents in the modular sample surveys on labour migration in Ukraine**

Level of indicators	ILO indicators	Equivalent indicators of the modular sample surveys on labour migration in Ukraine	Share of Ukrainian labour migrants who experienced labour exploitation according to the indicators *, %
Strong	Excessive working days or hours	Over 61 working hours per week	18–20
Medium	Hazardous work	Unfavourable working conditions	10–13
		Very bad working conditions	
	No respect of labour laws or contract signed	Work was different from expectations	10–14
		Transfer from one employer to another	5–7
		Work place was different from expectations	4
	Low or no salary	Non-payment or insufficient payment of salary	10–14
	No social protection	No written labour contract	62–65
		No paid sick leave	89–96
		No weekly rest day	26–28
		No health insurance	79
No social security		48–78	
	Ineligible to any benefits provided in labour contracts	17–21	

\* by the results of the modular sample surveys

Source: estimated by the author.

benefits in their labour contracts. Thereby, it could be estimated that from 10 % to 20 % of the Ukrainian labour migrants can be victims of labour exploitation and up to 50 % of the Ukrainian migrants are in a risk group due to absence of a written contract.

**Conclusions.** The difficult economic situation in the country, which is aggravated by the culture of informal employment and “enveloped” wages formed during the independence of Ukraine, pushes people to rush, risky steps. As a result, from 10 % to 20 % of the Ukrainian labour migrants have faced different types of labour exploitation. Besides, up to 50 % of the Ukrainian labour migrants have been in a risk group due to looking for a job abroad through unofficial channels and absence of a written labour contract with an employer. The main causes of labour exploitation among Ukrainian labour migrants are the low level of awareness of this phenomenon, lack of knowledge about their rights, as well as neglect of their own security.

Taking all these facts into consideration, attention of the Ukrainian state authorities and the non-governmental organizations that are involved in the activity of solving labour migration issues should be focused on promoting public awareness (especially within the vulnerable groups) of labour exploitation abroad and the major risks that can lead to situations of labour exploitation.

#### LITERATURE

1. Explanations for indicators of trafficking for labour exploitation. International Labour Organization. 2009 [Електронний ресурс]. – Режим доступу: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_105035.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105035.pdf) (дата звернення: 19.04.2018).
2. Lists of indicators of trafficking in human beings. International Labour Organization. 2009 [Електронний ресурс]. – Режим доступу: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_105884.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105884.pdf) (дата звернення: 19.04.2018).
3. *Ollus N., Jokinen A.* Trafficking for Forced Labour and Labour Exploitation – Setting the Scene. The European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI) [Електронний ресурс]. – Режим доступу: [http://www.heuni.fi/material/attachments/heuni/reports/6KmRLQd2d/HEUNI\\_report\\_68\\_netti.pdf](http://www.heuni.fi/material/attachments/heuni/reports/6KmRLQd2d/HEUNI_report_68_netti.pdf).
4. Short-Term Migrant Workers: The Case of Ukraine. International Labour Organization. Geneva. 2017 [Електронний ресурс]. – Режим доступу: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---migrant/documents/publication/wcms\\_613663.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_613663.pdf) (дата звернення: 19.04.2018).
5. World Migration Report 2018. International Organization for Migration (IOM). 2017. 364 p. [Електронний ресурс]. – Режим доступу: [https://publications.iom.int/system/files/pdf/wmr\\_2018\\_en.pdf](https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf) (дата звернення: 19.04.2018).
6. Report on the methodology, organization and results of a modular sample survey on labour migration in Ukraine / International Labour Organization, Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). Budapest: ILO, 2013 [Електронний ресурс]. – Режим доступу: [http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms\\_244693.pdf](http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms_244693.pdf) (дата звернення: 19.04.2018).
7. Дослідження з питань міграції та торгівлі людьми в Україні, 2017 // Міжнародна організація з міграції: офіс. сайт [Електронний ресурс]. – Режим доступу: [http://www.iom.org.ua/sites/default/files/migration\\_and\\_human\\_trafficking\\_in\\_ukraine\\_2017\\_ukr.pdf](http://www.iom.org.ua/sites/default/files/migration_and_human_trafficking_in_ukraine_2017_ukr.pdf).
8. Зовнішня трудова міграція населення України. – Київ: 2009. – 119 с.
9. Зовнішня трудова міграція населення України (за результатами модульного вибіркового обстеження): статистичний бюлетень // Державна служба статистики України. – Київ, 2017. – 36 с.
10. *Орлеан А.М.* Експлуатація людини: поняття та класифікація основних видів (кримінально-правовий аспект) // Вісник Національної академії прокуратури України. – 2011. – № 4 [Електронний ресурс]. – Режим доступу: [http://www.visnyknapu.gp.gov.ua/data/issues-2011/Visnyk-NAPU\\_4\\_2011.pdf](http://www.visnyknapu.gp.gov.ua/data/issues-2011/Visnyk-NAPU_4_2011.pdf) (дата звернення: 19.04.2018).

11. Орлеан А.М., Пустова О.В. Протидія торгівлі людьми, вчиненої з метою експлуатації праці. – К.: Фенікс, 2013 [Електронний ресурс]. – Режим доступу: [http://www.stoptrafficking.org/sites/default/files/mom/documents/protidiya\\_torgivli\\_lyudmi-print\\_0.pdf](http://www.stoptrafficking.org/sites/default/files/mom/documents/protidiya_torgivli_lyudmi-print_0.pdf) (дата звернення: 19.04.2018).
12. Протидія торгівлі людьми в Україні. Статистика МОМ станом на 31 грудня 2017 року // Міжнародна організація з міграції: офіц. сайт [Електронний ресурс]. – Режим доступу: [http://iom.org.ua/sites/default/files/iom\\_vot\\_statistics\\_ukrdec2017.pdf](http://iom.org.ua/sites/default/files/iom_vot_statistics_ukrdec2017.pdf) (дата звернення: 19.04.2018).
13. Протокол про попередження і припинення торгівлі людьми, особливо жінками і дітьми, і покарання за неї, що доповнює Конвенцію Організації Об'єднаних Націй проти транснаціональної організованої злочинності. Прийнятий резолюцією 55/25 Генеральної Асамблеї від 15 листопада 2000 року // Верховна Рада України: офіц. сайт [Електронний ресурс]. – Режим доступу: [http://zakon2.rada.gov.ua/laws/show/995\\_791](http://zakon2.rada.gov.ua/laws/show/995_791) (дата звернення: 19.04.2018).
14. Суспільно-політичні погляди в Україні. 9 червня – 7 липня 2017. GfK Ukraine [Електронний ресурс]. – Режим доступу: [https://www.gfk.com/fileadmin/user\\_upload/dyna\\_content/UA/02-News-017/Ukrainian\\_Poll\\_August\\_2017.pdf](https://www.gfk.com/fileadmin/user_upload/dyna_content/UA/02-News-017/Ukrainian_Poll_August_2017.pdf) (дата звернення: 19.04.2018).
15. Ярошевич М., Малиновська О. Чи є сучасна міграція з України до Польщі (не)тривалим явищем? Аналітична записка (трав. 2018). – Київ-Варшава, 2018. – 12 с.

## REFERENCES

1. Explanations for indicators of trafficking for labour exploitation. International Labour Organization. (2009). *ilo.org*. Retrieved from [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_105035.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105035.pdf)
2. Lists of indicators of trafficking in human beings. International Labour Organization. (2009). *ilo.org*. Retrieved from [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_105884.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105884.pdf)
3. Ollus, N., & Jokinen, A. (n.d.). Trafficking for Forced Labour and Labour Exploitation – Setting the Scene. The European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI). *heuni.fi*. Retrieved from [http://www.heuni.fi/material/attachments/heuni/reports/6KmRLQd2d/HEUNI\\_report\\_68\\_netto.pdf](http://www.heuni.fi/material/attachments/heuni/reports/6KmRLQd2d/HEUNI_report_68_netto.pdf).
4. Short-Term Migrant Workers: The Case of Ukraine. (2017). International Labour Organization. Geneva. *ilo.org*. Retrieved from [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---migrant/documents/publication/wcms\\_613663.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_613663.pdf).
5. World Migration Report 2018. (2017). International Organization for Migration. *iom.int*. Retrieved from [https://publications.iom.int/system/files/pdf/wmr\\_2018\\_en.pdf](https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf) [in English].
6. Report on the methodology, organization and results of a modular sample survey on labour migration in Ukraine. (2013). International Labour Organization, Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). Budapest: ILO *ilo.org*. Retrieved from [http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms\\_244693.pdf](http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms_244693.pdf).
7. Doslidzhennya z pytan' mihratsiyi ta torhivli lyud'my v Ukrayini [Research on migration and trafficking in human beings in Ukraine, 2017]. (2017). International organization for migration. *iom.int*. Retrieved from [http://www.iom.org.ua/sites/default/files/migration\\_and\\_human\\_trafficking\\_in\\_ukraine\\_2017\\_ukr.pdf](http://www.iom.org.ua/sites/default/files/migration_and_human_trafficking_in_ukraine_2017_ukr.pdf) [in Ukrainian].
8. *Zovnishnya trudova mihratsiya naselelnya Ukrayiny [External labor migration of the population of Ukraine]*. (2009). Kyiv [in Ukrainian].
9. *Zovnishnya trudova mihratsiya naselelnya Ukrayiny (za rezul'tatamy modul'noho vybirkovoho obstezhennya). [External labor migration of the population of Ukraine (based on the results of a modular sample survey)]*. (2017). State Statistics Service of Ukraine. Kyiv [in Ukrainian].
10. Orlean, A.M. (2011). Ekspluatatsiya lyudyny: ponyattya ta klasyfikatsiya osnovnykh vydiv (kryminal'no-pravovyy aspekt) [Human exploitation: concept and classification of the main types (criminal-legal aspect)]. *Visnyk Natsional'noyi akademiyi prokuratury Ukrayiny - Bulletin of the National Academy of Public Prosecutor of Ukraine*, 4. Retrieved from [http://www.visnyknapu.gp.gov.ua/data/issues-2011/Visnyk-NAPU\\_4\\_2011.pdf](http://www.visnyknapu.gp.gov.ua/data/issues-2011/Visnyk-NAPU_4_2011.pdf) [in Ukrainian].

11. Orlean, A.M., & Pustova, O.V. (2013). *Protydiya torhivli lyudmy, vchynenoyi z metoyu ekspluatatsiyi pratsi* [Countering trafficking in human beings for the purpose of exploitation of labor.]. Kyiv: Feniks. Retrieved from [http://www.stoptrafficking.org/sites/default/files/mom/documents/protidiya\\_torghivli\\_lyudmi-print\\_0.pdf](http://www.stoptrafficking.org/sites/default/files/mom/documents/protidiya_torghivli_lyudmi-print_0.pdf) [in Ukrainian].
12. Protydiya torhivli lyud'my v Ukrayini. Statystyka MOM stanom na 31 hrudnya 2017 roku [Countering Human Trafficking in Ukraine. IOM statistics as at 31 December 2017]. (2017). International Organization for Migration. *iom.int*. Retrieved from [http://iom.org.ua/sites/default/files/iom\\_vot\\_statistics\\_ukrdec2017.pdf](http://iom.org.ua/sites/default/files/iom_vot_statistics_ukrdec2017.pdf) [in Ukrainian].
13. *Protokol pro poperedzhennya i prypynennya torhivli lyud'my, osoblyvo zhinkamy i dit'my, i pokarannya za neyi, shcho dopovnyuye Konventsiyu Orhanizatsiyi Ob'yednanykh Natsiy proty transnatsional'noyi orhanizovanoi zlochynnosti. Pryynyatyj rezolyutsiyeyu 55/25 Heneral'noyi Asambleyi vid 15 lystopada 2000 roku* [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Adopted by General Assembly resolution 55/25 of 15 November 2000]. (2000, 15 November). Verkhovna Rada Ukrayiny. zakon2.rada.gov.ua. Retrieved from [http://zakon2.rada.gov.ua/laws/show/995\\_791](http://zakon2.rada.gov.ua/laws/show/995_791) [in Ukrainian].
14. Suspil'no-politychni pohlyady v Ukrayini. 9 chervnya – 7 lypnya 2017 [Socio-political views in Ukraine. June 9 - July 7, 2017]. (2017). GfK. Ukraine. *gfk.com*. Retrieved from [https://www.gfk.com/fileadmin/user\\_upload/dyna\\_content/UA/02-News-2017/Ukrainian\\_Poll\\_August\\_2017.pdf](https://www.gfk.com/fileadmin/user_upload/dyna_content/UA/02-News-2017/Ukrainian_Poll_August_2017.pdf) [in Ukrainian].
15. Yaroshevych, M., & Malynovska, O. (2018). *Chy ye suchasna mihratsiya z Ukrayiny do Pol'shchi (ne) tryvalym yavyschem?* [Is modern migration from Ukraine to Poland (non) a long-term phenomenon?]. Analitichna zapyska. Kyiv-Varshava. Traven - Analytical note. Kiev-Warsaw [in Ukrainian].

Article received on 24.05.2018 journal.

Стаття надійшла до редакції журналу 24.05.2018.