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*International Employers Forum*

# Russia and Ukraine: What Employers Need To Know and Do During Times Of Crisis

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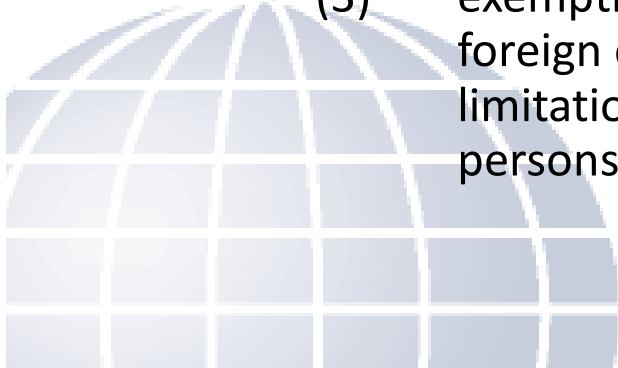


## *International Employers Forum*

**The International Employers Forum is a non-profit organization dedicated to providing information and networking opportunities for legal and human resources professionals whose organizations employ workers internationally. Please visit our website at [www.internationalemployer.org](http://www.internationalemployer.org) for more information or if you are interested in becoming a member.**

## RUSSIA: BACKGROUND

- **Russia has amended its laws concerning the hiring of foreign executives**
  - Some of the regulatory improvements include:
    - (1) allowing certain categories of foreign employees to obtain multiple entry work visas for three year terms;
    - (2) exempting certain categories of foreign employees from a requirement for work permits;
    - (3) exempting certain categories of foreign employees from quota limitations on a number of foreign persons who may be employed in Russia



## RUSSIA: BACKGROUND

**The categories of foreign employees who have benefited from improvement in Russian immigration law have included:**

1. highly qualified specialists earning a minimum of 2,000,000 rubles a year;
2. all foreign citizens, who are participating in realizing any project at Skolkovo;
3. members of management of subsidiaries, branches and representative offices of foreign companies in Russia, and
4. any persons working in special economic zones earning a minimum of 700,000 rubles a year.

**See Articles 13.2 and 13.5 of the Law on the Legal Position of Foreign Persons.**



## **RUSSIA: A NEW ENFORCEMENT ENVIRONMENT**

- **No-exceptions attitude at the Russian Federal Migration Service “FMS”**
- **Basis for deportation, court proceeding and fines:**
  - Late filing of a quarterly registration
  - Overstaying a visa term
- **If one is deported, one may not be allowed even to apply for a new visa for five years**



## RUSSIA: POSSIBLE CONSEQUENCES OF U.S. SANCTIONS

- **Asset Freezes**
- **Due diligence investigations**
- **Compliance with current and potentially new technology export restrictions**



# **RUSSIA: POSSIBLE CONSEQUENCES OF RUSSIAN SANCTIONS**

**U.S. corporations may want to  
examine:**

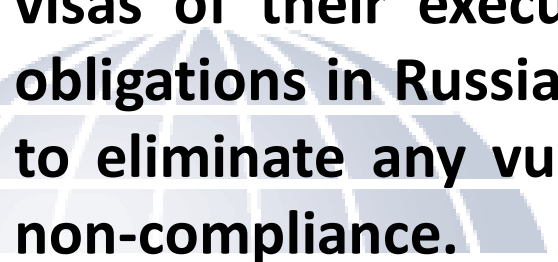
- **repatriation of assets in  
Russia**
- **existing political risk  
insurance**
- **executive employment  
agreements**





## **RUSSIA: CONCLUSION**

**It is hard to know all the requirements of Russian laws and regulations. It is near to impossible to comply with all applicable laws and regulations in Russia without professional assistance. Western companies should review their projects in Russia, their employment relationships, the visas of their executives, their filing obligations in Russia, and should seek to eliminate any vulnerability due to non-compliance.**



# OBTAINING A WORK PERMIT IN UKRAINE

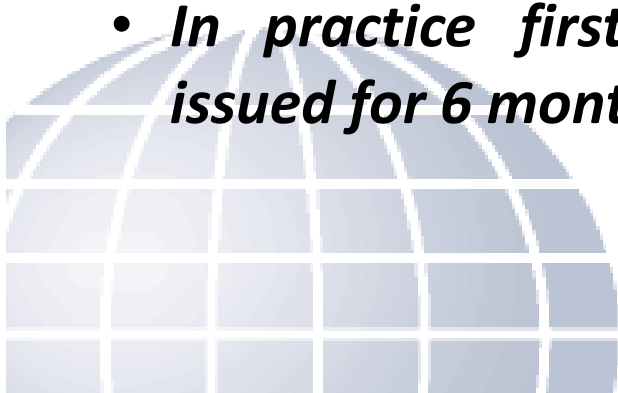
## . Requirements:

- **absence of Ukrainian citizens capable of performing the required work of similar qualification in the respective region;**
- **substantiated grounds for the necessity to hire a foreigner (education and expertise of the foreign national);**
- **grounds for application are drafted accurately;**
- **Only Ukrainian employers (all resident legal entities, not individuals) must obtain work permits for foreign nationals**



## UKRAINE: ISSUANCE AND EXTENSION OF A FOREIGN WORK PERMIT FORM

- Work permit is issued for a maximum term of one year;
- Extension shall be filed not later than one month before expiration term;
- The overall time of a foreign citizen's employment in Ukraine is unlimited
- *In practice first work permit can be issued for 6 month or even for 3 months*



# UKRAINE: 2013 KEY CHANGES OF WORK PERMITS REGULATIONS\*

## New document requirements:

- Medical certificate issued by the Ukrainian institutions confirming absence of "bad" and infective illnesses;
- The list of the authorized medical institutions shall be approved by the Ministry of Health Protection of Ukraine.
- *\*Resolution No. 437 regarding "Issuance, Prolongation of the Validity Term and Annulment of Permissions for the Use of Labor of Foreigners and Stateless Persons", dated May 27, 2013*





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# Thank You!

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