

Change in employment permit for foreigners

On 11 February 2015, the Resolution of the Cabinet of Ministers of Ukraine «On Deregulation of Economic Activity» No. 42 dated 28 January 2015 came into force.

This Resolution introduces changes into the Procedure of issuance, prolongation and termination of employment permits for foreigners and stateless persons, approved by the Resolution of Cabinet of Ministers No. 437 dated 27 May 2013.

Termination of payment for issuance of the employment permit

As of now, no payment for issuance of the employment permit for foreigners and stateless persons is required for:

- persons in relation to whom it is decided to process documents in order to grant a refugee status or a status of a person requiring additional protection;
- persons who submitted documents in order to prolong the employment permit for foreigners.

Justification for work of foreigners

In addition, Resolution No.42 specifies criteria under which the work of foreigners and stateless persons is appropriate and sufficiently justified. Thus, in case a foreigner or a stateless person is:

- a candidate for the position of a director, deputy director or for other managerial position with the condition that such foreigner or stateless person is a founder or a participant of such entity, institution, organization;
- a candidate for the position that provides for creation of items subject to copyright and/or related rights as the primary duty of employment;
- a candidate in the programming industry for the position of a director or the position which is specified by the codes of Classification of Professions as professionals in the areas of computing and programming;
- obtained a Diploma of Higher Education from one of the educational institutions that included into one hundred world rankings of: Times Higher Education according to the appropriate profession; Academic Ranking of World Universities by the Center for World-Class Universities at Shanghai Jiao Tong University; QS World University Rankings by Faculty; Webometrics Ranking of World Universities.

Shorter terms

Resolution No. 42 envisaged shorter terms for submission of documents by the employer and relevant decision-making of the State Employment Service of Ukraine:

- submission of documents by the employer to the State Employment Service of Ukraine for prolongation of the permit is carried out within 20 calendar days (previously – within 30 calendar days);
- decision of the State Employment Service of Ukraine regarding issuance, refusal to issue, prolongation, refusal to prolong or termination of the permit is carried out within seven business days (previously – within 15 calendar days);
- sending of the decision of the State Employment Service of Ukraine to the employer is carried out within two business days (previously – three business days);
- transfer of funds for issuance of the permit by the employer to the account of the State Social Insurance Fund Against Unemployment is carried out within ten business days (previously – within 30 calendar days);
- processing and issuance of the permit by the State Employment Service of Ukraine is carried out within three business days after transfer of funds to the account of the State Social Insurance Fund Against Unemployment (previously – within ten days).