

EMPLOYMENT
REGULATIONS FOR
FULL-DEGREE
INTERNATIONAL
STUDENTS



Hosted by

Kirill Aksyonov

International Assignment Team Leader in IBM

kirillaksyonov@yandex.ru

8 985 85 25 666

Facebook: <https://www.facebook.com/kirill.aksyonov.7>

LinkedIn: <https://www.linkedin.com/in/immigrationcompliance>

Topics to be discussed

1. Basics of immigration legislation in Russia
2. Work permit process
3. Labor relations with employer

Basics of immigration legislation of Russia

The main Federal Law in immigration is Federal Law 115 “Concerning Legal status of foreign citizens in Russian Federation” dated 25.07.2002.

Types of Work permit

Work Permit

- Regular – issued based on quota of employer
- Qualified specialist – issued based on special list of rare positions on the market
- Highly Qualified Specialist – issued based on salary level
- Student – issued to students for the period of study, but not longer than a year

Work Permit exempt

- Educational and Science jobs
- Journalist with government accreditation

Student as WP exempt

Employers and commissioners of works/services must hold a special permit to hire foreign nationals, and foreign nationals must be over 18 and hold a valid work permit or a patent to be eligible for employment.

These requirements do not apply to the following:

- ✓ Foreign nationals studying at Russian educational institutions and working while on vacation;
- ✓ Foreign nationals studying at Russian educational institutions and employed by these institutions or their agencies.

Work permit process

The following list of documents should be submitted to the FMS:

- Completed standard application form ([download](#))
- Passport + Notarized copy of passport
- Migration card, registration + copies
- Confirmation that you are a full-degree, full-time student (issued by the study office of your programme at HSE)
- Employment agreement
- Payment receipt for the state fee of 2,000 rubles ([download](#))
- Health certificate proving general examination has been conducted*
- Health certificate proving you do not have dangerous infectious diseases + HIV health certificate

Work permit process

Work permit for students is issued for any position at any company, irrespective of the student's nationality.

Work permit is issued in 10 business days after the application is submitted to the FMS.

Third party can be authorized to submit such application.



Temporary and Permanent residence

TRP

- Is issued on quota or as quota exempt
- Can not be extended
- A person must have registration in the place of residence
- A person is WP exempt in the respective region of TRP only and can work only in that region where TRP is issued

PRP

- Can be applied for 1 year after the TRP is issued, or in some cases immediately
- After having PRP for 5 years a person may apply for Russian citizenship
- PRP can be extended
- A person must have registration in the place of residence
- A person can work in any region of Russia

Obligations of a foreign national and the inviting party

Foreign national (FN) must:

- ✓ Notify the employer about cross-border travel
- ✓ In case the passport is changed, must correct the WP details within 7 days
- ✓ Avoid any possible violation of the Code of Administrative Offences
- ✓ Have valid medical insurance for the period of employment

Inviting party must:

- ✓ Register the FN each time the FN crosses the border
- ✓ Notify the FMS upon hire and separation of the FN employee
- ✓ Correct the FN employee data in WP and labor contract
- ✓ Prohibit the FN without medical insurance to perform labor activities

Document specifics

- All documents must be translated into Russian
- Spelling of your name should be the same in all documents and follow the transliteration of your name in the Russian visa
- Medical documents must be obtained at governmental medical institutions or certified medical companies
- WP Application must be filled in by you in Russian. Ask a Russian-speaking person (or a buddy) for assistance.
- Passport must be valid for at least a year starting from the application date.
- You will not need to change your visa after WP is obtained.

Social tax

Once work permit formalities are completed you should be formally on-boarded.

For Tax purposes, you should obtain a Social Security Certificate (in Russia called СНИЛС). This document is mandatory for employment. This can be done by your employer or personally by you. It depends mainly on the labor relations with your employer that you have.

All foreign national are subject to the Personal Income Tax (PIT).

HQS foreign nationals and CIS nationals with Work patent have a fixed PIT rate of 13% right from the start of their employment.

Other foreign nationals with work permit are subject to 30% income tax if they are present in Russia for less than 183 days in a .

After a FN is present in Russia for 183 days in a year or more - they are treated as residents for tax purposes and are taxed at common 13%.

Personal tax identification number

Министерство Российской Федерации по налогам и сборам

СВИДЕТЕЛЬСТВО

о постановке на учет в налоговом органе юридического лица, образованного в соответствии с законодательством Российской Федерации, по месту нахождения на территории Российской Федерации

Настоящее Свидетельство выдано в соответствии с положениями части первой Налогового кодекса Российской Федерации, принятого Федеральным законом от 31 июля 1998 года №146-ФЗ,

юридическому лицу Закрытое акционерное общество "Акциионный коммерческий инновационный банк развития средств связи и информатики "Почтобанк"

местонахождение 643, 614096, Россия, г. Пермь, ул. Ленина, 68,

сведения о регистрации:
вид документа лицензия

реквизиты документа 1788 02 декабря 1997г.

наименование органа, выдавшего /утвердившего/ документ ЦЕНТРАЛЬНЫЙ БАНК РОССИЙСКОЙ ФЕДЕРАЦИИ

и подтверждает постановку юридического лица на учет 10 декабря 1993г.

по месту нахождения в ГНИ по Ленинскому району г.Перми

и присвоение ему Идентификационного номера Налогоплательщика:

Дата выдачи Свидетельства 16 февраля 1999г.

Руководитель государственной налоговой инспекции Мельник Наталья Николаевна

серия 59 № 0005217

This document is not mandatory for employment, however many employers insist on providing this document sooner or later.

The document is issued upon personal request.

Documents needed are: application (filled in Russian), passport and passport translation.

With those documents you need to apply at the tax office by the district of your registration.

HSE students must apply at the tax office at ulitsa Zemlyanoy Val, 9.

Application (in Russian) can be [downloaded here](#).
Ask a Russian-speaking person (or a buddy) for assistance.

You rights as per Russian Labor code

- In Russia, Labor Code is applicable to all nationals.
- Vacation days standard is 28 for regular employees, 56 for teaching staff, other quantities depend on the company and special terms of employment.
- Under the Labor Code you have a right for limited and unlimited contract.
- All employees working in Russia must have a labor book – the document with all your employment record.



Separation

Foreign employees can be separated (terminated from the position they occupy) based on reasons that apply only to foreign nationals, rather than just the same reasons that apply for Russian citizens.

Once the work permit expires, employer should suspend an employee, and in case the work permit is not extended within 1 month – separate an employee.

The same rules apply to Medical insurance.

Upon separation, a Separation Order with the employer must be signed.

Vacation backlog for separation pay is calculated 2,33 days per month of work.

Are you able to work after you finish study?

No immigration programs for graduates exist.

Only immigration rules for visa nationals apply.

Registration

Inviting party is responsible for your registration.

While you study, HSE covers your registration.

Once you finish HSE, your employer will be obliged to register you.

- Code of Administrative Offences, articles 18.8, 18.9 and 18.27. For all types of registration violation – penalty and deportation.

Настоящим подтверждается, что

Фамилия **К а м а р о в**

Имя, отчество **М а к с у д М у м и н д ж а н о в и ч**

Гражданство, подданство **У з б е к и с т а н**

Дата рождения: число **28** месяц **11** год **1978** Пол: Мужской Женский

Документ, удостоверяющий личность: Вид **П а с п о р т** Серия **С А** № **2158126**
в установленном порядке уведомил о прибытии в место пребывания по адресу:

Область, край, республика, АО

Район

Город или другой населенный пункт **М о с к в а**

Улица **К а р м а н и ц к и й п е р**

Дом **9** Корпус Строение Квартира

Срок пребывания до: число **12** месяц **02** год **2012**

■ ОТРЫВНАЯ ЧАСТЬ БЛАНКА УВЕДОМЛЕНИЯ О ПРИЫТИИ ИНОСТРАННОГО ГРАЖДАНИНА В МЕСТО ПРЕБЫВАНИЯ ■