

Legal Alert

January 2010

2010 quota for foreign workers distributed. List of quota-exempt professions for 2010 approved.

This information is of particular importance for those who employ foreigners or plan to do so in the near future.

In accordance with our standard practice of informing our clients of recent changes in Russian legislation and its application in practice, we advise that the following documents were officially published in "Rosyiskaya Gazeta" on January 13, 2010:

- Order of the Russian Ministry for Public Health and Social Development on distribution of quotas for issuing work permits to foreign citizens in 2010¹.
- Order of the Russian Ministry for Public Health and Social Development on distribution of quotas for issuing invitations to foreign citizens for entering Russia for work purposes.²
- Order of the Russian Ministry for Public Health and Social Development approving the list of quota-exempt professions (positions) of foreign citizens-qualified specialists³.

The above orders enter into force on January 23, 2010 and will be valid through 2010.

In accordance with the order distributing the 2010 quota of work permits, a fixed number of work permits can be issued in each Russian region to work in different professions. Thus, for example, for Moscow the general quota for all professions is established at 250,000 work permits (which is considerably less than in 2009), and for St. Petersburg – 210,066 work permits⁴.

The general quota for invitations for 2010 to enter Russia for work purposes is established at 611,080 invitations.

In accordance with the order approving the quota-exempt professions and positions, employers may hire foreign citizens without having a relevant quota to work in the following professions and positions: general director of a joint stock company (association, enterprise), director of a plant (factory, enterprise, firm, representative office, branch), chairman, deputy

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chairman of the executive committee, director for economics, etc., which should allow employers to hire foreign managers in Russia with less problems. In total the list includes 22 professions and positions.

We would like to remind readers that the above order will be valid only till the end of 2010. Therefore, we would recommend employers who plan to hire foreign employees in 2011 to file a quota application⁵ in good time, i.e. **before May 1, 2010**.

When obtaining a work permit for a quota-exempt profession (position) employers must observe the requirement on filing information on the vacancies available with the employment center at the employer's location no later than 1 month prior to applying to the FMS for a permit to hire foreign employees.

- 1 Order of the Russian Ministry for Healthcare and Social Development № 1008H dated December 22, 2009 «On distribution among subjects of the Russian Federation of the quota for issue of work permits to foreign citizens approved by the Russian Government for 2010».
- 2 Order of the Russian Ministry for Healthcare and Social Development № 1009H dated December 22, 2009 «On distribution among subjects of the Russian Federation of the quota for issue to foreign citizens of invitations for entering Russia for the purposes of employment”.
- 3 Order of the Russian Ministry for Healthcare and Social Development № 1010H dated December 22, 2009 «On the list of professions (positions) for foreign citizens-qualified specialists, who are employed at their professions (specialisations), to which the quota requirement does not extend, for 2010».
- 4 In 2009 the quota for Moscow was 392,157 work permits, and for St. Petersburg – 209,318 work permits.
- 5 Section 7 of the Rules for determining by executive bodies of state power of the demand in hiring foreign employees and generating quotas for carrying out by foreign employees of work activities in the Russian Federation (approved by Decree of the Russian Government dated December 22, 2006, N 783)

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Additional notes

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