

How Brexit affects employment of UK citizens in Latvia 1/52/20

This year has passed under the sign of Covid-19, with the pandemic overshadowing one crucial event it's high time we remembered: Britain leaving the EU. This article explores key changes to how UK citizens can be employed in Latvia after Brexit.

Despite the travel restrictions caused by the outbreak of Covid-19, immigration is still on the agenda as companies continue sending their workers abroad to carry out international projects and services. Any UK citizens that have entered Latvia and hold an EU registration certificate, as well as those who will be entering Latvia this year and plan to stay, will have to file an application with the Citizenship and Migration Office ("CMO") and take out a new residence permit (ID card) instead of their current registration certificate by 30 June 2021.

Latvian employers should bear in mind that next year UK citizens can no longer arrive and be employed in Latvia as quickly and easily as before.

Employing UK citizens in Latvia before 2021

Entering and staying

An EU citizen and their family can enter Latvia and spend up to three months if they hold a valid travel document and do not pose any actual, current or serious threat to public security, order or health.

An EU citizen wishing to spend more than three months in Latvia has to register with the CMO and take out a registration certificate (there are a few exceptions when registration is not required).

Applying for a registration certificate

The EU citizen can file documents for a registration certificate with the Latvian embassy or any CMO branch in Latvia.

Notifying the National Labour Office ("NLO")

An employer sending an EU citizen to work in Latvia under a contract for services has to notify the NLO in writing.

Registering with the State Revenue Service ("SRS")

An employer hiring a new worker (including an EU citizen) has to file worker details with the SRS.

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Employing UK citizens in Latvia after 2020

Announcing a vacancy

If the basis for employing a UK citizen in Latvia is a contract of employment, the employer has to announce a vacancy on the vacancies portal maintained by the National Employment Agency ("NVA").

Applying to the CMO

The employer has to file an application expressing the desire to have the UK citizen working in Latvia.

Applying for a visa and/or temporary residence permit

The UK citizen can file documents for a visa and/or temporary residence permit with the Latvian embassy, or with any CMO branch in Latvia if they have already entered Latvia on a legitimate basis.

Notifying the National Labour Office (“NLO”)

An employer sending a UK citizen to work in Latvia under a contract for services has to notify the NLO in writing.

Registering with the State Revenue Service (“SRS”)

An employer hiring a new worker (including a UK citizen) has to file worker details with the SRS.

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So, to employ a UK citizen in Latvia after 2020, the employer is additionally required to announce a vacancy on the NVA vacancies portal and to file an application with the CMO. These two steps will add 15 working days to the process because the vacancy must remain announced on the portal for at least ten working days¹ and the CMO has five working days to consider the employer’s application.² The UK citizen can enter Latvia and begin work after they have taken out a working visa at the Latvian embassy in the UK.

Conclusion

Post-Brexit UK citizens will no longer be covered by the Latvian Cabinet of Ministers’ Rule No. 675, How Union citizens and their family members can enter and stay in the Republic of Latvia. Any UK citizens entering Latvia after 2020 will be subject to the Immigration Act’s procedures applicable to third-country nationals wishing to enter and be employed in Latvia.

¹ The Cabinet of Ministers’ Rule No. 55 of 28 January 2014, Employment of Foreign Nationals, paragraph 3

² The Cabinet of Ministers’ Rule No. 552 of 21 June 2010, Procedures for Approving Invitations and Preparing Summons, paragraph 22