

Easier terms for employing third country nationals in Latvia 1/4/20

The Cabinet of Ministers' Rule No. 55 of 28 January 2014 on employing foreign nationals has been amended with effect from 28 December 2019. The amendments make it easier for an employer to employ third-country nationals in Latvia. This article explores the amendments and the easy terms.

A shorter vacancy notice period

An employer wishing to employ a third-country national on an employment contract in Latvia is required to publish the vacancy on the National Employment Agency's Portal of CVs and Vacancies, with the exception of third-country nationals holding an EU Blue Card.

Before the amendments came into force, there were two different notice periods: one month or ten working days. If the vacancy is not filled with a Latvian national within the stated period, the employer may submit an invitation or a summons to the Citizenship and Migration Office and take out a visa or a residence permit respectively.

The ten-day period applied only to professions in which Latvia expected a substantial shortage of labour,¹ with all other professions covered by the one-month period. Employers in Latvia usually seek skilled third-country nationals for employment in professions involving information technology and communication technology.

The amendments make it considerably easier to employ third-country nationals by cutting the one-month period to ten working days. As the vacancy notice is required to state the desired starting date but the employer is likely to want the worker to start immediately, the amendments have substantially accelerated the process of obtaining a visa or a residence permit for a third-country national to be employed in Latvia.

As the vacancy notice period has been shortened, the rules on employing foreign nationals no longer contain the paragraph which stated that a vacancy in any of the professions in which Latvia expected a substantial shortage of labour must be announced and kept open for at least ten working days.

In summary, from 28 December 2019 an employer wishing to employ a third-country national is required to publish the vacancy on the portal at least ten working days before approaching the Citizenship and Migration Office.²

¹ Cabinet Rule No. 108 of 20 February 2018

² The new version of Cabinet Rule No. 55