

## How to avoid problems while working abroad

In order to avoid vulnerability and abuses of human rights, YOU should:

- Not tolerate any form of verbal, psychological and/or physical abuse. If there are such abuses, you should not be afraid or ashamed to report them to the Ukrainian Embassy, the police or other law enforcement bodies. If you have been subject to any form of physical abuse, you should immediately go to the police or to the Embassy. In the latter case, you should ask for all means for a physical check-up and keep a copy of the medical certification.
- Register with your Embassy after arrival and provide the full and correct name and address of your employer.
- Always remember the name and address of your employer to be able to contact him in case of any violation of your basic rights by other people.
- Always make sure that you keep your passport and personal documents and never hand them over to anybody.
- Always have a copy of all essential documents and keep another copy with a trusted friend and/or with relatives in your home country.
- Know where to go for help. In most countries, there are many organizations that can provide support for migrants.
- Never accept any limitation of your right to freedom of movement.
- Never accept the confiscation of your passport for whatever reason.
- In all cases, avoid being trapped in a position where you find yourself unable to escape a certain abusive employment situation until you have paid off your debts to the employer, agent or recruiter (debt bondage).
- Never accept inhumane working and living conditions.
- Never accept unreasonable health and safety risks.

**KNOW  
more**

**IOM Centres for Migrant Advice (CMA)  
Info Lines:**

**Kyiv: (044) 201-63-33**  
**Kharkiv: (057) 752-81-25**  
**Odesa: (048) 728-27-02**  
**Lviv: (032) 297-68-13**  
**Ternopil: (0352) 52-39-52**  
**8-800-505-50-10 (toll free)**

**527 (toll free) for subscribers of Life:, KyivStar and UMC**

**[www.migrantinfo.org.ua](http://www.migrantinfo.org.ua)**

**Protect Yourself.**

**Anticipate situations that could await you away from home.  
Know your rights when studying, working, living, or traveling abroad.**

## CONTACTS:

**GOVERNMENT OF UKRAINE:**  
Hotline of the Counter-Trafficking Department of the **Ministry of Internal Affairs of Ukraine:** (044)254 76 04 (daily, 16:00-20:00)

**Ministry for Foreign Affairs of Ukraine,** Centre for Assistance to Ukrainians abroad:  
Mykhailivska sq. 1, Kyiv, 01018 (044) 253 83 30, 238 15 15, 253 05 96

**Ministry of Labour and Social Policy** at (044)289-50-97 (every day after 17.00)

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Tel: (+38 044) 590-31-00  
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<http://www.kyiv.gc.ca>,

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E-mail: kiev@embassy.mzv.cz  
[www.mzv.cz/kiev/www.czechEmbassy.org/](http://www.mzv.cz/kiev/www.czechEmbassy.org/)  
Consular Section  
Bohdana Khmelnytskoho St., 58, Kyiv 01901, Ukraine  
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**Kingdom of Denmark**  
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[www.estemb.kiev.ua](http://www.estemb.kiev.ua)

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**French Republic**  
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E-mail: pressefr@carrier.kiev.ua  
[www.ambafrance.kiev.ua](http://www.ambafrance.kiev.ua)

**Federal Republic of Germany**

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[www.kiew.diplo.de](http://www.kiew.diplo.de)  
[www.german-embassy.kiev.ua](http://www.german-embassy.kiev.ua)  
Consulate  
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**Republic of Lithuania**  
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**Kingdom of Sweden**  
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**United Kingdom of Great Britain and Northern Ireland**  
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Fax: (044) 490-40-85  
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9:00-16:00  
[www.usemb.kiev.ua](http://www.usemb.kiev.ua)  
Consular Section  
Address  
Pymonenka St., 6, Kyiv 04050, Ukraine  
Tel: (044) 490-44-22  
Fax: (044) 484-42-56 (non visa issues)  
486-33-93 (visa interview)

## Centres for Migrant Advice

**Caritas Kharkiv**  
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**Southern Ukrainian Centre of Young Lawyers NGO**  
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**Western-Ukrainian Resource Centre**  
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# You have the right to know more

## ...about work abroad



## IOM Centres for Migrant Advice (CMA)



**Capacity Building  
in Migration  
Management**

[www.migrantinfo.org.ua](http://www.migrantinfo.org.ua)



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[www.migrantinfo.org.ua](http://www.migrantinfo.org.ua)

8-800-505-50-10 (toll free)  
527 (toll free) for subscribers of Life:, KyivStar and UMC

# YOU HAVE THE RIGHT TO KNOW MORE-

## What you need to know to protect yourself while going to work abroad

Labour abuses and labour exploitation can occur in many forms. In order to minimize the risk of being abused or experience violations of rights, as a potential migrant worker YOU should be aware of YOUR rights. Migrant workers are often vulnerable because they lack reliable and correct information about the terms and conditions of employment abroad.

The first step you should take is to make sure of the LEGALITY of the identified job. In order to work legally abroad YOU need:

- A valid travel passport
- A visa
- An employment contract with the employer abroad
- A work permit (usually issued by a labour authority in the country of destination) or residence permit (usually issued by the authority of internal affairs)

You can find complete lists of the documents, needed to enter the country for work purposes in every embassy.

### ADVICE:

- Have a valid and legal contract with the employer BEFORE you apply for visa;
- Do not believe if someone promises that you will meet or find an employer and sign the contract upon your arrival in your country of destination – most probably the job offered to you is not legal;
- Do not believe if someone tells you that you can enter your country of destination on a visitor's visa and then change it to a work visa – this is not possible;
- Do not believe if someone suggests that you can work on a visitor's, business, sports, student's or any other kind of visa, as full-time employment on non-work visas is illegal;
- Do not agree, if someone tells you to submit false documents or lie to the Consular officer – you will be refused visa.

## What is a visa?

Visa is a certificate put into the passport by an Officer at a consulate in Ukraine, which gives the permission to enter a foreign country. There are different types of visas, depending on the purpose of your trip (business, tourist, student, etc), duration of trip (stay) and number of entries. There are also individual and group visas. Normally, in order to work in a foreign country, you need a work visa\*. You must

\* There are certain exceptions, which you must carefully check with the Consulate before applying for visa.

personally apply for a visa to the Consular Section of the Embassy of your destination country by filling out a visa application form and submitting all the necessary supporting documents.

### ADVICE:

- There is a fee for processing documents, which you must pay to the Embassy, as prescribed by the Consular Officer. Do not pay unauthorized intermediary agents — do not pay for “guaranteed” visa.
- Remember, that most work visas are valid for a limited period of time (often 1 year), if your contract is valid for a longer period, you will have to renew your work visa in order to stay in the country legally.

## What is an employment contract?

An employment contract clearly defines the terms and conditions agreed upon by the migrant worker and the employer.

The list below includes the minimum conditions, which should be found in YOUR employment contract:

- Description of the tasks to be performed, site of employment and duration of contract;
- Basic monthly salary, including benefits and allowances;
- Terms of payment;
- Non-cash compensation and benefits, including free food and accommodation – as applicable;
- Regular working hours, rest days and holidays;
- Transportation to the country/place of employment and return, including repatriation;
- Employment related injury and sickness compensation, and emergency medical and dental care;
- Social security rights and obligations;
- Valid grounds for termination of contract;
- Dispute settlement.

In order to understand employment conditions and avoid violations of the employment contract, YOU should:

- Not sign any document if you do not understand the language.
- Not sign another contract in the destination country, if you have already signed a contract in your home country.
- Not sign any document if you do not agree with it.
- Resort to your Embassy or seek legal advice, in case the employer tries to force you into signing any document.
- Make sure that the terms of employment are clearly specified in the contract. This applies to all aspects of working conditions, such as wages, working hours, days off, decent accommodation, health insurance and repatriation responsibility.
- Insist on transparent accounting if the employer tells you that you owe him/her money. If you feel that the employer's claims are not justified, you should seek legal help
- Make sure that all your work duties are clearly stated in the

contract. The employer has no right to require you either to perform additional duties or to request you to work for other employers.

- Make sure to have your own copy of the signed employment contract.
- Not sign for wages you have not received.
- Insist that your wages are paid on a monthly basis. It is unacceptable if the employer retains wages.

### ADVICE:

- Always read the employment contract very carefully several times before signing. The employer or intermediary should not pressurize you to sign the contract immediately. You should have enough time to read and think about it before signing the contract.
- Whenever possible, check if the contract is in line with the labour laws of the country where you will work (for example, some countries prohibit migrant workers to change employer or location of work).
- The contract should not contain provisions such as: “perform other tasks as demanded by employer”, “work overtime, as demanded by employer”, “temporarily work for another employer”, etc.
- Make sure that all deduction from your salary are clearly written in your contract (this also applies when the fees for your employment intermediary or the cost of your travel will be deducted from your salary).
- Do not sign the contract when there is some information missing and can be filled in after you sign.

## If you are looking for job with the help of intermediaries

You can find a lot of advertisements offering non-qualified jobs in Western Europe and North America. What you should know before paying these agencies:

- Mediation in employment abroad requires a license issued by the Ministry of Labour and Social Policy of Ukraine.
- The employment agency must have: an external economic agreement (contract) about the mediation in employment abroad between the employment agency in Ukraine and foreign employer (or employment agency); a license (authorization) for employment (mediation in employment) of the citizens of Ukraine, given to that employer (employment agency) by a competent authority of the country of employment; a draft of the labour contract, verified by the foreign employer, corresponding to the legislation of the country of employment and international agreements of Ukraine.
- Intermediary agencies SHOULD NOT require any kind of prepayment BEFORE you sign a contract with the employer in the country of destination.
- No tourist or other kinds of agencies are authorized to perform

mediating services in employment abroad. In case you have been defrauded by one of such agencies, you can report the case to the Ministry of Interior (tel on the back).

- Do not pay for “consultation services”, preparing the package of documents for receiving visa or representation in the embassy. Do not pay to third parties, if required to do so by the agency.

You can call the Ministry of Labour and Social Policy (tel on the back) to find out whether the agency, which offers a job to you, has the required license.

## What you need to know about the country of your destination

Once YOU have made the decision to migrate for employment you need to LOCATE concrete, accurate and reliable information specific to your occupational needs and the country of destination as well as YOUR rights in the prospective country of destination, including:

- What kinds of migrants are needed for what types of jobs in the country. (For example, many countries do not accept migrant workers for low-skilled jobs – if you are offered one, it's an illegal job).
- Conditions of entry and stay: how long the visa is valid, how the visa can be renewed, right to family reunification.
- Labour and social system: legal conditions of work, tax system, social security system, health system.
- What problems you can expect abroad and how to overcome them.
- Organizations that render help to migrants, hotline numbers to report problems with employer, abuses, etc.
- Governmental (diplomatic missions, labour attaches) and other agencies that can provide assistance to migrant workers.
- Banks and financial organizations for savings and sending of remittances, their fees and conditions.

You can get additional information for employment abroad from IOM Centres for Migrant Advice (CMA) located in five cities of Ukraine: Kyiv, Kharkiv, Lviv, Odesa and Ternopil. CMAs will provide you with contact information of the embassies in Ukraine, institutions and organizations that would be able to help you abroad. The CMA staff will help you to read your contract and refer you to the relevant state institutions in Ukraine.