

Step 7

Read your labour contract carefully before signing it. If you have even the slightest of doubts, take the text with you and read it in a quiet place. The employer or intermediary must not force you to sign the contract as soon as possible. You need to have enough time to study the contract and weigh your decision.

Remember that **all the conditions of your future employment must be reflected in the labour contract:** your duties, wage, days off, overtime, medical insurance, etc.

The specialists in the Centres for Migrant Advice will always be happy to help you evaluate how secure your contract is. You can either come to one of our Centres with a copy of the contract or send it to us by mail, fax, or email.

Step 8

PERSONALLY call the embassy/consulate of the country of your prospective employment and **learn about the type of visa you need** and the full list of the documents required.

PERSONALLY contact the embassy of the country of destination to apply for and receive a **work visa**.

☑ Remember that, **as a rule, a work visa can be obtained only personally.** In some exceptional cases it is possible that an intermediary obtains a temporary work visa (for seasonal employment) for you. However, if the intermediary offers to obtain visa on your behalf, ALWAYS check with the respective embassy whether this is indeed possible. Because, as a rule, an offer to obtain a work visa for you is an indication of fraud!

☑ Remember that **truthful information provided to the embassy is a way of protecting yourself from exploitation** upon your arrival to the destination country because embassies check the information you provide to them, including the company which offered you a job. Remember that illegal employment leaves you unprotected from employer abuses and makes you constantly afraid of being arrested by the police

☑ Remember that it is **impossible to leave on a Schengen visa and change it for a work visa in the country of destination.** This kind of offer from an intermediary agency is an indication of fraud

Step 9

Before departure, **make photocopies of your passport, visa, insurance policy, and any other documents related to the trip.** Keep them in a safe place and separate from the originals. Moreover, leave

copies of these documents with your relatives and/or friends in Ukraine. In case the originals are lost, the copies will greatly expedite the identification process.

It is also a good idea to **leave detailed information on where you will be staying abroad and specifics on your employer with your relatives and/or friends.**

Step 10

Find contact information of the Ukrainian embassy and other governmental and nongovernmental organizations in the country of destination which you can contact for assistance in case of difficulties BEFOREHAND.

If you have information on the existence and illegal activity of fraudulent intermediary firms that offer employment abroad, contact the Ministry of Internal Affairs of Ukraine by phone at 8 (044) 254 76 04 (Mon-Fri, 10.00-18.00).

Additional information on working, studying and travelling abroad may be obtained at the IOM Centres for Migrant Advice. Consultants of the Centres will provide you with all the necessary information (information on visa procedures, contact information of the embassies, organizations, and state bodies abroad which can be contacted in emergency situations, etc). Our consultants will help you understand the terms and conditions specified in your labour contract, check whether a particular intermediary agency is licensed to offer foreign employment services to Ukrainian citizens and, if necessary, contact the appropriate state bodies in Ukraine.

For information on Ukrainians' travel abroad (visa documents, consular-legal questions, etc) please contact the CALL-CENTRE OF THE MINISTRY FOR FOREIGN AFFAIRS OF UKRAINE (044) 238-15-50 (24 hours)

Have you encountered fraud in the sphere of employment abroad? Do you have doubts about scrupulosity or legality of an intermediary? Have you suffered from labour exploitation abroad?

Please contact the respective department of the MINISTRY OF INTERNAL AFFAIRS OF UKRAINE (044) 254-76-04

To check the legality of an intermediary in employment abroad, please contact the

MINISTRY OF LABOUR AND SOCIAL POLICY OF UKRAINE (044) 289-50-97, Mon-Thu, from 17:00 till 18:00 (Fri from 17:00 till 17:45)

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8-800-505-50-10

FREE from any landline phone in Ukraine

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TOLL-FREE from life:), Kyivstar and MTS mobile phone numbers

WWW.MIGRANTINFO.ORG.UA

Ensure your safety in advance. Learn about your rights when studying, working travelling or living abroad at the CENTRES FOR MIGRANT ADVICE

Kyiv: (044) 537-07-10

Kharkiv: (057) 752-81-25

Odessa: (048) 728-27-02

Lviv: (032) 297-68-13

Ternopil: (0352) 52-39-52

You can also turn for consultations in

Uzhgorod – (03122) 3-20-91

Vinnytsia – (0432) 56-01-53

In emergency situations call the hotline of the UKRAINIAN NATIONAL INTERPOL BUREAU (044) 254-98-36 (24 hours)

ALL SERVICES OF THE CENTRES FOR MIGRANT ADVICE ARE FREE OF CHARGE

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TO PROTECT YOURSELF FROM FRAUDULENT INTERMEDIARY AGENCIES



Centres for Migrant Advice



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HOW TO PROTECT YOURSELF FROM FRAUDULENT INTERMEDIARY AGENCIES

Do you want to find a legal job abroad through an intermediary agency? Be careful not to fall prey to fraudulent intermediaries!

BE AWARE that, regrettably, a number of Ukrainian citizens have become victims of unscrupulous intermediary agencies. Using services of such firms, you risk losing a lot of money, your health, and even your life.

ACQUAINT YOURSELF with several of the most *popular fraudulent schemes*. If any of these scenarios resembles your own situation, we recommend cutting ties with the intermediary agency and contacting one of our Centres for Migrant Advice.

FRAUDULENT SCHEMES

Scenario 1. “We promised to provide informational-consultative services ...”

You sign a contract with an intermediary employment agency and pay them for finding you a job and helping you with travel arrangements. You don't pay attention to the fact that your contract only obliges the intermediary agency to provide you with informational-consultative services. The company creates an illusion of finding you a job, you apply for a visa, and the embassy refuses to issue you a visa. You request your money back from the agency but they say: “As specified in your contract, we promised to provide informational-consultative services.” The cost of such “services” ranges from \$500 to \$2,000 or sometimes even \$3,000 per client.

You need to know that “informational-consultative services”, as a rule, consist of assistance with preparing the proper documents, and filling out an application or a questionnaire for an interview in the embassy, yet do not in any way guarantee employment.

Scenario 2. “We will get you a work visa”

You need to know that, as a rule, it is impossible to obtain a work visa through an intermediary. You must **PERSONALLY** contact the consular department of the embassy, submit **PERSONALLY** all the required documents, and have a face-to-face interview as required by the consular department. Only a tourist or business visa (in some exceptional cases – also temporary work visa for seasonal employment) may be obtained through an intermediary. So when someone offers to get you a work visa, you will either receive your passport back with a forged visa or be denied a visa. The subsequent events will follow Scenario 1. Thus, if someone offers to apply for your work visa instead of you, do check with the respective embassy whether the intermediary actually has the right to submit your work visa application on your behalf.

The worst development of this scenario is to become a victim of human trafficking.

Scenario 3. “You will travel with a Schengen visa, and you will be issued a work visa in the country of your destination upon arrival”

You indeed arrive to your destination country and you are compelled to work illegally. You become totally unprotected from abuse and exploitation by your employer and you are in constant fear of being arrested by the police.

Remember that it is IMPOSSIBLE to travel abroad on a Schengen visa and change it then for a work visa. Do not believe those who promise you this. Full employment with a guest, business, sports, student or other non-work visa is illegal and thus leaves you unprotected.

Scenario 4. “You didn't pay us; we don't know this person/company”

You contact an intermediary firm, pay for its foreign employment services, and *receive a receipt from a non-existent firm* or a private entrepreneur but not from the agency specified in your contract. When you request your money back, a representative of the agency tells you with a look of surprise: “You didn't pay us; we don't know this person/firm.”

Scenario 5. “The company had an office here for a couple of days”

An intermediary agency opens an office for a couple of days at a certain address, promises attractive employment opportunities, collects money from trusting clients, and then disappears with their money.

If you know other fraudulent schemes, please share this information with our Centres for Migrant Advice. In this way, you will help protect other citizens from scams!

It is impossible to foresee all situations and insulate oneself fully from employment scams, but you can minimize potential risks.

**Take care of your security in advance!
Read meticulously the safety rules and useful advice below!**

10 STEPS TO ENSURE SECURE COOPERATION WITH INTERMEDIARIES

Step 1

Ask an intermediary (a firm or a private entrepreneur) to show its *license issued by the Ministry of Labour and Social Policy of*

Ukraine for providing foreign employment services to Ukrainian citizens. Write down the following information:

- the number and issue date of the license**
- the official name and address of the agency**

Step 2

CALL the Ministry of Labour and Social Policy (**8 044 289-50-97, Mon–Thu 5-6 pm, Fri 5-5:45 pm**) to check whether the license of the intermediary is valid.

Make sure you find out which countries are covered by the license of this intermediary. If the intermediary promises you employment in Canada, in the USA, or in the Czech Republic, and you find out from the Ministry that its license covers only the Czech Republic, then its intermediary activity for providing employment in Canada and the USA is illegal.

Step 3

Sign a contract with the intermediary agency for foreign employment services. The contract should include the following information:

- the contract's number, date, and the place of signing**
- the full name of the intermediary, the number and issue date of the license for intermediary foreign employment services, and the address of the intermediary agency**
- information about the client (full name, address, etc)**
- a definition of the subject of the agreement, which is ‘foreign employment services’**
- the place where the labour contract was signed with the employer**
- the rights, duties, and responsibility of the parties**
- the conditions for changing, terminating, and rescinding the contract**
- the procedure for settling arguments**
- a definition of force majeure and the actions of the parties in this case**
- a list of additional services which may be provided by the intermediary for a fee**
- contract time**

Carefully read the contract before signing. You need to understand clearly:

- what services the intermediary agency promises to provide to you
- what will happen if the intermediary agency fails to provide the services mentioned in the contract.

Step 4

You need to know that under the current Ukrainian legislation (paragraph 7.1.5 of the Resolution of the State Committee of Ukraine for Regulatory Policy and Entrepreneurship and the Ministry of Labour and Social Policy # 155/534 of December 19, 2001), *you pay the intermediary* for its services *AFTER signing the contract with your employer*, rather than just a contract with the intermediary agency itself. Thus, demanding advance payment is an explicit violation of the licensing conditions. If this happens, inform the Ministry of Labour and Social Policy by phone (see Step 2) or in writing (*preferably by registered letter*). Please write:

To the Minister of Labour and Social Policy
(Full name of the current minister)
8/10 Esplanadna Street
Kyiv 01001

Please send a copy of your letter:

To the Minister of Internal Affairs of Ukraine
(Full name of the current minister)
10 Akademika Bohomoltsia Street
Kyiv 01024

Alternatively, you can contact a local branch of the Ministry of Labour and Social Policy in the local state administration.

Step 5

Make sure you request *and receive a document which confirms that you have paid money to the intermediary* for foreign employment services. Check whether the name and other details of the intermediary firm/private entrepreneur on the receipt fully match the name and the details of the intermediary with which you signed the contract.

Remember that by accepting any services of the employer or intermediary “on credit”, you risk dragging yourself into debt. You may be forced to work off your debt under unacceptable conditions and without the option of leaving your employer.

Step 6

Before signing the contract, make sure you *familiarize yourself with the rights of employees and migrants in the country of destination*. Most countries have established standards for the minimum wage, maximum working hours, and compensation in case of job-related accidents.