

Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

Country Fiche – Latvia
July 2022

© European Labour Authority, 2022

Reproduction is authorised provided the source is acknowledged.

For any use or reproduction of photos or other material that is not under the copyright of the European Labour Authority, permission must be sought directly from the copyright holders.

Neither the European Labour Authority nor any person acting on behalf of the European Labour Authority is responsible for the use which might be made of the following information.

The present document has been produced by Milieu Consulting SRL and EFTHEIA as author(s). This task has been carried out exclusively by the author(s) in the context of a contract between the European Labour Authority and the author(s), awarded following a tender procedure. The document has been prepared for the European Labour Authority, however, it reflects the views of the author(s) only. The information contained in this report does not reflect the views or the official position of the European Labour Authority.

Information provided in this fiche considers legal and policy developments up to 8 July 2022.

Disclaimer: The information in the present document is provided solely for general guidance purposes about the different national measures, including those, where relevant, implementing Council Directive 2001/55/EC activated by Council Implementing Decision (EU) 2022/382, adopted by the Member States as well as EEA countries in the field of access to labour market and social protection applicable/having impact on the situation of displaced persons from Ukraine. The country fiche has no legal value but is of informative nature only. The information is provided without any guarantees, conditions or warranties as to its completeness or accuracy. ELA accepts no responsibility or liability whatsoever with regard to the information contained in the fiche nor can ELA be held responsible for any use which may be made of the information contained therein.

This information is:

- a) of a general nature only and is not intended to address the specific circumstances of any particular individual or entity;
- b) not necessarily comprehensive, complete, accurate or up to date;
- c) sometimes linked to external sites over which ELA has no control and for which ELA assumes no responsibility;
- d) not professional or legal advice.

For further information please contact the competent national authorities.

Contents

1.0	Legal and institutional framework.....	4
1.1	Legal framework	4
1.1.1	List of the legal framework	4
1.1.2	Beneficiaries (persons covered by temporary protection).....	5
1.2	Institutional framework	7
2.0	Possibility of changing the status.....	8
3.0	Access to labour market (Article 12 of the Temporary Protection Directive).....	9
4.0	Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive).....	11
5.0	Public support instruments	12

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹ and Council Implementing Decision (EU) 2022/382²

The TPD, for general implementation purposes, is implemented by the [Asylum Law](#) (*Patvēruma likums*), Official Gazette No. 2, 5 January 2016. The Law entered into force on 19 January 2016.

The [Law on Support to Ukrainian Civilians](#) (*Ukrainas civiliedzīvotāju atbalsta likums*), Official Gazette No.45A, 4 March 2022, regulates temporary protection of the civil residents of Ukraine within the meaning of the Asylum Law (Art. 1). The Law on Support to Ukrainian Civilians provides for more favourable rights than required by TPD. It contains provisions on social security and welfare benefits. The Law entered into force on 5 March 2022 and was amended already twice through:

- ▶ [Amendments to Law on Support to Ukrainian Civilians](#), Official Gazette No.101B, 26 May 2022,
- ▶ [Amendments to Law on Support to Ukrainian Civilians](#), Official Gazette No.120, 22 June 2022.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

[Immigration Law](#) (*Imigrācijas likums*), Official Gazette No.169, 20 November 2002. The Law entered into force on 1 May 2003.

[Cabinet of Ministers Regulation No.55](#), 'Regulation on employment of foreigners' (*Noteikumi par ārzemnieku nodarbināšanu*), Official Gazette No.31, 12 February 2014. The Law entered into force on 13 February 2014.

[Law on State Social Insurance](#) (*Likums "Par valsts sociālo apdrošināšanu"*), Official Gazette No.274/276. The Law entered into force on 1 January 1998.

[Labour Law](#) (*Darba likums*), Official Gazette No.105, 6 July 2001. It provides for rules on the right to employment as well as on social security benefits. The Law entered into force on 1 June 2002.

[Law on Regulated Professions and recognition of professional qualification](#) (*Likums par reglamentētajām profesijām un profesionālās kvalifikācijas atzīšanu*), Official Gazette No.105, 6 July 2001. The Law entered into force on 20 July 2001.

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[Law on Support of Unemployed and Job-Seekers](#) (*Bezdarbnieku un darba meklētāju atbalsta likums*), Official Gazette No.80, 29 May 2002. The Law entered into force on 1 July 2002.

[Cabinet of Ministers Regulation No. 157](#), 'Regulation on level of knowledge of state language and procedure on inspection of such knowledge' (*Noteikumi par valsts valodas zināšanu apjomu un valsts valodas prasmes pārbaudes kārtību*), Official Gazette No. 50, 11 March 2022. The Law will enter into force on 1 January 2023.

[Law on State Social Insurance](#) (*Likums "Par valsts sociālo apdrošināšanu"*) Official Gazette No.274/276, 21 October 1997. The Law provides for rules on social security benefits. The Law entered into force on 1 January 1998.

[Law on Social Services and Social Assistance](#) (*Sociālo pakalpojumu un sociālās palīdzības likums*), Official Gazette No.168, 19 November 2002. The Law entered into force on 1 January 2003.

[Law on State Social Allowances](#) (*Valsts sociālo pabalstu likums*), Official Gazette No.168, 19 November 2002. The Law entered into force on 1 January 2003.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ Residing in Ukraine ▶ displaced from 24 February 2022 	Yes No condition of displacement after 24 February 2022.
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	Yes No condition of factual residence before 24 February 2022, only fact of being Ukrainian national, third-country national or stateless person with residence rights in Ukraine. Also no condition of displacement after 24 February. The Law on Support to Ukrainian Civilians does not provide a definition of family member. However, as it is <i>lex specialis</i> in relation to Asylum Law, the definition of a family member provided in the Asylum law is applicable. Article 1(5) of the Asylum law provides that a family member can be defined as the spouse of an asylum seeker, refugee or a person who has been granted alternative status or temporary protection, and also the minor child of an asylum seeker, refugee or a person who has been granted alternative status or temporary protection and the spouse of such person, who is not married and is dependent on both or one of the spouses or is adopted.

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	In addition, the father, mother or other adult who in accordance with the laws and regulations of the Republic of Latvia is responsible for the beneficiary of international protection, if the above-mentioned beneficiary of international protection is a minor and not married, provided that such family has already existed in the country of origin, is also considered as a family member.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes No condition of factual residence before 24 February 2022
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes No condition of factual residence before 24 February 2022
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	Yes For stateless persons and beneficiaries of international protection.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes Latvian law does not impose any conditions on when civilians from Ukraine should have arrived in order to qualify for temporary protection.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Office for Citizenship and Migration Affairs	Pilsonības un migrācijas lietu pārvalde	https://www.pmlp.gov.lv/lv
Employment rights	State Employment Agency	Nodarbinātības valsts aģentūra	https://www.nva.gov.lv/lv
Social welfare and social security rights	State Social Insurance Agency (state flat rate benefits, statutory social insurance) Municipalities (social assistance, social services)	Valsts Sociālās apdrošināšanas aģentūra	https://www.vsaa.gov.lv/lv

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

According to Article 2 of the Law on Support to Ukrainian Civilians, the Territorial Civilian temporary Protection Commission coordinates all public and municipal institutions as well as non-governmental organisations with regard to support in all fields of life to civilians from Ukraine. This Commission may decide to establish single contact points in the biggest municipalities. Such single contacts points (centres) are established in Riga and other biggest cities of Latvia.

Those centres provide the following services: application and reception of long-term visa (Office of Citizenship and Migration Affairs), application for minimum subsistence allowance (social service of relevant municipality), job seeking services and registration as a job-seeker (State Employment Services), registration to family doctor/general practitioner (National Health Service), registration at educational establishment - school or kindergarten (relevant municipality) and other services provided by non-governmental organisations (for example, individual needs of transportation, clothes, household goods).

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

The temporary protection status as regulated by the Law on Support to Ukrainian Civilians is more favourable than any other form of protection provided by the Asylum law.

Ukrainians are granted equal rights with regard to access to employment (with the obligation to know Latvian language waived), social benefits, social welfare system, education, temporary shelter and catering, compensation for housing without delay, subject to obligation to apply for long-term visa within 10 days after taking up employment (Law on Support to Ukrainian Civilians). In addition, there are specific social benefits for Ukrainian civilians only. In contrast, an asylum seeker must wait in a refugee centre for several months while authorities adopt positive decision on award of refugee or alternative status, after which person obtain the rights to start (self-) employment under general conditions, including knowledge of Latvian language.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

There is no specific legal regulation envisaging the right of Ukrainian civilians to change status.

At the same time, nothing prevents any Ukrainian civilian from submitting a request for another employment-based residence permit under general legal regulation.

Article 5(1) of the Law on Support to Ukrainian Civilians provides that any Ukrainian civilian who has the right to reside in Latvia, but does not have the right to work (according to the residence permit issued before 24 February 2022), has the right to apply for the temporary protection status of Ukrainian civilian.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

No, there are no relevant measures in place.

³ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Pursuant to Article 13 of the Law on Support to Ukrainian Civilians, Ukrainian civilians have an unrestricted right to employment. This means that, in what concerns employment, they are entitled to the same employment rights as civilians of Latvia under the Labour Law, which, *inter alia*, provides for the prohibition of discrimination on the grounds of national origin and ethnic origin (Article 29 of the Labour Law implementing Directive 2000/43).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

According to general implementation measures, a person who has been awarded a status of a refugee or alternative status is entitled to access to (self-) employment without restrictions (Article 9(5) of Immigration Law). However, such permission is subject to approval by the Office of Citizenship and Migration Affairs (Article 8(4) of Asylum Law). It means that a refugee or person with an alternative status must obtain a work permit for acquiring access to the labour market.

Ukrainian civilians have the right to start (self-) employment at any time, under the condition that they apply for a long-term visa within 10 days after starting the employment relationship. The Office of Citizenship and Migration Affairs then has to issue a long-term visa with unrestricted right to employment within 20 days (Article 13 of Law on Support to Ukrainian Civilians). Those rights seem to go beyond the requirements of Article 12 of the TPD, as it grants the right to employment to Ukrainian civilians even before they are officially provided temporary protection status.

The Law on Support to Ukrainian Civilians also provides a number of more favourable employment rights than under general regulation regarding conditions for employment. First, there are more favourable rights for access to certain professions – in education, sports, health care, psychology, pharmacy. Ukraine civilians with relevant professional education are subject to a less strict procedure of recognition of diplomas.

Second, in general there are very strict requirements in employment regarding knowledge of Latvian language. Factually, a person can access the Latvian labour market only if they know the Latvian language at least at level A according to the Common European Framework. The required level of knowledge of Latvian language depends on the profession (posts). It is regulated in detail by the Cabinet of Ministers No. 157. These strict national language requirements in employment were introduced to mitigate dominance of Russian language introduced during 50 years of Soviet occupation.

With regard to civilians of Ukraine, such strict requirements are waived. Article 16 of Law on Support to Ukrainian Civilians allows employment of Ukrainian civilians without knowledge of Latvian language under condition such lack of knowledge of Latvian language does not create obstacles for the performance of a work (including medical doctors, pharmacists, teachers, taxi drivers - Articles 15 and 16 of Law on Support to Ukrainian Civilians). In practice it means that, for communication, the Russian language is used as a vast majority of residents of both Ukraine and Latvia are fluent in Russian. It also means that Ukrainian civilians do

not have any problems finding work as there is a common language for direct communication and also the Latvian labour market has been experiencing, since years, a serious shortage of a workforce.

II. Recognition of qualifications/diplomas

The recognition of professional qualification/diplomas in Latvia is regulated by the Law on Regulated Professions and Recognition of Professional Qualification. Previously the Law on Support to Ukrainian Civilians provided that for certain regulated professions, the competent institutions in Latvia must evaluate and could waive the obligation to request all documents needed for the purposes of recognition of professional qualification. This exemption was applicable for certain professions such as healthcare staff (Article 14(5)), teachers and sport trainers (Article 15(4)), and pharmacists (Article 17). As from 27 May 2022 this simplified regime for recognition of professional qualifications is applicable to all professions (new Article 13³ of the May Amendments to Law on Support to Ukrainian Civilians).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Ukrainian civilians have the regular right to employment services as provided by Law on Support of Unemployed and Job-Seekers. The Law on Support of Unemployed and Job-Seekers provides the right to following services: job-seeking assistance, including setting up an individual job-seeking plan; vocational training, retraining; involvement in temporary work for the purposes of developing working skills; training at the employer; support for starting entrepreneurship.

Ukrainian civilians are not entitled to any specific support other than the general system. However, Article 7(5) of Law on Support to Ukrainian Civilians provides that, for the purposes of organising active employment measures and preventive measures for the reduction of unemployment, the State Employment Agency may not apply the normal administrative procedures like public procurement and other procedures applicable for choosing a company to provide such services.

So far, no specific measures have been taken by the State Employment Agency, because in practice there is no need for a specific approach as most of Ukrainians are able to find jobs due to the ability to communicate directly with employers and colleagues (in Russian) and due to the shortage of workforce in Latvia. In addition, the social environment in Latvia is similar to that in Ukraine.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

As described in the previous answer, all relevant employment services including training and educational courses are regulated by Law on Support of Unemployed and Job-Seekers. Ukrainian civilians are entitled to equal treatment with regard to all these services.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

N/A

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

As mentioned in the Law on State Social Insurance, the Latvian statutory social insurance system provides insurance against traditional risks – unemployment, sickness, maternity, paternity, parenting, disability, accidents at work, occupational disease, old-age.

Article 7 of the Law on Support to Ukrainian Civilians provides the following additional rights in the field of social welfare: social services, social assistance and other material assistance (ensured by the local government in the administrative territory where the accommodation site or place of residence is), financial assistance (one-time allowance in the amount of EUR 272 for a person of legal age and EUR 190 per child), paid health care services and exemption of co-payment obligation in certain situations, access to medicinal products intended for the treatment of chronic illnesses in a pharmacy on the basis of a prescription written out in Ukraine which remains valid for three years, access to State-paid services for the termination of pregnancy and health care services related thereto under less strict conditions, and the right to receive childbirth allowance if the child was born in Latvia after 24 February 2022 and to childcare benefit and family allowance under certain conditions.

Initially, Law on Support to Ukrainian Civilians envisaged right to housing and daily catering provided by the state for the period of 90 days (Article 12). By Amendments to Law on Support to Ukrainian Civilians adopted on 26 May 2022 this right to daily catering was limited up to maximum of 30 days. Taking into account the difficulties in finding housing and high cost of rental of the housing, starting from 23 June 2022 the provision of housing by the State was extended up to 120 days by the June Amendments to Law on Support to Ukrainian Civilians. Exception to the limited housing period provided by the State does not apply to certain vulnerable groups of persons, for example, persons with disabilities, however, even such groups will be provided housing for no longer than until 31 December 2022.

II. Eligibility conditions

Ukrainian civilians have the same rights to social services and social assistance as specified for citizens of Latvia and non-citizens of Latvia in the Law on Social Services and Social Assistance. Even more – there are extra services, like right to minimum subsistence allowance without assessment of the income for first three months pursuant to May Amendments to Law on Support to Ukrainian Civilians, free of charge regional transport, and free of charge entrance to state museums.

Pursuant to Article 13 of the Law on Support to Ukrainian Civilians, Ukrainian civilians have an unrestricted right to employment. It means that, regarding employment, they are entitled to the same employment rights as civilians of Latvia under the Labour Law. All employed and self-employed persons in Latvia are subject to mandatory statutory social insurance according to the Law on State Social Insurance, irrespective of their status, provided that they have the right to be (self-) employed. It follows that all (self-) employed persons in Latvia, including Ukrainian civilians, are entitled to the same statutory social insurance benefits.

Regarding social security, general eligibility conditions are applicable. Entitlement to some statutory social insurance allowances may be subject to completion of certain period of (self-) employment, i.e., provision of statutory social insurance contributions, for example, for unemployment benefit.

Regarding social welfare, the only eligibility criterion is the status of Ukrainian civilian which may be proved by documents issued by Office of Citizenship and Migration Affairs, either a long-term residence visa (to holder of biometric passports) or a residence permit (to holders of passport without biometric data).

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Regarding social security, Article 7(7) of the Law on Support to Ukrainian Civilians established that, when commencing employment relationship, a Ukrainian civilian has the right to receive a lump sum employment commencement benefit in the amount of one minimum monthly wage EUR 500 which is not taxed. The person shall, within one month from the day of commencement of employment relationship, submit a submission to the State Employment Agency for the receipt of the abovementioned benefit.

The only relevant exception related to access to the social welfare system and employment is the entitlement of Ukrainian civilians to the minimum subsistence allowance without assessment of their means until 31 August 2022 (Article 7(3) of Law on Support to Ukrainian Civilians).

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

There is a [webpage](#) where all the information is available in Ukrainian, Russian, Latvian and English. This webpage automatically opens when a person goes through webpages of national authorities. This webpage provides contacts to public authorities responsible for different issues (immigration, emergency situations, housing, reception) along with contacts of non-governmental organisations also providing different services (transportation between states and cities, household belongings, clothes etc.).

In Riga, the capital city, and in the biggest cities, there are single-point reception centres. Such centres provide the following services: application and reception of long-term visa (Office of Citizenship and Migration Affairs), application for minimum subsistence allowance (social service of relevant municipality), job seeking services and registration as a job-seeker (State Employment Services), registration to family doctor/general practitioner (National Health Service), registration at educational establishment - school or kindergarten (relevant municipality). As from the end of May Riga reception centre organises “[employment markets](#)” where different employers come in person to meet Ukrainian job-seekers. This initiative was started in order to facilitate more efficient access to the labour market for Ukrainian civilians.

The State Employment Agency, on its [webpage](#) for vacancies, has a specific section with vacancies which employers offer to Ukrainians. On 10 May 2022, there were 5.816 vacancies available for Ukrainian civilians on the webpage. As confirmed on the phone by the Head of Statistics and Analytics Unit of the State Employment Agency, this means that the employers for those 5.816 vacancies indicated that they were particularly interested in employing Ukrainian civilians.

There is, overall, a very wide involvement of residents of Latvia in the assistance provided to Ukrainians. There is an initiative to establish (social) mentoring system (locals help Ukrainians with different social issues).

Taking into account the considerable number of pets in Ukraine which might be an obstacle for fleeing, Article 5 of the Law on Support to Ukrainian Civilians allows immigration into Latvia with pets without required documents and vaccines under the condition that all the required vaccines and medical care will be taken care of within five days after arrival. Those veterinary services are paid for by the State.