

# Amendments to the regulations on employment of foreigners and assignment abroad adopted

## Regulatory Alert

August 2018

On 28 June 2018, the National Assembly of the Republic of Serbia adopted the Law on Amendments to the Law on Employment of Foreigners and the Law on Amendments to the Law on Conditions for Assignment of Employees on Temporary Work Abroad and Their Protection, which entered into force on 7 July 2018. The relevant Ministry adopted the Rulebook on Work Permits, which enters into force on 25 August 2018.

*An overview of the most significant changes to the regulations on employment of foreigners is given below:*



### The duration of the labor market test

The labor market test required for the work permit for employment no longer lasts 30 days, but 10 days. The procedure is quicker and may even last less than 10 days, when it is of particular interest to the Republic of Serbia and when internationally accepted obligations so require.

A temporary work permit for employment can be issued exceptionally, for 45 days and without a labor market test when this is of particular interest to the Republic of Serbia and when internationally accepted obligations so require.

The Rulebook on Work Permits specifies that the labor market test can be submitted at the earliest 60 days and at the latest 10 days before issuance of the work permit.

Also, the deadline for the employer to inform the National Employment Service about further steps is shortened from 15 to 3 days from the date of delivery of results of labor market test.

*An overview of the most important changes to the regulations for secondment is given below:*

### A new precondition for secondment abroad

From now on, employers may send abroad only those employees who have been employed for at least three months prior to secondment, except:

- if the secondment is arranged within the scope of main activity registered with the Business Registers Agency, and
- the number of seconded employees does not exceed 20% of the total number of employees.

The limitation does not apply to employees who are seconded based on the international agreement with Germany in connection with the performance of works.

### A less formal procedure

Employers are no longer obliged to inform the relevant Ministry in cases of secondment abroad and to submit a Certificate from the unique database of the Central Social Security Register to change the basis of insurance.

Instead, the Central Social Security Registry is obliged to send monthly, quarterly and annual reports on seconded employees to the relevant Ministry. Therefore, the obligation to report changes in the insurance base in the Central Social Insurance Register remains, with the addition of the secondment country as well as any change of the country. In addition, there are other obligations of the employer from the law (conclusion of annex of employment agreement, etc.), except for the procedure before the Ministry in charge of labor.

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