

Working in Cyprus for third country citizens

Question:

I am a citizen of a third country, I want to get a job in Cyprus. Tell us about the legal responsibility of the employer and the employee in my case. Who is responsible for obtaining a work permit, who is paying taxes, are there salary increments (for Easter, Christmas, etc.), how payment of overtime is regulated.

Response:

It should become clear first that, not all third country nationals are eligible to work in Cyprus. However, for some specific categories of employment you may be eligible. In any case, your employer will need to acquire the permission of the Labour Department in Nicosia– provided that he/she is not already a holder of a general permission to employ third country nationals or has not yet issued a permission to specifically employ you. Moreover, you will need to acquire the permission of the Civil Registry and Migration Department in Nicosia, in order to allow you to be employed, based on the special facts and merits of your case (e.g. maybe you are qualified for that specific position because no Cypriots or Europeans were chosen by the Employer due to the fact that they did not meet the criteria of the position OR because it is a position that does not require special conditions, i.e. porter, carrier, dyer and in general manual works).

Moreover, in regards to your query, it is the obligation of your employer to register you with the Social Securities and pay your social Securities. However, before your registration with the social securities you and your employer shall have the permission of the Labour Department and of the Civil Registry and migration Department at hand. The next step, would be to fill the contracts that the Labour Department sent to your employer (in 4 copies), stamp them at the Labour Office of your District and then register you with the Immigration Office of your District (i.e. as worker, employee, domestic worker, etc.)

In addition, any increments to your salary or any payments of overtime, will depend on the contract that you will sign with your employer. In any case, you are allowed to an annual leave of 20 days in total (if you work 5 days per week) OR 24 days in total (if you work 6 days per week), which is payable by the social insurances provided that you were employed for 48 weeks. You will have to fill an application form which will also be signed by your employer. Also, in case that you have to be absent from your work due to an illness, you are allowed to sickness benefit by the social securities, after the first 9 days of your illness have passed, and in the case that you had an accident or that you spent at least one night at the hospital or at the clinic then your benefit becomes payable 4 days after the disability started. The rate of the sickness benefit will be depended upon your weekly average actual and similar insurable earnings in the relevant contribution year. In order to receive your sickness benefit you must submit an application to the Social Securities office of your district.