

AMURCON 2021
AmurCon 2021: International Scientific Conference**STATE CONTROL MECHANISM OF LABOR MIGRATION ISSUES
IN THE JEWISH AUTONOMOUS REGION**

Ekaterina V. Titova (a)*
*Corresponding author

(a) Sholom-Aleichem Priamursky State University, 70a Shirokaya St., Birobidzhan, Russia,
efimovaekaterina91@yandex.ru

Abstract

The article deals with the peculiarities of the state mechanism of labour migration regulation in the Jewish Autonomous Region. It is pointed out that labour migration is an integral part of regional economic development. The practical relevance of the research is emphasized by the increasing demand of the Jewish Autonomous Region in labour resources, connected with the increase of state projects and projects of individual organizations aimed at changing the economic character of the region. The importance of attracting labour migrants from the widest list of countries, to increase sharing of experience and improve interethnic relations, arrangement of programs for attracting more willing workers and promising employers is focused on. The scientific novelty of the study is supposed to be in finding put the latest methods and state programs aimed at improving the efficiency of the labour migration control mechanism. Every year the number of migrants staying illegally in Russia is increasing. The Russian authorities tend to improve methods of controlling foreign citizens entering the country. It would make it easier but more effective, to control migrants and use it in the patent system, employee-employer relations and simplified tax system.

2357-1330 © 2022 Published by European Publisher.

Keywords: Labour Migration, migrants, migration policy, migration processes

1. Introduction

Labour migration has now become a mass complicated phenomenon everywhere. Many countries in the civilized world are transit places, origin or destinations for migrant workers. The changing numbers of labour migrants in transit countries, origin and destination can have an important impact on the social and economic environment. In destination countries, labour migrants contribute to the rejuvenation of the labour force, enable labour-intensive industries such as agriculture, construction sector and personal services, stimulate business activity, support the functioning of social welfare organizations, and also meet staff gaps. Such a migrant's country of origin benefits from funds transfers sent to their families in the sending states by the workers, as well as investments, technology development and, most importantly, skills acquired by natives of the countries of origin.

In the article, we will dwell on the main state mechanisms regulating labour migration at the regional level, which have a key influence on social and economic processes in the region.

2. Problem Statement

The scientific formulation of the study is to outline the special aspects of state control over migration processes in the context of intensifying globalization to generate and develop the most effective mechanism of redistribution of labour resources.

3. Research Questions

The object of the study is the relationship between the State and the Jewish Autonomous Region, in particular, and labour migrants arriving to carry out activities on the territory of the subject. The subject of the research is the mechanisms of regulating labour relations in the region.

The issues of State regulation and those of improving the regulatory system of labour migration legislation are topical today. So much scientific researches are devoted to them (Balzer, 2017; Bedrina & Lazareva, 2021; Bliakher & Ivanova, 2020; Cieslewska & Biajet, 2020; Grigorichev & Koptseva, 2020; Kempf, 2020; Immigratsiya..., 2021; Usloviya i tsena., 2021).

4. Purpose of the Study

The article aims to denote the specifics of solving the problems of optimizing the mechanisms for regulating labour migration in the Jewish Autonomous Region (JAR). The purpose of the study defines several objectives: to identify controversies in labour legislation relevant to migrant workers in the territory of the JAR; to describe ways and means of solving problems related to labour migration.

5. Research Methods

The paper uses several methodological principles: complex analysis of the elements and relations dealing with migration processes; the principle of systematic analysis of the impact of foreign

labour on the labour market; and making trends and intensity of the reviewed labour migration processes known.

6. Findings

Migrants from thirteen countries work on the territory of JAR. The largest flow of migrants comes to JAR from far-abroad countries: 93.6% of labour migrants are citizens of China - 3,385; DPRK (Democratic People's Republic of Korea) - 82 %, Germany - 10. 5%. 7% of the total number of labour migrants come from neighbouring countries, namely Ukraine, Armenia, Tajikistan, Uzbekistan, Azerbaijan, Kyrgyzstan, Kazakhstan and Moldova (Ofitsialnaya statistika..., 2021).

Every year the interest of wealthy foreign citizens in investment projects in the JAR is increasing. The number of working-age persons in the JAR in 2019 amounted to 93.1 thousand people. Among these, 81.4 thousand are persons of working age who are capable of working. 2.8 thousand are labour migrants from different countries of origin. 8.9 thousand people are working people who are retirement aged but who are still employed (Ofitsialnaya statistika..., 2021).

The migration situation in the labour market in the region is monitored regularly to prevent violations of migrants' labour rights. Measures are taken to prevent the causes and conditions of protest, criminality and asocial behaviour of labour migrants. In 2019-2020 there were no complaints from labour migrants to the Federal Migration Service of Russia in JAR and the State Labour Inspectorate about non-payment, delayed or underpayment of wages, or unjustified dismissal, or dismissal by the administration and job cuts in JAR (Ofitsialnaya statistika..., 2021).

In general, the situation regarding labour migration issues in JAR holds quite steady currently and no global changes are scheduled for the current year.

As for the existing conflicts in the regulatory environment, there is a need to develop legal mechanisms to improve relations between stateless persons and foreign citizens, whose legal status is not defined properly. In the long term, this will reduce illegal migration into the Russian Federation greatly and particularly, into the Jewish Autonomous Region. Thus, it will help to increase the legal labour migrant influx.

According to the statistics for 2019, the number of the labour force employed in the JAR economy was 63.6 thousand, while 29.5 thousand were people not engaged in the economic sector (Ofitsialnaya statistika..., 2021)

According to the statistics, the total number of able-bodied people was 76.9 thousand in JAR in February - April 2021. 72.2 thousand of them were able-bodied people involved in the economic field (Ofitsialnaya statistika..., 2021).

At the beginning of 2021:

- the final employment rate (the proportion of employed people to the total population aged 15 and over) was 46.1 per cent.

- The unemployment rate is 6.1 per cent of the total employed population (Ofitsialnaya statistika..., 2021).

As of 01.06.2021:

- the registered unemployment rate was 2.15 per cent of the total labour force;

- labour market stress index - 0,28 per cent of unemployed citizens registered in the employment centres per one vacancy;

- 8,0 thousand job vacancies were submitted by organizations and businesses to employment centres (Ofitsialnaya statistika..., 2021).

From 18.01.2021 to 17.02.2021 within the implementation of the subprogram 'Increase of mobility of labour resources in the JAR' related to the State program of JAR 'Promotion of population employment and ensuring labour safety' for the period from 2020 to 2025, approved by the Government of JAR from 29.10.2019 № 381-pp the Department of Labor Employment of the Government of the Jewish Autonomous Region (further - Department) will accept sets of documents from potential employers and companies and also branches, representative offices and including other separate subdivisions of companies (except for State (municipal) institutions) which operate in the region (hereinafter referred to as employers), to participate in the competitive selection of prospective employers to be included in the subprograms 'Increasing labour mobility in the JAR' for 2022 (Ob utverzhdenii kontseptsii..., 2021).

Employers who meet the criteria established by law will be allowed to participate in the competitive admission:

- a) The employer must be a legal entity registered in the territory of the Russian Federation;
- b) The employer must have a project on the territory of the JAR, which will require the involvement of labour resources from other constituent entities of the Russian Federation or the involvement of labour migrants in its actualization (hereinafter referred to as the project);
- c) The employer must not be a legal entity registered in a foreign state, nor a legal entity registered in the territory of the Russian Federation, in the charter capital of which there are legal entities of foreign citizenship and also registered in states or territories included in the list of such states approved by the Ministry of Finance of Russia that offer preferential tax treatment and (or) do not provide tax information when making financial transactions (so-called offshore territories) if their participation is above 50 per cent in total;
- d) The potential employer must have tax clearance, tax levies, insurance premiums, penalties, unpaid criminal penalties or interest, which are to be paid according to the current Russian tax legislation;
- e) The employer who wishes to participate in the subprogram must not have debts because of non-payment of wages to the organization employees as of 1 January 2021;
- f) No unfulfilled obligations to pay insurance premiums relating to compulsory social insurance against occupational injuries and occupational diseases, as well as other obligatory payments, established following the legislation of the Russian Federation on mandatory social insurance against occupational injuries and occupational diseases;
- (g) The potential employer must not have proceedings initiated to declare their organization bankrupt (insolvent) (Ob utverzhdenii kontseptsii..., 2021).

To find out sustainable and dynamic elements of the migration law system is relevant in determining the forms of using historical national experience in the improvement of migration legislation. Thus, the need to develop newly joined territories attracted the great attention of pre-revolutionary legislators to the development of economic and other incentives for migrants (Dzhanyzykova, 2021;

Kosmarskaya & Savin, 2021; Nevmerzhitskaya, 2020; Olimov & Olimova, 2019; Semenova et al., 2021; Smetanin, 2020). This experience now needs to be studied and taken into account to strengthen incentives for home landers to repatriate due to the State Program to Assist Voluntary Resettlement to the Russian Federation.

To take part in the subprogram, the following set of documents should be provided: an application for participation in the competitive selection according to the established form; extract of information from the Unified State Register of Legal Entities; the project submitted under the subprogram and its description where the information on the timing and planned implementation stages, as well as its impact on the economy of the JAR, should be reported.

It also includes the information on creating new vacancies for employees and provided living conditions for those working under the project; the certificate signed by the employer and chief accountant confirming no debts on wages, containing the information on the accrued and paid wages for the whole period of the enterprise work; the certificate signed by the employer and chief accountant confirming that the potential employer should not be a legal entity registered in foreign countries, as well as a legal entity registered in the territory of the Russian Federation, in the authorized capital of which there is an interest of legal entities of foreign nationality, as well as those registered in the territory of states or territories included in the list of such states approved by the Russian Ministry of Finance, which provide preferential tax treatment and (or) do not provide tax information for fund transactions (so-called offshore territories), if their participation is more than 50 percent in total; information from the taxation body demonstrating zero outstanding tax liability, tax charges, insurance premiums, penalties, unpaid criminal fines, interest payable according to the current Russian tax legislation; information that proves zero outstanding obligations as defined in paragraph 'f' of the presented criteria (Ob utverzhdenii kontseptsi..., 2021).

To participate in the competitive selection, employers shall submit to the Office the set of documents specified in subparagraphs a, c, d, e of paragraph 10 of this Notice no later than the deadline set in the notification.

The Office is not allowed to request the prospective employer to provide the documents referred to in sub-paragraphs b, f, g, paragraph 10 of this Notice.

The employer may provide these documents to the Office for convenience.

If the employer has not provided the documents referred to in paragraphs 10 (b), (f), (g) of this Notice to participate in the competitive selection of the subprogram, the Office prepares a request for the provision of supporting information to the relevant public authorities and authorities of the state extra-budgetary funds as interagency cooperation.

The employer is allowed to withdraw the application for participation in the competitive selection stage before the deadline specified in the notification. The documents submitted by the employer are returned according to a written application. The term for the return of documents is 10 working days.

The winners of the competitive selection are entitled to cover some costs moved to employ workers for the project specified in the application from other constituent entities of the Russian Federation.

Compensation of some costs per employee recruited is 1,000 roubles.

The funds are given to the participants of the subprogram that have passed the selection procedure for the compensation of the following labour resources and their further employment (hereinafter referred to as 'involved workers') and the provision of the conditions of their accommodation:

- the overall cost of travel expenses, as well as the cost of his/her family members to the place of work;
- costs of invited workers for the whole period of their travel to the place of work;
- payment of additional costs required for the stay of the declared employee away from the place of residence (daily subsistence);
- provision of housing in the territory of the JAR, including rent of housing, lease of housing, purchase of housing, provision of a part of the first payment or its full amount for mortgage housing loans;
- granting a lump-sum payment to an involved employee to prepare for living in a new place;
- payment for the cost of vocational training or retraining, as well as travel to and from the place of study, including accommodation for the whole period of training;
- improvement of housing conditions of an invited worker;
- other payments, including compensation provided by the employer to the invited worker, if such payments are provided by the employment contract (Ob utverzhdanii kontseptsii..., 2021).

7. Conclusion

The study concludes that labour migration has a significant impact on the socio-economic development of the Jewish Autonomous Region. The present-day situation requires a clear migration strategy both at the level of the country and the region in particular. It is also necessary to develop a well-functioning system for managing migration processes. One of the foreseeable ways to improve the mechanisms for regulating labour migration could be to adjust the budget in advance, taking into account the socio-economic results of migration processes.

Based on the above, the following conclusions can be made:

1. Migration flows, while reducing their number, influence the future of the labour market both in the country and in the territory of JAR nowadays.
2. Migration processes affect the social and economic institutions of the region to different extents, and also affect certain layers of the social infrastructure of the region.
- 3 The mechanism for managing migration processes today reduces to registering migrants arriving in the region and adopting restrictive laws and regulations. However, the consequences of different types of migration are not taken into account in the long term.

Different state control mechanisms are used to reduce the negative effects and increase the positive ones, generated by labour migration in the region. Errors in choosing the direction of migration policy will eventually result in adverse consequences, which is a growing inflow of irregular migrants and subsequently, a decrease in the economic activity of labour migrants who are forced to return to their countries of origin. In this context, the ineffectiveness of policy and repressive measures is particularly

evident, while the need for coordinated interactions with national communities and individual migrant communities by the State and Government in the region is evident.

Acknowledgments

This study was carried out with funding from the Council for Awards of the President of the Russian Federation for the State support of young Russian scholars and leading scientific schools of the Russian Federation, Project No. MK-3204.2021.2.

References

- Balzer, M. M. (2017). Editor's Introduction: Migrants, Urbanization, and Diaspora. *Anthropology & Archeology of Eurasia*, 56(3-4), 187-193. <https://doi.org/10.1080/10611959.2017.1465311>
- Bedrina, E. B., & Lazareva, E. V. (2021). Adaptation and Integration of Labour Migrants from Central Asia in Russia and Countries of European Union: Comparative Analysis. *Economy of region*, 17(1), 170-181. <https://doi.org/10.17059/ekon.reg.2021-1-13>
- Bliakher, L. E., & Ivanova, A. P. (2020). Protochnaya obshchnost', ili Pochemu v Habarovskom krae ne govoryat «o migrantah» [Flow community, or why nobody speaks "about migrants" in the Khabarovsk Krai]. *J. Sib. Fed. Univ. Humanit. Soc. Sci.*, 13(5), 639-649. <https://doi.org/10.17516/1997-1370-0595>
- Cieslewska, A., & Biajet, Z. (2020). Dyhovnaya indystriya migrantov iz Centralnoy Azii v Moskve [The spiritual industry of central Asian migrants in Moscow]. *Laboratorium: journal of social research*, 1, 106-126.
- Dzhanyzykova, S. D. (2021). "Predpochitayu rabotat' na sebya": predprinimatel'stvo migrantov iz Tsentral'noy Azii v sibirskom gorode (na primere Tomsk) ["I prefer to work for myself": entrepreneurship of migrants from Central Asia in a Siberian city (exemplified by Tomsk)]. *Bulletin of Archaeology, Anthropology and Ethnography*, 1(52), 188-195. <https://doi.org/10.20874/2071-0437-2021-52-1-18>
- Grigorichev, K. V., & Koptseva, N. P. (2020). Host society and migrants: searching for the languages of mutual description. *J. Sib. Fed. Univ. Humanit. Soc. Sci.*, 13(5), 612-622. <https://doi.org/10.17516/1997-1370-0593>
- Immigratsiya v Rossiyu: blago ili vred dlya strany? VTSIOM [Immigration to Russia: benefit or harm for the country?]. (2021). <http://wciom.ru/index.php?id=236&uid=114322>
- Kempf, F. (2020). School choice and the children of migrants: unveiling everyday migrantophobia in moscow. *Laboratorium: journal of social research*, 1, 127-151.
- Kosmarskaya, N. P., & Savin, I. C. (2021). Otnosheniye moskvichey k migrantam skvoz' prizmu kontaktnoy gipotezy [The attitude of Moscow citizens to migrants through the prism of the contact hypothesis]. *Ethnographic Review*, 1, 94-111. <https://doi.org/10.31857/S086954150013600-0>
- Nevmerzhitskaya, M. N. (2020). Ponyatiye trudovoy migratsii, vidy, prichiny, printsipy pravovogo regulirovaniya trudovoy migratsii v Rossiyskoy Federatsii [The Concept of Labour Migration, Types, Reasons, Principles of Legal Regulation of Labour Migration in the Russian Federation]. *Issues of Humanity Sciences*, 2(107), 67-68.
- Ob utverzhdenii kontseptsii upravleniya migratsionnymi potokami v Yevreyskoy avtonomnoy oblasti do 2025 goda: postanovleniye Pravitel'stva Yevreyskoy avtonomnoy oblasti ot 24 sentyabrya 2013 g. № 461-pp. [On Approval of the Concept of Migration Flows Management in the Jewish Autonomous Region until 2025: Decree of the Government of the Jewish Autonomous Region from September 24, 2013, No. 461-pp]. <https://docs.cntd.ru/document/441649532>
- Ofitsialnaya statistika o migratsii naseleniya v YEAO: sayt Upravleniya Federal'noy sluzhby gosudarstvennoy statistiki po Khabarovskomu krayu, Magadanskoy oblasti, Yevreyskoy avtonomnoy oblasti i Chukotskomu avtonomnomu okrugu [Official statistics of migration in

JAR]: website of the Department of the Federal State Statistics Service in Khabarovsk Region, Magadan Region, Jewish Autonomous Region and Chukotka Autonomous District. <https://habstat.gks.ru/folder/25658>

- Olimov, M. A., & Olimova, S. K. (2019). Transformatsiya identichnosti v migratsii: etnichnost' i religiya (na primere tadjikskoy trudovoy migratsii v Rossii) [Identity Transformation in Migration: Ethnicity and Religion (on the Example of Tajik Labour Migration in Russia)]. *Bulletin of Tomsk State University. History*, 59, 158-166. <https://doi.org/10.17223/19988613/59/21>
- Semenova, Yu. E., Ostrovskaya, E. N., & Panova A. Yu. (2021). Economic Security and Problems of Labor Migration. *Components of Scientific and Technological Progress*, 5(59), 12-15.
- Smetanin, F. A. (2020). Musul'manskiye soobshchestva i diaspory kak faktor integratsii migrantov (primer Tomsk) [Muslim communities and diasporas as a factor of migrants' integration (Tomsk case study)]. *Bulletin of Tomsk State University*, 461, 161-165. <https://doi.org/10.17223/15617793/461/19>
- Usloviya i tsena integratsii migrantov [Conditions and price of integration of migrants]. (2021). <http://fom.ru/Obraz-zhizni/10465>