



AD HOC QUERY ON 2019.55 Immigration for employment

Requested by Athena BALOPOULOU on 15 May 2019

Compilation produced on 25 September 2019

Responses from Austria, Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovakia, Sweden, United Kingdom (22 in Total)

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1. Background information

Greece faces sectoral labour shortages in the primary sector (Agriculture – Livestock – Fishery), Care services and Tourism, which are depicted in the requests by the employers for workers from countries outside European Union.

In order to deal with these shortages and to define the needs of Greek labour market for foreign workers, a consultation that is taking place for two years between the main labour market stakeholders, which includes employers, the public authorities in central or regional level (Public Employment Services/Greek Manpower Organization, Regional Authorities) and advisory committees such as the Economic and Social Committee.

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The goal of this process is to reach a commonly accepted catalogue, which contains the number of foreign workers and their specialties needed, taking into account the following criteria:

The interest of the national economy, the feasibility of employment, the national labour offer, European citizens or legally residing third country nationals by specialty and the unemployment rates by sector of employment.

The result of this process is a Joint Ministerial Decision that is been issued every second year in order to determine the maximum number of vacancies for foreign workers and their specialties in regional level for the next two years.

The Ministry of Labour would like to explore other existing immigration systems for work in order to improve and / or amend Greek legislation.

2. Questions

1. Please describe briefly your system for immigration for employment.

2. How are determined the employers' needs for third-country workers?

3. What are the main categories of residence permits for work?

4. What are the conditions and procedures for the entry and residence of immigrants in the country for a period of more than 90 days for employment apart from those under EU legislation (temporary work or permanent / long-term work)?

We would very much appreciate your responses by **5 June 2019**.

3. Responses



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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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		Dissemination ²	
	EMN NCP Austria	No	
	EMN NCP Belgium	Yes	<p>1. Employment and economic migration are regional competences in the federal state of Belgium. The regions Flanders, Wallonia and Brussels Capital Region each established their own employment services (since 1989) and developed their own labour migration policies (since 2014). In principle, a third country national is only allowed to work in Belgium when a labour market test indicates that no suitable candidate could be found on the EEA within a reasonable term. Labour migration in Belgium is employer- and demand-driven. The traditional way of identifying labour demand is to apply the "community preference rule": when a specific vacancy for a specific employer cannot be filled within a reasonable term by a suitable candidate in Belgium or the EEA, an employer can be granted authorisation to employ a third country national. An additional condition is that there must be a bilateral agreement with the country of origin, and that in principle the foreign employee must still be abroad when the employer applies for the work permit. For such applications, a labour market test is done. Labour market tests are undertaken by the regional public employment agencies (of Flanders, Wallonia and Brussels Capital Region). The number of work permits granted based on a labour market test is very low and is deemed the exception in practice. However, various categories of workers are exempt from a labour market test, for example researchers, highly qualified workers and technical experts. Employers can also employ long-term residents from other EU states if the job is listed as a shortage occupation. In addition to the demand mechanism, there is a shortage mechanism. Each region composes its own bottleneck jobs, but these lists used by the regional</p>

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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			<p>employment agencies are not used for the purpose of labour migration. The Flemish government has however recently published a shortage occupation list for third country nationals containing also a number of medium-skilled profiles, mainly in the construction, transportation, healthcare and food sectors. For these specific functions, Flemish employers can recruit third country nationals by submitting a simple request for a single permit, irrespective of the labour market conditions (https://www.agoria.be/nl/Vlaamse-Regering-legt-knelpuntheroepenlijst-vast-voor-economische-migratie). The Flemish shortage occupation list for economic migration is based on a more extensive shortage occupation list composed by the employment service VDAB. Every two years, after consulting the advisory commission of the social and economic council SERV, the Flemish government will determine which profiles on the extensive VDAB list are eligible. In the Brussels Capital and Walloon regions modifications concerning labour migration policy are being made in the first part of 2019.</p> <p>2. See answer to question 1.</p> <p>3. Either a temporary residence ("A-card") or permanent residence ("B-card") is issued. Residence permits issued starting from 3 January 2019 will contain information on the access to the labour market: 'limited', 'unlimited', or 'no' access. Third country nationals who intend to come to Belgium to work for more than 90 days, in principle need to apply for a single (work and residence) permit via their employer in the competent Region. In case the work permit and the residence permit are approved (respectively by the Region and the Immigration Office) the third country national receives one single work and residence permit. The single permit replaces the former (separate) work permits. At this moment, however, certain professional categories are still receiving a work permit pending the transposition of relevant EU Directives into national legislation.</p> <p>4. Since January 2019, the employer and foreign national can submit an application for a single permit for work and residence to the competent region. The region assesses if the applicant fulfils the labour criteria set out at the regional level (also see above). Subsequently, the federal Immigration Office checks the applicant's travel documents, resources, extract from the judicial record, medical certificate, health insurance and fee payment. In case of a positive decision, the municipality issues a temporary document to the third country national already staying in Belgium. The third country national staying abroad receives a long-term visa (type D) mentioning the single permit to travel to</p>
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			<p>Belgium. In the next phase, the foreign national receives a temporary residence permit (“A-card”) with limited access to the labour market. Through his employer, he can apply for a renewal of his authorisation to stay and/or to work. After five years, he can obtain a permanent residence permit (“B-card”) with unlimited access to the labour market.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. According to the Foreigners Act, a quota system regarding the employment of third country nationals in the Republic of Croatia is in place. The Government of the Republic of Croatia sets (by a number) the annual quota for the employment of foreigners, for extension of the already issued work permits within quota and for new employment, for each year, in line with the labour market situation. The Decision on the quota for the following year is delivered no later than 31 October of the current year. Several authorities are involved in the process of determining the annual quota. Ministry responsible for labour affairs makes a proposal for the annual quota for employment of foreigners on the basis of the opinion of Croatian Employment Institute, Croatian Chamber of Economy, Croatian Chamber of Crafts and representatives of social partners, and is determined in accordance with the migration policy and taking into account conditions on the labour market. Within the annual quota, activities and professions where employment is to be permitted and the number of work permits for each of these activities are determined. With this Decision, a quota for seasonal employment can also be determined, as well as quota for ICTs. 2. As stated in the answer on the 1st question, Croatian Chamber of Economy and Croatian Chamber of Crafts are involved in the process of determining the annual quota. 3. In the Republic of Croatia, a third-country national can work on the basis of a permit for work and stay (within the annual quota and out of the annual quota). 4. As already stated in the answer 3., a third-country national in the Republic of Croatia can work on the basis of the permit for work and stay within the annual quota and out of the annual quota. The application for a permit for work and stay within the annual quota shall be accompanied by: a work contract, ie a written confirmation of a concluded employment contract or appropriate proof of work,

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			<p>proof of acquired qualification and proficiency, proof of registration of a company, branch office, representation, craft, association or institution in the Republic of Croatia, proof of justification of the purpose of temporary residence (a work contract), a valid travel document and means of support, in accordance with Articles 54 and 75 of the Aliens Act. Permit for work and stay out of the annual quota can be issued for example to foreigners performing key business in companies, branch offices and representations, etc. Permit for work and stay is issued to a third-country national for the time it takes to carry out a job, ie for the period for which the employment contract or other appropriate contract was concluded, and for a maximum of 1 year.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. In the case when a third country national wishes to apply for a short – term visa, then he/she has to submit the following documents at the Civil Registry and Migration Department so that the visa can be issued. The required documents are the following: • Copy of the passport • Clear criminal record certificate • Blood analysis • Sufficient knowledge of the Greek or English Language • Work experience of at least one year It is noted that all the accompanying public documents issued in other states, must be duly certified, pursuant to the Law ratifying the Convention on the abolishing the requirement of legislation for Foreign Public Documents of 1972 (Apostille stamp). If the accompanying documents are issued by authorities of other states which have not ratified the Convention on the abolishing the requirement of legalization for Foreign Public Documents concluded in Hague on 5.10.1961 (Apostille), they should bear diplomatic ratification. The diplomatic ratification is done through one of the following ways: stamping the document by the Ministry of Foreign Affairs of the issuing country followed by a certification by the consular authority of the Republic of Cyprus in that country. In the case where the third country national will be employed as domestic worker in Cyprus, then the application for issuing the entry visa and temporary residence and employment permit, should be submitted by the employer. However, if the third country national will apply for general employment and residence permit, then the application should be submitted along with the contract of employment certified by the Department of Labour of the Ministry of Employment and Social Insurances, which is the competent Department for securing that there are no Cypriots or citizens of Member States of the European Union, available or adequately qualified for the specific job or post prior to recommending the employment of third country nationals.</p>

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			<p>2. The Department of Labour (under the Ministry of Labour, Welfare and Social Insurance of the Republic of Cyprus) is responsible for setting a policy for the employment of third country workers and granting authorizations to employers or businesses for foreign employment from third countries. The Department takes into consideration the anticipated labour demand based on development priorities and the ability to cover it from the domestic labour supply as well as from the wider EU labour market.</p> <p>3. The main categories are: domestic works and general employment</p> <p>4. On 29.11.2006, the Council of Ministers, established the policy for issuing and renewing residence and employment permits for personnel from third countries who are employed in companies of foreign interests that are registered in the Republic. This Decision allowed the entry and employment of third country nationals in such companies under more favourable terms, with the main objective of attracting foreign investment. Subsequently, on 24.9.2008, the above Decision of the Council of Ministers was revised, in order to extend its application to Cyprus shipping companies. The latest revision of this policy took place on 24.4.2013. This review extended the conditional application of the policy to companies whose third country shareholders had acquired Cypriot citizenship by naturalization, based on economic criteria. The Decision of the Council of Ministers set out the criteria that companies must meet in order to benefit from this policy, the categories of staff and the maximum numbers of third country nationals who can be employed in each category of staff. These are described in the following paragraphs. Eligible Companies In order for companies of foreign interest, including former offshore companies and Cyprus shipping companies, to employ third country nationals in Cyprus, the following must apply: Their third country shareholders should own the majority of the company's shares. The following cases are excluded: Public companies registered in any recognized stock exchange Former offshore companies that were operating in Cyprus by approval of the Cyprus Central Bank, before the change of the offshore status. If the percentage of foreign participation in the company's share capital is equal to or less than 50% of the total share capital, in order for the company to be considered as suitable, the foreign participation should represent an amount equal to or greater than the amount of € 171.000. In the case where companies are the shareholders, their final owners (natural persons who are the ultimate beneficial owners) should be declared, in order to receive the approval of the Civil Registry and Migration Department. A foreign</p>
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			<p>requests must include information on the salary offered as well as: The company's turnover The ratio of third country employees to Cypriots / EU Nationals and The company's operating time in Cyprus. It is stressed that the requests should only concern specific persons whose employment is considered necessary by the company. General requests on the matter cannot be considered. Entering the Republic of Cyprus Third country nationals can enter the Republic for the purpose of employment at company of foreign interests either by obtaining: an entry permit from the Civil Registry and Migration Department (see steps above for application submission), or a visa from the Consular Authorities of the Republic abroad. Find the Consular Authorities of the Republic abroad click here. Required Actions After Arrival Within seven (7) days after the arrival of the third-country national in Cyprus, he/ she must apply to the Civil Registry and Migration Department, to register in the Aliens' Register, according to the Aliens and Immigration Regulations as amended to date. Moreover, he/ she must, within the aforementioned period, apply to the Department for a temporary residence and employment permit, according to the legislation in force. The residence permit issued in a card form. Validity of Temporary Residence and Employment Permit Where the conditions foreseen in the law are met, the third country national is granted a temporary residence and employment permit. The validity of the permit depends on the duration of the employment contract and can be up to two (2) years, with a right of renewal. Directors, Middle management executives and other key personnel may reside in the Republic without a time limit, provided they hold a valid temporary residence and employment permit. For support staff, the restrictions applicable to the general employment of third country nationals in the Republic apply. (see Q1)</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. • The Czech Republic has a demand-driven system of labour migration in which the inflow of third-country nationals addresses shortages in the labour market. • Labour market test is generally applied to all job vacancies which employers are willing to fill with third-country nationals. • Many categories of migrants are given free access to the labour market, especially family members of labour migrants reunified according to the Directive 2003/86/EC and students who complete their studies at Czech high schools and universities. • Long-term visas and residence permits are granted only for the purpose of employment, not for the purpose of job-searching (except residence permits granted after the completion of research or studies according to the Directive</p>

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			<p>2016/801/EU).• For the sake of protection of labour migrants, visas/residence permits can be granted only if</p> <ul style="list-style-type: none"> o the job-offer meets the salary threshold (minimum wage in the Czech Republic) o an applicant has a suitable accommodation in the Czech Republic (which does not need to be provided by his/her employer) o the employer is not “unreliable” (according to the definition included in the Foreigner Residence Act), e.g. does not have a history of illegal employment, does not fail to meet the duty to register employees for social and health insurance etc.) <p>• The Czech Republic is going to introduce quotas on the intake of applications for Single Permits at the embassies in the selected third countries (mainly countries whose citizens do not have a visa-free access to the EU) in the second half of 2019. Quotas are going to be broken down by qualification requirements: separate sub-quotas will be set for (a) highly qualified workers, (b) medium and low qualified workers and (c) unqualified workers. No sectoral quotas will be applied, all economic sectors will be treated equally.</p> <p>• From 2021, labour migrants who will be granted repeatedly extendable residence permits (allowing potential settlement in the future) will be required to attend a one-day-long integration course in the local Centre for Support of Integration of Foreigners.</p> <p>2. • Every employer willing to hire a third-country national is obliged to report a job vacancy to the Labour Office of the Czech Republic. Vacancies are statistically analysed. • The government and its ministries lead the dialogue with social partners (the chambers and associations of employers from various sectors of national economy and trade unions) which help to identify actual and future shortages.</p> <p>3. • Employee Card = repeatedly extendable long-time residence permit which is predominantly issued as a Single Permit (Directive 2011/98/EU) but also as a national permit for certain specific categories of workers: migrants with free access to the labour market, posted workers, asylum applicants after 6 months of stay etc. • Blue Card = repeatedly extendable long-time residence permit for highly qualified workers issued according to the Directive 2009/50/EC. • Intra-Corporate Transferee Card = long-time residence permit issued according to the Directive 2014/66/EU not extendable over 3 years (1 year in the case of a trainee)& European Union Member-State Intra-Corporate Transferee Card = long-time residence permit for intra-corporate transferees exercising intra-EU mobility according to the Directive 2014/66/EU • Long-term Visa for the Purpose of Seasonal Work = non-extendable visa issued according to the Directive 2014/36/EU • National “extraordinary” long-term employment visa is going to be introduced in the second</p>
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			<p>half of 2019. This type of visa is going to be non-extendable and the maximum period of its validity will be 1 year. Unlike other “ordinary” visa and residence permits which are granted continuously, this “extraordinary” visa is going to be granted only if the government issues a regulation activating this procedure for a limited period of time. The government will issue the regulation in the cases when certain sectors of economy suffer from a critical lack of workers and it is in the interest of the state to address the problem. (For instance, the forestry sector currently needs extra workers for logging in order to mitigate the impacts of infestation of Czech national forest with bark beetle). The governmental regulation will set the quota and the list of shortage occupations.</p> <p>4. More than 90 % of labour migrants coming to the Czech Republic are granted Single Permits and therefore they are undergoing the following procedure:1. An employer willing to hire a third-country national is obliged to report a job vacancy to the Labour Office of the Czech Republic2. The labour market test is conducted.3. The Labour Office of the Czech Republic posts a job vacancy in a special public online database (pool) and thus makes it available to third-country nationals.4. A third-country national may apply for an Employee Card (Single Permit) at the embassy of the Czech Republic (in his/her country of origin or in another country depending on the nationality of an applicant). Each application has to be matched with a single job vacancy. Applicants are required to submit a labour contract, documents proving education/qualification required for the job, the housing contract and extract from the Penal Register. Applicants submit their applications in person, after their previous obligatory online registration. In the following administrative procedure, an applicant may be legally represented by a third party on the basis of his/her power of attorney. In certain countries where embassies are chronically overloaded, applicants may be given preferential access to the embassy if their employer participates in a governmental immigration programme. Participating employers are required to meet criteria including for example: at least two-years-long history of registered business, certain number of created job vacancies, no tax arrears or arrears in insurance premium for social security and medical insurance, no recent history of fines imposed for serious misdemeanours (e.g. Labour Code violations) etc.5. Applications submitted at embassies are processed in the territory of the Czech Republic by the Ministry of the Interior. In the course of the administrative procedure, the Ministry examines the documents submitted by the applicants, exercises security checks, assesses “reliability” of the employer and subsequently issues a positive or a negative decision (within 60 days from the date the application was submitted). 6. If the application is approved, the embassy informs an applicant and grants him/her a 2-months visa which</p>
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			<p>allows him/her to enter the Czech territory and stay here until he/she subsequently collects the Single Permits' biometric card (which is always manufactured after migrant's arrival to the Czech Republic). If the application is rejected, an applicant may appeal to the "Commission for Decision-making in Matters of Residence of Foreigners".</p>
	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. Estonia's labour migration policy is based on the principles of demand and protection of the local labour market. Employment of those third-country nationals, whose skills and knowledge will contribute to the development of Estonian economy, science, education and culture is facilitated. It is possible to work in Estonia on the following bases: • temporary - without any registration up to 5 day within 30 days period - legal bases for arrive and stay is required;• short-term-employment (up to 365 days within 455 days period) – legal base for arrive and stay and registration of employment in the Police - and Border Guard is required;• employment by residence permit. The Aliens Act (https://www.riigiteataja.ee/en/eli/ee/529032019002/consolide/current) regulates the bases for the entry of TCNs into Estonia, their temporary stay, residence and employment in Estonia. Estonian residence permit gives automatically right for employment and there are no need for a work permit as such. The employer required to register the persons employed by in the employment register online before starting the work. Residence permit for employment may be issued to a TCN for employment with an employer registered in Estonia in a place of employment, filling of which with a TCN has been permitted by the Estonian Unemployment Insurance Fund (see also response to the question 2) .There are various exceptions when there is no need to apply for the permission of the Estonian Unemployment Insurance Fund for employing a TCN (experts, top-specialist, family migration, performing directing or supervisory functions of a legal person, employment by short-term registration. In Estonia there is a set immigration quota (regulates for first time residence permits for employment and entrepreneurship), which limits the number of TCNs who can settle in Estonia, which is 0.1 per cent of the permanent population of Estonia annually. There are various exceptions made from the quota, e.g. top specialists, family migration, students and researchers, IT specialist, start-ups', renewal of residence permits, short-term-employment etc. Additionally, there is a general requirement stipulated in the Aliens Act, which obliges the employers to pay TCNs a salary that is at least equal to the annual average wage in Estonia published by Statistics Estonia or in case of top</p>


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	<p>EMN NCP Finland</p>	<p>Yes</p>	<p>1. A foreign national in Finland who wishes to be employed requires a residence permit, which is applied for before arriving in Finland through a Finnish Embassy abroad. Private entrepreneurship or practicing a profession in Finland requires a separate residence permit intended for entrepreneurs.</p> <p>2. Finland does not apply quotas or a points-based system to labour migration. Instead, Finland applies the determination of the availability of labour when issuing a residence permit for an employed person. However, the proportion of labour subject to the determination of the availability of labour is relatively low and the majority of labour uses other channels than applying for a residence permit for an employed person. Several categories e.g. specialists, Blue Card and Other work do not require the determination of availability (require a partial decision). The determination of the availability of labour takes into account the regional work permit policies prepared by the Centres for Economic Development, Transport and the Environment on the basis of multifaceted materials. Labour market organisations and several other cooperation partners participate in this preparation. Cooperation with labour market organisations is based on legislation. The work permit policies include a list of professional fields in which labour availability has declined. To these fields, labour can generally be hired from outside the EU/EEA.</p> <p>3. Self-employment Work requiring a partial decision Scientific research Internship Sports and coaching Specialist Other work Specialist, Blue Card Seasonal work Seasonal work requiring a partial decision Intra-corporate transfer Mobile intra-corporate transfer Start-up entrepreneur Volunteering</p> <p>4. The applicant has to fulfil the general requirements for being granted a residence permit as well as to have an employment contract that fulfils the conditions of the collective agreements (e.g. salary) in the particular sector. The residence permit for an employed person is a residence permit issued on the grounds of employment, which entitles the holder to work in the field stated in the permit or, alternatively, for a certain employer. The permit must be applied for when employment is not possible on the basis of another residence permit. A residence permit for an employed person is subject to two-phase consideration: 1. First, the Employment and Economic Development Office considers the employment and subsistence requirements of the permit in its preliminary decision, in other words, makes a judgment concerning employment and subsistence. 2. Thereafter, the Finnish Immigration Service issues the first residence permit for an employed person, unless there are statutory reasons</p>
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			<p>for not issuing the permit. In 2018, five new residence permit categories on the grounds of employment were instated in Finland: self-employment, start-up entrepreneur, seasonal work, seasonal work requiring a partial decision and intra-corporate transfer. The categories of seasonal work and intra-corporate transfer are based on EU Directives. The previous category of residence permit for a self-employed person is substituted by the categories of self-employment and start-up entrepreneur. In order to be granted a residence permit for a start-up entrepreneur, the applicant has to prove that the business model of the company has the potential for rapid international growth. Before applying for the residence permit, the applicant needs to get an assessment of the business model from Business Finland. In addition to a residence permit for an employed person, a foreign national can work in Finland on another residence permit issued on the grounds of employment, for example, as a specialist, researcher, trainee, etc. In cases like this, the application decision is made by the Finnish Immigration Service without a preliminary decision by the Employment and Economic Development Office and labour policy-based consideration.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. The underlying principle is to assess the employment situation in France before allowing the recruitment of a third-country worker, by analysing the labour market situation of the activity sector/for the job in question. Thus, in order to work in France, a third-country national must apply in advance for a work permit and/or residence permit, depending on his/her professional situation. The third-country national will be granted a residence permit if he/she can fulfil the criteria related to the employment conditions of the sector of employment, his/her professional experience and academic formation, the sustainability of his/her economic project, etc. These criteria depend on the TCN's job category. However, some TCNs are exempted from this procedure as they can provide specific skills or talents that contribute to the French economic development. 2. In order to identify and address labour shortage, a list of occupations facing recruitment difficulties was jointly elaborated by the Ministry of the Interior and the agency for employment in France ("Pôle Emploi") and set by Decree of 10 January 2008; it provides a regional mapping of the occupations opened to third-country nationals. In total, 30 jobs are identified, including 6 facing labour shortage across the entire national territory. The employment situation in France is not applicable to prevent


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			<p>companies from recruiting TCNs for these jobs. However, this list has not been updated since 2008 and does not take into account the evolution of some activity sectors. Furthermore, some bilateral agreements on migration management signed between France and countries of origins have set up complementary lists of shortage occupations which TCNs from these countries can apply to. Finally, the Ministry of the Interior concluded agreements with economic players from different activity sectors to facilitate the recruitment of foreign labour, depending on the needs of these companies. They agree to recruit TCNs following the Republican Integration Contract (“Contrat d’Intégration Républicaines”, CIR), providing a language and civic training, with a module aimed at facilitating professional integration, to the TNCs admitted for first-time residence in France.</p> <p>3. The main categories of residence permits issued for economic activities are: -The residence permits authorizing salaried activity, delivered to: <ul style="list-style-type: none"> o Third-country nationals employees with a permanent employment contract (residence permit with the mention “employee”); o Third-country nationals employees with a temporary employment contract or seconded through a provision of service (residence permit with the mention “temporary worker”); o Third-country nationals who want to want to create or participate in a commercial, industrial, artisanal or agricultural activity or work in a liberal / independent activity in France (residence permit with the mention “entrepreneur/liberal profession”). - The residence permit with the mention “internal transfer ICT”, valid for 3 years, and delivered to the employees sent to France to undertake a temporary assignment under an intra-company transfer. <ul style="list-style-type: none"> - The multiannual residence permit “talent passport”, valid for 4 years, and delivered to: <ul style="list-style-type: none"> o Young qualified employees; o Employees recruited in an innovative business venture; o Highly-qualified employees (EU Blue card); o Employees on a mission in a company in France belonging to the same group as their employer – ICT transfer; o Researchers; o Entrepreneurs; o Innovative entrepreneurs; o Investors; o Corporate officers; o Artists; o People with a national or an international reputation in the domains of science, literature, the arts, academia, education or sports. The “talent passport” residence permit will bear the mention corresponding to the situation of the third-country national. <ul style="list-style-type: none"> - The multiannual residence permit with the mention “seasonal workers”, valid for a maximum of 3 years and which limits the period of employment to 6 months per year. <p>4. The procedure is the same for any TCN with salaried activity, and whose recruitment is conditioned by the deliverance of a work permit and the labour market situation in France. At least 3 months</p> </p>
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			<p>before their arrival, their employers must submit an application for a work permit to the local employment entity, the DIRECCTE. The employer must provide a work contract and evidence of research to find a national / EU candidate in the national labour market. Once the work permit is granted, TCNs submit an application for a long-stay visa equating to a residence permit ("Visa de long séjour valant titre de séjour" - VLS/TS), valid for a year, to the French consulate in their country of origin. The candidates must provide their work permit, work contract, evidence of housing, etc. After their arrival in France, TCNs must validate their VLS/TS online and go the French Office of Immigration and Integration to undergo a medical evaluation and a welcome interview. By the end of the first year on French soil, TCNs may apply for a four-year multiannual residence permit bearing the same mention the VLS/TS did. In order to obtain this permit, they must provide evidence of attendance to the trainings of the Republican Integration Contract, compliance with the values of French society and the Republic, and keep fulfilling the conditions for the temporary residence permit bearing the mention of the VLS/TS Concerning TCNs who can apply for a residence permit for work purpose without having a work permit, and whose recruitment is not conditioned by the labour situation in France, they directly apply for a VLS/TS at their Consulate and then for their residence permit once in France. They are exempted from the medical examination at the OFII office.</p>
	EMN NCP Germany	Yes	<p>1. The German policy on labour migration is mainly driven by the needs and demands of the domestic labour market. With the aging society in Germany and the EU, labour migration from outside the EU is necessary to maintain economic stability and is therefore part of the Federal Government's demographic strategy. The governing policy principle in Germany is a general openness towards the immigration of skilled workers as well as the attempt to attract specifically those workers whose skills are needed on the labour market. This includes also entrepreneurs and freelancers who promote innovation in Germany. Accordingly, the legal situation developed more and more towards this direction during the last years. The draft Skilled Immigration Act ("Fachkräfte-inwanderungsgesetz") which is expected to enter into force in early 2020, is the latest example for this approach. The draft Act introduces a single term for skilled workers ("Fachkraft") which includes not only higher education graduates but also persons who completed quality vocational training. A clear separation between labour migration and asylum is supposed to create clear rules and ensure controlled migration to</p>


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			<p>Germany. While Germany's labour migration system is mainly open to skilled workers, low- and unskilled workers can only temporarily stay in Germany as seasonal workers. The majority of low- and unskilled workers is employed in in the agricultural sector and the food-service industry. Before the potential migrants enter Germany. their qualifications are generally checked for equivalence with German qualifications. In order to avoid wage dumping and less favourable conditions for third country nationals, minimum sales and equal working conditions are re-quired. An additional measure is the priority check which earmarks an evaluation whether the vacancy can be filled by the domestic labour market.</p> <p>2. Depending on the job, in several cases labour migration is only possible with the approval of the Federal Employment Agency. The resident labour market test of the Federal Employment Agency normally includes the priority check and the check of the employment conditions. However, there is a variety of jobs in which employment and the issuance of an employment permit is possible without the Agency's approval (e.g. highly skilled workers with a certain income, managers and graduates of German universities). Furthermore, the priority check can be waived when the qualification was gained in Germany or when the occupation is listed on the so called whitelist. The whitelist is compiled by the Federal Employment Agency and specifies professions which show labour shortages. Numerical quotas for labour migration are not implemented in Germany. Because of the current low unemployment rate, the draft Skilled Immigration Act foresees that the resident labour market test no longer applies for skilled workers in general, as long as they already have a work contact and recognized qualifications. However, the Act includes the option to reintroduce the labour market test quickly in the event of a change in the domestic employment situation.</p> <p>3. The categories of residence permits for the purpose of economic activity are specified in Part 4 of the Act on the Residence, Economic Activity and Integration of Foreigners in the Federal Territory Residence Act (https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0314):</p> <ul style="list-style-type: none"> • Section 18: Employment Section 18a: Temporary residence permit for the purpose of employment for qualified foreigners whose deportation has been suspended Section 18b: Permanent settlement permit for graduates of German universities Section 18c: Temporary residence permit for qualified skilled workers seeking employment Section 18d: Participation in European Voluntary Service Section 19: Permanent settlement permit for highly qualified foreigners Section 19a: EU Blue
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			<p>Card• Section 19b: ICT Card for intra-corporate transferees• Section 19c: Short-term mobility for intra-corporate transferees• Section 19d: Mobile ICT Card• Section 20: Research• Section 20a: Short-term mobility for researchers• Section 20b: Temporary residence permit for mobile researchers• Section 21: Self-employment</p> <p>4. Amongst the general conditions like the possession of a passport and the coverage of all living expenses for the workers themselves as well as all accompanying family members without access to public funds (if applicable), further title specific conditions can apply. In general, a specific job offer is necessary in order to apply for an employment visa. However, there is also the possibility to apply for a title for the purpose of job seeking. After a specific job has been found, the third country national has to apply for an appropriate visa for employment purposes. If applicable, the qualification has to be recognized as equivalent to a German qualification and the Federal Employment Agency has to approve the granting of a title. After the arrival in Germany, the local immigration authority will issue the working residence permit.</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Greece faces sectoral labour shortages in the primary sector (Agriculture – Livestock – Fishery), Care services and Tourism, which are depicted in the requests by the employers for workers from countries outside European Union. In order these shortages to be dealt with, a new Migration Code (L. 4052/2014) came into force in 2014. Generally, the needs of the country are centrally decided, by the state, according to the needs of the labor market (employers' needs) and the national economy. The objective of immigration policy is to meet labor needs in areas where shortcomings are found. Nationals, European citizens and third-country nationals already residing in the country have priority to fill these gaps. Exceptionally, in the agricultural sector, labor needs can be covered by illegally staying third-country nationals. In this case, their deportation is postponed and they can stay temporarily in Greece for work in the agricultural sector.</p> <p>2. The needs of Greek labor market for foreign workers are defined for two years after a consultation that is taking place between the main labor market stakeholders, that is the employers, the public authorities in central or regional level (Public Employment Services/Greek Manpower Organization,</p>



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			<p>Regional Authorities) and advisory committees such as the Economic and Social Committee. The goal of this process is to reach a commonly accepted catalogue, that contains the number of foreign workers and their specialties, taking into account the following criteria: The interest of the national economy, the feasibility of employment, the labor supply by nationals, European citizens or legally residing third country nationals by specialty and the unemployment rates by sector of employment. The result of this process is a Joint Ministerial Decision that is been issued every second year in order to determine the maximum number of vacancies for foreign workers and their specialties in regional level for the next two years. This decision, after signed by the co-competent Ministries, sent to Greek consulates abroad and published so that the citizens of countries outside the EU to express their interest for their coverage.</p> <p>3. A) Work and business permit (workers, service providers, investment activity, special purposes, EU Blue Card and ICTs) B) Temporary residence (seasonal work, fishermen, members of artistic groups, third-country nationals moving from an enterprise established in a Member State of the European Union or the European Economic Area for service provision, Third-country nationals moving from an enterprise established in third country to provide a service, Tour Leaders, Third country students participating in internships programmes). C) Residence permit for humanitarian, exceptional and other reasons. E) Residence permit for victims of trafficking and smuggling of migrants. F) Residence permit for family reunification. G) Long-term residence permit (long-term residence permit, second-generation residence permit, ten-year license)</p> <p>4. Invitation of third country citizens for employment: Any employer who wishes to recruit a third country citizen for employment on the basis of the jobs contained in the aforementioned joint ministerial decision shall file an application with the Decentralized (Regional) Administration of his place of residence, with the number of jobs, personal information (name/surname etc) and citizenship of third-country nationals to work, the specialties and the period of the employment. The application must be accompanied by: (a) a valid employment contract for at least one year in Greece showing that his / her remuneration is at least equal to the monthly salary of the unskilled laborer; and (b) a tax statement or a copy of a declaration of a legal person from which the employer's ability to pay the monthly remuneration as laid down in the employment contract may arise. Together with the application, the employer submits proof of payment of a fee of EUR 200 for every citizen of a third country who wishes to employ, which is collected in favor of the State and is not refunded.</p>
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	<p>EMN NCP Hungary</p>	<p>Yes</p>	<p>1. In general, the single application procedure is initiated for the Residence Permit for the Purpose of Employment. The single permit is a residence permit allowing a third-country national to enter into a contract for employment relationship with an employer and to reside legally in the territory of Hungary for the purpose of work. In the single application procedure, in the interest of determining whether or not to support a third-country national taking up employment in Hungary, on general principle the county (Budapest) government agency of jurisdiction by reference to the place of work functions as the competent authority in the first instance, and the ministry in charge of employment and labour (Ministry of Finance) participates in the second instance as specialist authority.</p> <p>2. The employers' preferences are regularly evaluated by the Ministry of Finance. The decision on residence permits for employment are made with regard to the relevant state of the labour market.</p> <p>3. Residence permit for the purpose of employment (general) EU Blue Card Residence permit for the purpose of intra-corporate transfer Residence permit for the purpose of seasonal employment</p> <p>4. Not applicable.</p>
	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. Ireland operates a vacancy-led employment permits system, maximising the benefits of economic migration while minimising the risk of disrupting Ireland's labour market. It is managed using occupation lists of highly skilled in demand occupations, the Critical Skills List, and a list of occupations which are ineligible for an employment permit as the evidence is that there is sufficient resources available within Ireland and across the EEA to fill job vacancies, the Ineligible Occupations List. Most lower skilled occupations are currently included on the ineligible list. Ireland does not participate in the EU legal migration instruments - such as the Blue Card; Intra-Corporate Transferees Directive; and the Seasonal Workers' Directive, with the exception of the original Researchers'</p>

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			<p>Directive (2005/71/EC). The Department of Business, Enterprise and Innovation manages and operates the employment permits policy and system. There are nine different categories of employment permit as follows:- Critical Skills Employment Permit- General Employment Permit- Intra-Company Transfer Employment Permit (national scheme, not EU Directive)- Sports and Cultural Employment Permit- Dependant/Partner/Spouse Employment Permit- Reactivation Employment Permit- Contract for Services Employment Permit- Exchange Agreement Employment Permit- Internship Employment Permit. In addition, the Department of Justice and Equality operates the Atypical Working Scheme, which provides for employment contracts in the State that are short-term (90 days or less) and/or are not facilitated by the employment permit process. Contracts under the Atypical scheme can be for less or greater than 90 days. Permissions granted under the Atypical scheme are usually in the medical or computer sectors. The following additional background information may be of interest: The Department of Business, Enterprise and Innovation committed to undertake an overarching review of the economic migration policies underpinning the employment permit system in the Action Plan for Jobs 2018. The purpose of the review was to ensure that policies are fully supportive of Ireland's emerging labour market needs, be they skills or labour shortages in certain sectors. The review was overseen by an Interdepartmental Group (IDG), chaired by the Department of Business, Enterprise and Innovation, and included a public and stakeholder consultation, as well as an EU and international benchmarking exercise. The focus of Ireland's employment permit regime has been on meeting the skills needs of enterprise through the employment permits regime where necessary. However, as Ireland is approaching full employment and labour needs are beginning to manifest, the State has been pressed to open up the employment permits regime to low skilled workers in certain sectors such as health care, agriculture and hospitality. The purpose of the review was to ensure that Ireland's employment permits regime is supportive of Ireland's emerging labour market needs - ensuring on the one hand that the labour market is not disrupted while also ensuring that labour shortages do not stall economic growth. The Review of Economic Migration Policy - Report of the Inter-Departmental Group was published in September 2018 and is available at: https://dbe.i.gov.ie/en/Publications/Publication-files/Review-of-Economic-Migration-Policy.pdf The report made recommendations for implementation in the short, medium and long-term. Some key recommendations from the report included:- the twice yearly review of the two occupation lists but sectors experiencing severe labour shortages have the opportunity to submit an evidence based case outside of the formal review process to address immediate labour</p>
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			<p>shortages which is submitted via the lead policy Government Department for the sector, for consideration by the Department of Business, Enterprise and Innovation, and the Inter-Departmental Group where no lead policy Government Department exists.- introduction of a Seasonal Employment Permit to facilitate certain categories of short-term workers;- a review of salary thresholds and other criteria for the various employment permit types to ensure a good fit with changing skills and labour market needs with minimal disruption to the labour market.</p> <p>2. Changes to access to the Irish labour market for specific occupations via the employment permits system are made on the basis of research undertaken by the Expert Group of Future Skills Needs, the Skills and Labour Market Research Unit (Solas), the National Skills Council which publishes the Annual Vacancy Overview Report and the National Skills Bulletin, input from relevant Government Departments/agencies and a public/stakeholder consultation process. The Expert Group for Future Skills Needs, which was established in 1997, advises the Irish Government on current and future skills needs of the economy and on other labour market issues that impact on Ireland's enterprise and employment growth. Its analysis forms part of the evidence that the Department of Business, Enterprise and Innovation considers as part of the review process. The two lists are reviewed twice a year, and any changes are introduced via statutory instrument.</p> <p>3. Residence permits (under the Irish system - residence permission granted under the Immigration Act 2004) is a separate matter to an employment permit. All third country nationals who are present in the State for longer than 90 days are required to register with the immigration authorities (the Irish Naturalisation and Immigration Service). An Irish Residence Permit in compliance with the common format for EU residence permits, is issued, and an immigration stamp is entered into the TCN's passport. The relevant stamps for labour migration are as follows:- Holder of an employment permit - Stamp 1- General access to the labour market (for example, beneficiaries of international protection; family members of EU nationals under EU Directive 2004/38/EC; longer term economic migrants who have held an employment permit for a period of time) - Stamp 4.Holders of a permission under the Atypical Worker Scheme are not required to register if they are in the State for less than 90 days. In the event that the contract exceeds 90 days, they are required to register and will be granted a Stamp 1.</p> <p>4. See answer to question 3 above. In addition, if a TCN comes from a country which is visa required</p>
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			for travel to Ireland, an entry visa will be required.
	EMN NCP Italy	Yes	<p>1. The reference framework is constituted by articles 5, 5 bis, 21, 22 of Law n. 286/98 and articles 9, 13, 14 of Law n. 394/99. The employer, who desires to hire a foreign worker resident abroad, has to ask for an authorization (“nulla osta”) before the competent office. This authorization is a necessary precondition for the issue of entry visa for work purposes. Moreover, a visa requires necessarily a valid travel document, as passport. Within 8 days from the entry in the Italian territory, the foreign has to require from Sportello Unico Immigrazione (before the Prefecture) a residence permit. This office, after verifying the regularity of the visa, the employment relationship and the availability of a suitable accommodation, makes the foreign to subscribe a residence agreement (a photocopy of passport or other valid travel documents has to be attached).In case of self-employment (art. 5 comma 3 quarter and 26 of Law 286/1998and art. 39 D.P.R. 394/99), the authorization has to be required directly by the worker (before the issue of a visa) who also has to show the documentation about the licence of the activity or the enrolment at the Chamber of Commerce.As discussed below (Q.2), Italian government provides, every year, a system of quotas of third-country citizens who can access the national territory for working purposes, except cases established by law, such as for investors (art. 26 bis of law 286/1998).</p> <p>2. The drafting process of migration flows’ regulation involves two phases (law n. 40/1998): the first concerns the drafting of a three years document (called Programmatical Document) for planning migration flows for a period of 3 years; while the second regards the so called “Flow Decree”.Every year, the Prime Minister emanates the “Flows Decree” which fixes quotas of third-country citizens who can access the national territory for working purposes. In order to determine the number of entries, every Regions of Italy (no later than 30 November) are able to send to the Council Presidency a report about the presence of TCNs in their regional territory and the consequent forecast of flows sustainability for the following 3 years. Quotas are divided into paid employment and seasonal work, following a proposal of working assumption made by an Italian or a foreign employer regularly staying in Italy.On 12 March 2019 has been emanated the Flow Decree of 2019 which provides:- 12.850 entries for paid and self employment;- 18.000 for seasonal work in agricultural</p>


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			<p>sector and hotel industry.</p> <p>3. According to the latest Eurostat data, the rankings of the main residence permits for working purposes categories are the following:1) Paid employment: 2) Self employment/ trade3) Seasonal work4) Residence permit issued while the worker is looking for a job5) Blue Cards6) Intra corporate transfersDetailed data for each category are available on Eurostat.</p> <p>4. The conditions and procedures for the entry and residence of immigrants in the country for a period of more than 90 days for employment are regulated as explained in Q.1. Beyond what has already been said, it's useful to point out that the residence permit for work is closely linked to the existence of a job formally recognized, which shall be communicated by the employer to INPS (the national social insurance institute). So, generally the residence permit has a duration of: - 2 years if the contract of employment is valid for an indefinite period;- 1 year in case of fixed term contract. According to art. 5, comma 9 of law 286/1998, the residence permit is issued, renewed or converted within 20 days from the moment the application is forwarded. On the contrary, foreigners who enter in Italy for less then 3 months (for reasons of visits, affairs, tourism or study) need not necessarily ask for a residence permit, but they can legally stay in Italy on the basis of the declaration of presence (law 68/2007).</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. 1. Admission conditions in the field of employment are based on the principle of the protection of the national labour market. A preference is given to citizens of Latvia and other EU countries and to permanent residents of Latvia. This principle is ensured by the requirement to publish a vacancy that should be open to the above-mentioned categories for 30 days. There are some exceptions from this rule when a vacancy publication is not required (teachers, professors, sportsmen, EU Blue card applicants etc.). If a vacancy is not filled within 30 days, an employer can invite third-country citizen. There is no quota system in Latvia, so the number of invited third-country citizens can be unlimited. Right to work is granted on the ground of short-term or long-term visa or on the ground of temporary residence permit.</p> <p>2. 2. If a vacancy has been published, an employer is allowed to invite third-country workers. In</p>

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			<p>application for an invitation the employer is asked to explain the necessity for workers but usually the explanation is not doubted unless there are circumstances that trigger some kind of investigation.</p> <p>3. 3. There are only two types of temporary residence permit – EU Blue card and ordinary temporary residence permit with a text on the access to labour market (the text on the reverse of eID card is: ‘The right to work with specific employer’). It means that the residence permit is tied to certain employer and in the case of change of an employer, an employee shall obtain new residence permit.</p> <p>4. 4. First a free vacancy shall be published on website of State Employment Agency. After 30 days an employer can submit an application for invitation for third-country worker. Application has to be supplemented with education/professional experience documents of foreigner and with work agreement (a draft can be submitted also). A salary paid to third-country worker shall not be below average salary in the country. Approval of an invitation takes up to 5 working days. As soon as the invitation is approved a third-country citizen can submit documents for obtaining a residence permit. S/he has to show valid travel document, to pay a state duty and to submit an application form with photo and document certifying that s/he has no criminal record in his/her country of residence (citizens from visa-free countries) do not submit this document. A decision is taken within 30 days (accelerated procedure for increased state duty is possible – 5 or 10 working days). After the decision is made an applicant can travel to Latvia (s/he will be issued long-term visa if necessary) or, if s/he is in Latvia, to submit biometric data for obtaining an eID card (residence permit). The right to stay can be granted for time up to 5 years, the eID card is always issued for one year and it has to be registered yearly. During a registration procedure it is checked if all taxes have been paid by the employer. Latvia does not grant long-term or permanent residence permits for a purpose of an employment.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Matters regarding foreigners living in Lithuania are regulated by the Law on the Legal Status of Aliens; work matters are also regulated by the Ministry of Social Security and Labour of the Republic of Lithuania. The processes of immigration for employment could be divided into two steps: -Once a foreigner found a job placement, he/she have to provide documents to the employer (documents</p>


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			<p>proving qualification, experience, personal information, etc.) and the employer has to go through necessary procedures at the Lithuanian Employment Service (unless a foreigner is highly qualified, will be taking an occupation that is the shortage list in Lithuania which provides facilitated procedures). This usually takes from few weeks to a month, but there can be exceptions based on the specific requirements for the future employee or the job itself. This step is completed mostly by the employer.-Once foreigner has obtained work permit issued by the Employment Service, s/he can apply for a national D visa or a residence permit. The type of permit also depends on his job and qualification, e.g.: usually workers that receive work permit apply for a national visa, which allows a person to stay for up to a year (and then possibly extend their work permit and get a new national visa or residence permit after a year); a temporary residence permit is more often issued for employees of professions that are in demand in Lithuania or employees who will earn more than 1.5 of the average wage in Lithuania.</p> <p>2. An employer who wishes to recruit a foreigner must apply to the territorial Employment Service where the vacancy is registered and the Employment Service provides decision if the labour market needs are met. Foreigners can also obtain a national visa if they engage in an occupation (not high-skilled employment) that is included into the list of the professions in demand in the Republic of Lithuania according to types of economic activity. This list is approved by the Director of the Lithuanian Employment Service under the Ministry of Social Security and Labour. The list of professions in demand is approved every six months by economic activity, based on the labor market monitoring by the Employment Service, the assessment of the labor market situation and the forecast of its changes. Currently 13 occupations included in this list (long-haul driver, welder, tailor, electrician, etc). Full list of occupation in demand in LT: https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/184e8ff203d511e98a758703636ea610?jfwid=i0s9d7pn3 More information on the current state of Lithuanian labour market here: http://uzt.lt/en/market/situation/</p> <p>3. Third country nationals can stay and work in Lithuania if they have national visa or residence permit. Unless a foreigner is exempt from obtaining work permit, s/he should obtain one of these documents (with the support of employer): work permit; the decision on compliance with labour market needs; the decision regarding the compliance of work requiring a high professional qualification with the needs of the labour market of the Republic of Lithuania. Each document defines both the specific requirements for an employee or an employment contract and the period during</p>
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			<p>which a foreigner can legally reside in Lithuania (since the permits / decisions issued by the Employment Service do not give the right to reside in Lithuania, foreigners must also have a visa or residence permit). More information on options and procedures for work immigration via Migration Department - https://www.migracija.lt/index.php?2038418117</p> <p>4. If a person intends to stay in Lithuania for no longer than a year, s/he can obtain a national visa. If a person is planning to stay longer, s/he should choose a temporary residence permit (usually issued for 2 years, for highly qualified workers - 3 years, which can usually be renewed later). An application for a temporary residence permit may be issued with a national visa. When job is terminated, the person usually has to leave Lithuania. Please find detailed information in English here: http://uzt.lt/en/services/foreigners/procedure/ - full explanation of Employment Service procedures in English via Employment Service. https://www.renkuosilietuva.lt/en/work-in-lithuania/ - for employees via "Renkuosi Lietuva".</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. 1. The immigration system for employment is employer driven. Since almost 150 years, Luxembourg depends on two kinds of migration, qualified and non-qualified, in order to deal with the workforce needs of its economy. Due to its size and geographic position, Luxembourg depends mainly on a very particular form of economic migration: cross-border workers. On 31 March 2018, they represent 44,4% of all the employees in Luxembourg. Moreover, among the employees residing in Luxembourg, EU citizens greatly outnumber third country nationals. This implies that the need for third country national migrant workers is not the principal source to cover labour market need. However, globalisation has also played a decisive role in the development of economic migration for the Luxembourgish labour market. The financial centre was obliged to become highly specialised in order to remain competitive in regards to other financial centres and to maintain its volume of business. In order to maintain its competitive advantage, Luxembourg needs highly skilled personnel, which the country has found, up until now, within the Greater Region, but for some specific profiles, employers are obliged to look for them outside the EU borders.</p> <p>2. Luxembourg labour market is employer driven so the Luxembourg government does not impose</p>


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			<p>quotas by sectors or professions. With regard to highly qualified workers, there are different salary thresholds for applying as a highly qualified worker: in general, the salary thresholds is at least 1.5 times the average gross salary in Luxembourg. Lower salary thresholds set to at least equivalent to 1,2 times the average gross annual salary in Luxembourg are foreseen for jobs in occupations belonging to groups 1 and 2 of the International Standard Classification of Occupations (ISCO) for which a particular need for workers from third countries is recognised by the Government. The list establishes some professions in which the Government considers there to be a shortage of qualified workforce in the telecommunications and information sectors such as for example mathematicians, actuaries and statisticians, systems analysts (2511), software developers (2512) Also the agreement between Luxembourg and Cape Verde approved through the law of 20 July 2017 introduces a simplified procedure for obtaining an authorisation of stay for Cape Verdean salaried workers who have for example one of the following professions : directors, senior executives and managers (directors of administrative services, directors and executives of directorates, sales, marketing and development, information and communication technologies); Intellectual and scientific professions (physicians, chemists and related, mathematicians, actuaries and statisticians, specialists in life sciences), specialists in technical sciences (with the exception of electro technology), engineers of electro technology, architects, urbanists, surveyors and designers...</p> <p>3. 3. The main categories for employment in Luxembourg are:</p> <ul style="list-style-type: none"> worker (EU Blue Card) worker ➤ Salaried Sportsman, coach ➤ ICT (inf) <p>4. 4. Seeing that the most common category of employment is the salaried workers, please see the conditions of entry and residence below. ApplicationThe application for a temporary authorisation to stay as a salaried worker (article 42 (1) of the amended law of 29 August 2008 on free movement of persons and immigration – Immigration Law) has to be introduced at the Directorate of Immigration of the Ministry of Foreign and European Affairs through the diplomatic representation of Luxembourg in his/her country of origin (article 39 (1)). The authorisation of stay will be granted if the applicant fulfils the following criteria:1. Passes the labour market test (see below);2. The activity serves the economic interests of Luxembourg;3. The applicant has the professional qualifications needed for the activity; and4. The applicant has a work contract (see below) of a job, which was declared vacant at the Agency for the Development of Employment (ADEM). The application for a temporary authorisation to</p>
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			<p>stay must contain the applicant's identity details (last name, first name and address) and must be accompanied by the following documents and information:</p> <ul style="list-style-type: none"> > a copy of the applicant's identity card or passport; > a copy of the applicant's residence permit; > a copy of the employment contract (compliant with Luxembourg law), dated and signed by both the applicant and his future employer in Luxembourg; > the original of the work contract signed by the applicant and the employer, approved by the National Employment Agency (ADEM) granting the employer the right to hire a third-country national; <p>Before recruiting a salaried worker, employers must make a declaration of vacant position to the ADEM. The declaration will allow the employment administration to check whether there is a suitable candidate available on the local or EU job market (Labour market test (article L. 622-4 of the Labour Code)). If the job offer cannot be filled with a person registered with the ADEM within a 3-week deadline, the employer is allowed to conclude an employment contract with a person of his choice including a third-country national. The employer must sign a dated employment contract with the future employee. It may be stated in the contract that the start date is "subject to the employee obtaining an authorisation to stay for salaried workers/work permit".</p> <p>If the third-country national needs a visa to come to Luxembourg s/he must apply in the next 90 days after receiving the authorisation of stay at the diplomatic representation which represents Luxembourg interests in the country of origin.</p> <p>Residence permit In order to obtain the salaried worker residence permit the third-country worker must: <ul style="list-style-type: none"> > Show proof of sufficient financial resources; > Show proof of accommodation and a medical certificate. </p> <p>The first residence permit is granted for a maximum duration of 1 year, for one profession only with all the employers and only in one sector. The residence permit can be renewed if all the conditions still being fulfilled, it will be renewed for a maximum duration of up to 3 years, and it will be for all sectors and all professions.</p>
	<p>EMN NCP Malta</p>	<p>Yes</p>	<p>1. Citizens of EU member states are allowed to work in Malta without a work permit but need a residence permit, while citizens from non-EU countries (also known as Third Country Nationals) will need both residence and work permits. The need for an Employment Licence (also known as work</p>


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			<p>permit) derives from the Immigration Act (Cap217) of the Laws of Malta which regulates the entry and permanence in the country of non-Maltese citizens. The application process varies on; the status of the applicant in Malta, the duration of the work contract and the purpose of the applicant's residence in Malta. Individuals whose scope of entry into Malta is to reside and work, need to apply for a Single Residence/Work Permit (as per provisions of the Single Permit Directive 2011/98/EU and SL 217.17). On the other hand, third country nationals who do not fall within the scope of this directive, need to apply for an Employment Licence with Jobsplus (Malta's Public Employment Service). When the application is received, the Employment Licences Unit within Jobsplus' verifies that all documentation is present. Applications are subject to labour market testing which also varies on the nature of employment. Key stakeholders are asked for their clearance, including health and immigration authorities, as well as other sector-specific authorities as the case may be. Furthermore, from 1st December 2017 Third-Country Nationals who are already in possession of a Single Residence/Work Permit or an Employment Licence are allowed to apply for part-time employment, thus they may now also take up part-time work, subject to the issuing of a secondary Employment Licence.</p> <p>2. The need for TCN workers is established depending on the situation of the Maltese labour market. Applications for an employment licence are subject to labour market tests, whereby the competent authority (Jobsplus) carries out tests on; the suitability of the TCN applicant, the reputability of the prospective employer, and establishes whether the prospective employer has made sufficient efforts to fill in the vacant position with Maltese and/or EU nationals prior to requesting the services of the TCN worker. The situation of the Maltese labour market is also taken into account in relation to exemptions applicable to certain aspects of the labour market testing in view of shortages in specific occupations.</p> <p>3. We have written an email to the Greek NCP requesting a clarification</p> <p>4. In the case of third country nationals who wish to reside in Malta for the purpose of work for a period of less than six months, an application should be submitted by the prospective employer together with the relevant documentation to the national public employment agency (Jobsplus). Following the processing of the request, which entails labour market tests where these are required, if the application is acceded to an employment licence (work permit) is issued to authorize the employment in question. The third country national would then be able to reside in Malta for the</p>
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			<p>purpose of work with the specific employer and engage in the specific job he would have been authorized to perform. He would then be issued with a residence permit to reflect this by means of a separate process with the Maltese authorities responsible for the issue of residence permits. Furthermore, with reference to question 4, it is worth mentioning that Jobsplus would also issue Employment Licences (work permits) depending on the status/recognition given to immigrants by the competent authority (Identity Malta). For instance, a TCN recognised as a parent of a Maltese national, would not fall under the conditions of the existing EU legislation and would retain such residence permit and apply for a separate work permit with Jobsplus.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. In the Netherlands, the Aliens Employment Act (Wav) has been in force since 1995. The Wav determines for which third country nationals (workers from outside the EU or EEA) a work permit is required. The employment of third country nationals, is allowed only if the employer has a work permit. In order to obtain a work permit, the employer has to demonstrate that there is no labour supply within the Netherlands and the EU/EEA. A work permit is not required for highly skilled migrants. There is a salary threshold in place for this category of workers. If a third country national wants to work in the Netherlands for fewer than 90 days, the person usually needs a short-stay visa. If the person comes to work for a longer time, he or she will then need a residence permit. There are various residence permits for working in the Netherlands. In most cases a single permit is required. The single permit combines a residence permit and a work permit. Which residence permit a foreign national can apply for depends on the job they find in the Netherlands.</p> <p>2. In the Netherlands, an employer can employ someone from outside the EEA in the following cases only:</p> <ul style="list-style-type: none"> • The employer cannot find a suitable candidate from an EEA country; • The vacancy has been open for at least five weeks.; • The employer has taken all available steps to find a worker from the Netherlands or the EEA, including advertising the vacancy in the print media and on the internet. <p>3. Below you will see an overview of the possible residence permits. Intra Corporate Transferees (Directive 2014/66/EU) The third country national works at a company established outside the</p>


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			<p>European Union (EU) and they are transferred to a branch in the Netherlands. Highly skilled migrant The third country national is going to work in a high-level position. Or the person is going to work as a (guest) lecturer, trainee doctor or scientific researcher in paid employment. Specific salary requirements apply. The employer must be recognised as a sponsor by the IND. European blue card The European blue card is intended for employees who perform highly skilled work within the EU. Specific salary and educational requirements apply. This residence permit also makes it easier for the employee to work in a different EU Member State. Researcher within the meaning of Directive (EU) 2016/801 The third country national can work as a researcher within the meaning of Directive (EU) 2016/801. The employer must be recognised as a sponsor by the IND. Work in paid employment This is the standard residence permit for working in paid employment in the Netherlands. Several permits exist for work in paid employment with specific rules: •International trade regulation; If a third country national works at a foreign company that collaborates in a project or joint venture with a Dutch company, the third country national is now going to work in the Netherlands in the context of this project or joint venture. •Spiritual counsellor; If a third country national is going to work as a spiritual counsellor, they must integrate. Before they come to the Netherlands, they must already have passed the basic civic integration examination abroad. •Employee in the Asian catering industry •Supply of goods by a foreign company • paid employment in the Netherlands for the assembly and repair of equipment delivered by foreign companies. •Supply of goods to a foreign company •Intra company transferee other than Intra Corporate Transferee (Directive 2014/66/EU); When a third country national works at an international group of companies and are transferred to the Netherlands as a trainee, key staff member or specialist, they are not covered by the rules on transfer within a company. •Employee in specific positions in art and culture •Employee of an international non-profit organization •Mass media correspondent •Other work in paid employment Work experience as a trainee or apprentice When a third country national applies for this purpose of stay, they are a student and will do an internship in the Netherlands or will go to work for a Dutch company in order to gain work experience. The third country national can also do an internship or gain work experience in the context of an EU action programme. Cross-border service provider If a third country national works at a company in the EU, EEA or Switzerland and the person provides services for this company in the Netherlands. Family members Third country nationals can usually bring along family members to the Netherlands. Except for seasonal work or if a person only comes for work placement or to gain work experience (for which i.a. an internship plan, contract and a Combined Residence and Work Permit (GVVA) is required) For more information see: https://ind.nl/en/work/Pages/Employee.aspx</p>
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			<p>4. Employees from outside the EEA may only work in the Netherlands in the following situations:• The employee has a residence document with the note 'Work is allowed freely'.•The employee has a passport with an official sticker for residence permits. This is marked with the note 'Work is freely permitted'.• The employee has a valid combined permit for residence and work (single permit/GVVA).• The employer has a valid work permit for an employee from outside the EEA. The employee must also have a valid residence permit, for example an authorization for temporary stay (MVV).</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. The provisions on the employment of foreigners in Poland are regulated by the Act on Employment Promotion and Labour Market Institutions Act of 20 April 2004 and executive regulations. In order to be able to work legally in Poland a citizen from outside the European Union/European Economic Area is required to fulfil the following conditions:- have a document allowing her/him to the Polish labour market - a work permit, a seasonal work permit, or employer's statement on intention to employ a foreigner or a permit for temporary residence and work (or possibly to be exempted from this requirement under special provisions);- have a residence permit, which entitles to work (e.g. a relevant visa or residence card);- perform work on the terms included in the permit or statement, exclusively for the employer indicated in the document;- sign an appropriate employment contract with the employer. Work permits are issued by the appropriate office of the voivodeship (województwo) at the request of the employer. As a rule, it is an employer who initiates the procedure of employing a foreigner in Poland (work permit, seasonal work permit). The Act of 20 July 2017 amending the Act of 20 April 2004 on employment promotion and labour market institutions and some other acts, implemented a new type of work permit – a seasonal work permit (zezwoleń na pracę sezonową). The seasonal work permit entitles a third country nationals to perform work in the area of agriculture, horticulture, tourism (detailed list of subclasses of economic activities is listed in the appropriate Regulation of the Minister) for 9 months in a calendar year. Seasonal work permit is issued by the powiat labour office (starosta). Types of documents giving the access to the Polish labour market:- work permit (type A, B, C, D and E) - an employer applies for it to the appropriate office of the voivodeship. It entitles to work up to 3 years (in the case of a B type permit, when a foreigner</p>

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			<p>performs a function in the management board in the legal entity employing more than 25 people, it may be issued for a period of up to 5 years);- seasonal work permit (type S) - an employer applies for it to the appropriate poviata labour office. It entitles to work in sub-classes considered to be seasonal (in the agriculture, horticulture, tourism sectors), up to 9 months in a calendar year; - employer's statement on intention to employ a foreigner - submitted by the employer in the poviata labour office for citizens of Armenia, Belarus, Georgia, Moldova, Russia and Ukraine. It entitles to perform non-seasonal work without a permit, for a period of 6 months during the next 12 months;- permit for temporary residence and work - a foreigner who is legally staying on the territory of Poland applies to the voivode competent for the foreigner's stay. It entitles to work and stay at the same time.</p> <p>2. In the face of the outflow of Polish workers - including specialists - for many years, as well as due to unfavourable demographic trends (low birth rate, a significant number of Poles staying abroad, a decrease in the share of people in working age and a rapid increase in the share of older people in the entire population), Polish employers are more and more affected by the shortage of employees with appropriate qualifications. More and more often, they reach for employees from abroad. The demand for foreigners' work is growing in most industries. Particularly strong growth is recorded in construction, transport or industrial processing, and foreigners are increasingly employed by temporary employment agencies. Economic migrants in Poland perform primarily physical work and do not require higher qualifications, such as, for example, simple work on a farm, fruit harvest, work in meat processing, driver's work, cleaning, work in trade and gastronomy, 24-hour care for the elderly. There is also a growing interest in foreign employees in professions requiring high qualifications, e.g. IT. It should be emphasized that the basis for the system of admitting foreigners to the Polish labour market is the principle of complementarity. Mechanisms enabling the employment of foreigners are treated in a supplementary way to the professional activation of Polish citizens. The Ministry of Labour, taking decisions regarding foreign workers, takes, among others, possible risk of displacement of national employees as well as possible lowering of standards in the labour market.</p> <p>3. In order to legally work in Poland on the basis of a permit or a statement, a foreigner has to have a residence permit. The foreigner applies for the residence permit by her/himself. Foreigners with a work permit (or exempted from the requirement to have a work permit) are entitled to work on the territory of Poland if they arrive in Poland: - on the basis of a visa, with the exception of a visa issued for the purpose referred to in art. 60 art. 1 point 1, 22 or 23 of the Act of 12 December 2013 on</p>
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			<p>foreigners (tourist destination, temporary protection, arrival on humanitarian grounds);- based on Article. 108 par. 1 point 2 or art. 206 par. 1 point 2 of the Act of 12 December 2013 on foreigners - that is when one applies for a temporary or permanent residence permit or on the basis of a stamp imprinted in the travel document, which confirms submission of an application for a residence permit for a long-term EU resident, if immediately before submitting the application one was entitled to work on the territory of the Republic of Poland;- on the basis of a temporary residence permit, with the exception of the permit granted in connection with the circumstance referred to in art. 181 par. 1 of the Act of 12 December 2013 on foreigners (temporary residence permit due to circumstances requiring a short-term stay of a foreigner), or- on the basis of a visa issued by another country in the Schengen area or- on the basis of a residence permit issued by another state in the Schengen area or as part of a visa-free regime.</p> <p>4. A foreigner coming to Poland in order to perform work should ensure their stay is legal. On the other hand, the employer of a foreigner shall obtain documents entitling the foreigner to perform work in Poland and conditioning issuing a visa to them or a temporary residence permit for that purpose. The employer also has the obligation to store copies of documents confirming legal stay of the foreigner in Poland.As a rule, foreigners can be entitled perform work in Poland if they:- stay legally and have a work permit, unless not required, or- have temporary residence and work permit or a temporary residence permit in order to perform work in a profession requiring high qualifications.A work permit is a decision of the competent authority entitling a foreigner staying in Poland legally to work under the conditions specified in the content of the permit. The document is issued at the request of the entity delegating work performance to a foreigner by the competent Voivode due to his place of business or place of domicile.A work permit in Poland is not required when the foreigner:- has the status of a family member of a EU/EEA/Switzerland citizen,- is a recipient of international protection in Poland (has the status of a refugee, or is a recipient of subsidiary protection),- has a permanent residence permit in the Republic of Poland,- has a residence permit for EU long-term resident in the Republic of Poland,- has a residence permit for humanitarian reasons,- has a permit for a tolerated stay in the Republic of Poland,- is a spouse of a Polish citizen with a temporary residence permit on the territory of the Republic of Poland given as a result of marriage,- has a temporary residence permit in order to join the family,- permit for residence of in order to receive higher education,- has a valid Pole Card,- is a graduate from a Polish upper-secondary school, full-time studies or full-time doctoral courses at Polish universities/colleges.Citizens of 6 states – Ukraine,</p>
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			<p>Russia, Belarus, Georgia, Armenia, and Moldova also constitute an important group of exceptions and benefit from an easier access to the Polish labour market. Throughout the period of 6 months within subsequent 12 months they may work without the need of obtaining a work permit, provided that they have a written statement of an employer registered at the competent district labour office and a written contract. When the employer wants to hire a foreigner for a longer period of time, they need to have a work permit or a temporary stay and work permit or a temporary stay permit for the purpose of work in profession requiring high qualifications. If a foreigner worked for a given employer in connection with a registered statement, the employer may apply for a work permit (on the same post) in simplified mode (without the need to obtain information from the Staroste about the possibility to satisfy the HR needs based on local labour market). In order to obtain a visa for the purpose of work a foreigner should supply the visa application with a work permit or the employer's written statement on the intention of delegating work to the foreigner, if a work permit is not required. These documents are obtained by the entity wishing to employ foreigners. Foreigners staying in Poland legally, whose purpose of residence is work, can apply for a temporary residence and work permit or a temporary residence permit for the purpose of work in profession requiring high qualifications. These permits are issued by the labour office in the so-called procedure of one application, resulting in issuing of one document authorizing the foreigner both to stay and work in Poland, without the need of having additional work permit. As a rule, the application for these permits must be supplemented with information from the Staroste on the lack of possibility of satisfying the HR needs based on the local labour market, which is obtained in the District Labour Office by the foreigner's employer.</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. In general, the TCN must comply with the conditions which are laid down in Act no. 5/2004 Coll. on Employment Services Act and amending and supplementing certain laws. If a TCN intends to reside in the Slovak Republic for more than 90 days in any 180-day period, s/he must apply for one of the residence types as specified in the Aliens Residence Act. If a TCN intends to work in Slovakia, s/he has to meet several conditions (see question 4). In general, a TCN may be employed in Slovakia if s/he:</p> <ul style="list-style-type: none"> • holds the EU Blue Card • was granted temporary residence for the purpose of employment on basis of the confirmation on the possibility to fill in a vacancy – so called single permit, • was granted work permit and temporary residence for the purpose of employment, • was granted work permit and


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			<p>temporary residence for the purpose of family reunification within the first 12 months from being granted the residence, • was granted work permit and temporary residence of a TCN with acknowledged long-term residence in another EU Member State within the first 12 months from being granted the residence, or • meets the conditions under which he / she does not need the confirmation on the possibility to fill in a vacancy nor the work permit to become employed.</p> <p>2. For general information, please see the document "Strategy of labor mobility of foreigners in the Slovak Republic" (available at: https://www.employment.gov.sk/files/slovensky/uvod/informacie-cudzinci/strategy.pdf), where all changes in the employment area of employment of TCNs are summarized. Equally, the needs of employers (in the narrative section, especially pg.17, 29-30) and the analytical forecasts are also mentioned there.</p> <p>3. • EU Blue Card, • temporary residence for the purpose of employment on basis of the confirmation on the possibility to fill in a vacancy - so called single permit for residence and work, • work permit and granted temporary residence for the purpose of employment, • work permit and granted temporary residence for the purpose of family reunification within the first 12 months from being granted the residence, • work permit and granted temporary residence of a TCN with acknowledged long-term residence in another EU Member State within the first 12 months from being granted the residence, or • s/he meets the conditions under which s/he does not need the confirmation on the possibility to fill in a vacancy nor the work permit to become employed</p> <p>4. General information for applying for temporary residence (Source: IOM Migration Information Center website: https://www.mic.iom.sk/en)Application for temporary residence must be submitted in person at the Embassy of the Slovak Republic accredited to the country where the passport of a TCN was issued or to the country of his/her residence. (If this is not possible or if the case requires special attention, the Ministry of Foreign Affairs of Slovakia and the Ministry of Interior of Slovakia may empower another embassy of the Slovak Republic to accept and process the application). The embassy will interview the applicant for the purpose of preliminary assessment of the application. The application for temporary residence may be also submitted at the competent Foreign Police Department according to the place of residence of the foreigner in the Slovak Republic if: a. the applicant is residing in Slovakia on the basis of a valid residence permit; b. the applicant is residing in Slovakia on the basis of a valid national visa; c. the applicant does not require a visa to stay in</p>
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			<p>Slovakia;d. the applicant is the holder of the certificate of a Slovak living abroad;e. the applicant is the holder of tolerated residence (according to para 58 Section 1, a-c or Section 2).The applicant must attach the following documents: filled in application form; 2 identical colour photos (3 x 3.5 cm); proof of payment of the administrative fee (as required for the relevant type of residence); valid passport; document proving the purpose of residence; document proving a clear criminal record; confirmation of accommodation; proof of financial coverage.The TCN must enter the territory of Slovakia within 180 days of obtaining temporary residence permit. Within 3 working days of arrival to Slovakia, the third country national must report the beginning of their residence at the Foreign Police and within 3 working days of receiving the residence card they have to obtain a health insurance policy. Within 30 days of obtaining the residence card it is also necessary to submit a document on health insurance in Slovakia and a medical report not older than 30 days confirming that the third country national does not suffer from any disease which could endanger public health.</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. In principle everyone who has got an employment in Sweden is entitled to a work permit. The person must have a job before coming to Sweden and the worker must:</p> <ul style="list-style-type: none"> • have been offered terms of employment that are at least on par with those set by Swedish collective agreements or which are customary within the occupation or industry • have been offered a salary that is at least on par with that set by Swedish collective agreements or which is customary within the occupation or industry • you must be offered a position that will enable you to support yourself. In order to satisfy this support requirement, you need to work to an extent that will result in a salary of at least SEK 13,000 per month before taxes • have an employer who intends to provide insurance covering health, life, employment and pension when you begin to work. <p>There are no differences between highly-skilled and low-skilled jobs. For the prospective employee to obtain a work permit the employer, must satisfy the following conditions</p> <ul style="list-style-type: none"> • advertise the position in Sweden and within EU/EES and Switzerland for a minimum of ten days • offer terms of employment that are at least on par with those set by Swedish collective agreements or which are customary within the occupation or industry • offer a salary that is at least on par with those set by Swedish collective agreements or which is customary within the occupation or industry • intend to provide health insurance, life insurance, occupational injury insurance and occupational pension insurance when the employee

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			<p>begins to work• offer employment that enables the employee to support oneself. In order to satisfy this support requirement, the employee needs to work to an extent that will result in a salary of at least SEK 13,000 per month before taxes• complete an offer of employment and allow the relevant trade union to provide a statement of opinion regarding the terms of employment. There are special rules for certain industries and certain short-term employment such as berry-pickers.</p> <p>2. There are no central needs assessment. It is up to the employers if they want/need to employ a TCN as long as the position has been advertised and the trade union has been allowed to provide a statement (see question 1).</p> <p>3. In Sweden we only have one kind of Residence permit although of course the time of its validity can differ.</p> <p>4. Please see question 1</p>
	<p>EMN NCP United Kingdom</p>	<p>Yes</p>	<p>1. The United Kingdom have a range of routes available for non-EEA nationals seeking to come and work in the United Kingdom. Tier 2 (General) is the main route for employers who wish to fill a high-skilled skilled vacancy in the UK, where they haven't been able to find a suitably skilled or available resident worker. They key rules associated with the route are that:- An employer must undertake a resident labour market test which requires them to advertise the vacancy for a period of 28 days domestically before they can recruit from overseas, unless the occupation is in a recognised shortage.- an employer must pay a worker an appropriate salary. Although there are a few limited exceptions, the minimum salary for an experienced worker coming to the UK is £30,000. - All jobs being secured under this route must be at RQF 6 Level (graduate level). This does not mean that an individual's qualifications are at that level or above, but that the role they will be doing has been determined to be a graduate level role. - Migrants are recruited to a specific job for a specific employer under this route. There are a number of obligations on sponsors including keeping records on the individual's right to work and relevant contact details, if the contract is terminated sooner than expected, any changes in the individuals personal circumstances which are</p>

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			<p>relevant (For example promotion or change of job title, salary change or the location where the individual is employed). Tier 1 (Exceptional Talent) is for individuals who are already internationally recognised at the highest level as leaders in their particular field, or who have already demonstrated exceptional promise and are likely to become leaders in their particular area. There are 2,000 places available each year. We use endorsing bodies to guarantee that those who apply under this route genuinely are exceptional. Applicants must be endorsed by an authorised Designated Competent Body: o Arts Council England o British Academy o Royal Academy of Engineering o Royal Society o Tech Nation Successful applicants can be employed or self-employed and can change roles freely without the need for a sponsoring employer or any minimum salary threshold. If they wish to apply for an extension of their leave, they must show they have earned money in the field of talent in which they were endorsed. Tier 5 discharges our international obligations which cater for employees of overseas governments and positions falling under our General Agreement on Trade in Services (GATS).</p> <p>2. Tier 2 (general) is capped at 20,700 places per year - a certain number of places are available each month. Sponsors (who need to be registered with the Home Office to sponsor migrant workers) will apply for a place from the cap and, if there are more applications than there are places available, then places are prioritised by: 1. Those posts which are considered to be in national shortage (as determined by the independent Migration Advisory Committee) 2. PHD level occupations (which are set out in Appendix J of our Immigration Rules) 3. Those being filled through university 'milk rounds' (where companies tour universities to recruit students) 4. All other jobs which are then prioritised by salary. The Government published its 'Future Skills-Based Immigration System' White Paper on 19 December 2018 outlining proposals of the future immigration system to come into place from 1 January 2021. The White Paper proposes removing the cap on the number of skilled workers, this will provide business and employers with greater assurance that, providing an individual meets the criteria and passes immigration checks, they will be able to come to the UK. The White Paper also proposes the removal of the Resident Labour Market Test for highly skilled roles and expanding the route to include medium skilled occupations at RQF 3+. We are also currently engaging with employers on issues such as the level of the salary threshold.</p> <p>3. Tier 2 (General) allows skilled workers to come to the UK for a period of up to five years and remain on this basis for a maximum of 6 years. Individuals coming under Tier 2 are able to apply for</p>
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			<p>settlement (indefinite Leave to Remain) after five years continuous residence providing that they meet all of the settlement requirements. Tier 1 (Exceptional Talent) applicants are granted leave for up to five years 4 months in a single grant of leave. Unlike Tier 2, there is no maximum period of time applicants can remain in the UK, provided there are able to meet the requirements for an extension. Applicants granted as leaders in their field are able to apply for settlement after three years, instead of the standard five-year qualifying period.</p> <p>4. Other than where an individual is a commonwealth national with a UK born grandparent, in order to come for employment in the UK an individual must be sponsored by an employer who is registered with the Home Office for this purpose. In sponsoring an individual the employer must ensure that they meet with their obligations as a sponsor such as undertaking a resident labour market test if (if required) and paying the appropriate rate. The sponsor must also pay an Immigration Skills charge, which is intended to support the development of the required skills within the resident workforce in the future. In addition to this the individual migrant must also make an application for leave in association with this employment and satisfy a number of requirements which include meeting the required level of English language and having sufficient finances to support themselves and any family members whilst in the UK. In addition to this application they are also required to pay a health surcharge which is set depending on the duration of their proposed visa.</p>
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