

Employer Guide to European Immigration Laws

Key issues



International employment and immigration laws within Europe presents a myriad of opportunities and challenges. We have put together an insightful guide that outlines some of the key immigration issues in eight European countries. As the world becomes increasingly global and interconnected, it is essential to stay updated on these issues to make the most of the globalized employment market.

Select a country from the navigation below.





Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

The single permit is the most common work permit for non-European Economic Area highly skilled workers to work and reside in all three regions of Belgium (Brussels-Capital region, Flanders and Wallonia) for over 90 days.

The single permit is a combined work permit and residence permit.

Is there a minimum salary to qualify for a work visa?

Yes. The minimum annual gross salary requirements for the Single permit in 2023 (and 2024) are:

- Brussels-Capital: EUR 47,174 (EUR 50,310 in 2024)
(Directors/Managers: EUR 78,704 (EUR 83,936 in 2024))
- Wallonia: EUR 47,175 (EUR 50,310 in 2024)
(Directors/Managers: EUR 78,704 (EUR 83,936 in 2024))
- Flanders: EUR 45,984 (EUR 46,632 in 2024) (for 30+)
(Directors/Managers: EUR 73,574 (EUR 74,611 in 2024))

Non-taxable allowances are excluded from the minimum salary calculation.

Is there a minimum skill level for the role to qualify for a work visa?

Yes. Highly skilled workers must be holder of a higher education degree of at least three years.

Does the role need to be advertised?

No. If the higher education and minimum yearly salary requirements are met, no prior local labor market search or advertising for the role is required.

Is this work permit strictly tied to the sponsoring employer?

Yes. The single permit is strictly valid for the specific role (occupation) and with the employer who has sponsored it. After a few years working in Belgium, one can apply for an open-ended single permit, which allows work for any employer in any role.

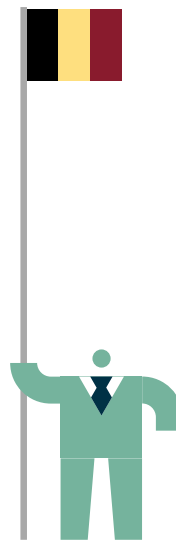
What is the maximum duration for such work visa/permit?

The most common employer-sponsored single permit for highly skilled workers can be valid for up to three years. It can be renewed.

What is the average processing time? Is expedition possible?

It is subject to variations based on the location of the competent diplomatic authorities. The maximum statutory processing time is 120 days. In practice, it commonly turns around six to eight weeks.

No, expedition of the granting of the single permit is not possible.





Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. Dependants may join the highly skilled worker who holds a single permit (under the family reunification visa) provided that they fulfill all conditions required. They are authorized to work during most of the procedure.

Do I need to prove language skills?

No requirement to prove local language skills to apply for the single permit.

Does the visa lead to permanent stay/settlement?

Yes. After five years of uninterrupted and lawful residence in Belgium, including under a single permit, the non-EEA national can apply for permanent stay in Belgium provided that all conditions are met.

Key contact

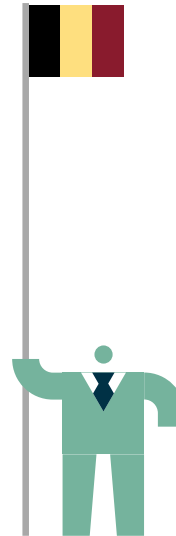


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Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

The most common employer sponsored work visa or permit requested for highly skilled staff is called the "Passeport Talent – Carte Bleue Européenne" (EU Blue Card). It allows the individual to stay and work in France.

Is there a minimum salary to qualify for a work visa?

Yes. The minimum salary to qualify for the EU Blue Card is 1.5 times the national statutory minimum (i.e. EUR 53,836.50 gross per year), with an employment contract lasting a minimum of 12 months.

Is there a minimum skill level for the role to qualify for a work visa?

Yes. The individual must be in possession of a 3-year higher education diploma (or longer) or evidence they have 5+ years of similar professional experience.

Does the role need to be advertised?

No. If the requirements are met, no prior local labor market search or advertising for the role is required.

Is this work permit strictly tied to the sponsoring employer?

No, the French Labor Code does not require any minimum duration of employment with the sponsor employer to change jobs while keeping the EU Blue Card, for as long as the above requirements (contract, diploma and salary) are met.

However, we have seen some local authorities having a more restrictive approach.

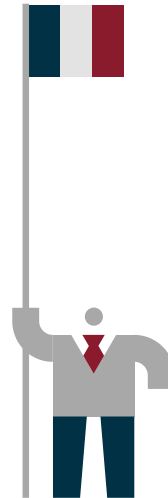
What is the maximum duration for such work visa/permit?

Up to four years, renewable.

What is the average processing time? Is expedition possible?

It usually takes three months to process the request.

Expedition is not possible.





Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. The spouse and underage children of the EU Blue Card holder are regarded as “accompanying family”.

The spouse can request a “Family Passport Talent” that will allow them to stay and work in France for the duration of the EU Blue Card of the initial holder.

Do I need to prove language skills?

No requirement to prove local language skills.

Does the visa lead to permanent stay/settlement?

Yes. After five years of regular and uninterrupted stay in France, the EU Blue Card holder can request a resident card that will allow them to stay and work in France without any professional restrictions (to the extent of regulated professions). The resident card lasts 10 years and is renewable.

Key contacts



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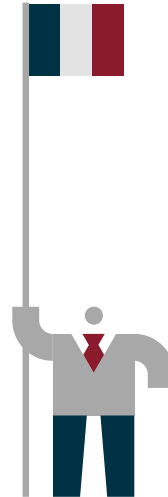


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Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

The EU Blue Card is the most common work and residence permit for non-European graduates and therefore highly skilled workers.

Can holders of the EU Blue Card move freely within the European Union?

For tourist purposes or business trips the holder of the EU Blue Card can visit all countries that are part of the Schengen Agreement. However, they are not allowed to work in other countries.

Is there a minimum salary to qualify for a work visa?

Yes. The minimum annual gross salary requirements for the EU Blue Card in 2023 are:

- EUR 43,800.00 (from 18 November 2023).
- EUR 39,682.00 (from 18 November 2023) for employment in needed professions and for young professionals.

Is there a minimum skill level for the role to qualify for a work visa?

Yes. Highly skilled workers must be holder of a university degree registered in the ANABIN database or have a comparable work experience of minimum three years.

Does the role need to be advertised?

No. If the requirements are met, no prior local labor market search or advertising for the role is required.

Is this work permit strictly tied to the sponsoring employer?

Yes. The EU Blue Card is tied to the specific employment contract and position. A change of position or employer within the first two years of employment requires a permit from the immigration office with a renewed examination of the requirements for granting the EU Blue Card.

What is the maximum duration for such work visa/permit?

The maximum duration for initial granting of the EU Blue Card is generally four years. If the duration of the employment contract is less than four years, the EU Blue Card is issued for the duration of the employment contract plus three months. If the requirements are met, an extension is possible.

What is the average processing time? Is expedition possible?

It is subject to variations based on the location of the competent diplomatic authorities. It commonly turns around six to eight weeks.

Expedited processing is possible with the accelerated procedure for highly skilled applicants.





Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. Dependants may apply under easier conditions for family reunification. Spouses and minor children are entitled to a residence permit with an immediate unrestricted permission to work.

Do I need to prove language skills?

No. In order to obtain the EU Blue Card the applicant does not need to prove language skills. This does not apply to persons who wish to exercise a regulated profession (e.g. doctors and pharmacists, who must generally provide proof of German language skills in order to obtain their license to practice).

Does the visa lead to permanent stay/settlement?

Yes. The holder of the EU Blue Card shall be granted a permanent settlement permit (unlimited residence title) if they have been employed for at least 33 months and has made compulsory or voluntary contributions to the statutory pension insurance scheme or provides evidence of expenses for an entitlement to comparable benefits. In addition to that they have to prove a basic knowledge of the German language. This period is reduced to 21 months if the holder of the EU Blue Card has sufficient knowledge of the German language.

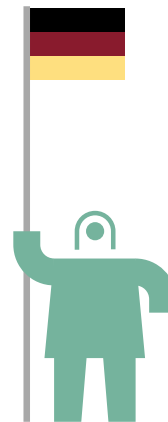
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Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

The most common employer-sponsored immigration category is 'Highly Skilled Migrant'. This route is available to employers with recognized sponsor status. 'European Blue Card' is the route available to employers without recognized sponsor status.

Is there a minimum salary to qualify for a work visa?

Yes. Currently in 2023, to be eligible for an HSMP, the employee's monthly guaranteed gross salary must be EUR 5,008 or EUR 3,672 if the employee is 29 or younger or EUR 2,631 if the employee qualifies under the graduate route. To be eligible for an EU Blue Card, the salary must be EUR 5,867. All mentioned amounts are exclusive of 8% statutory holiday pay.

Is there a minimum skill level for the role to qualify for a work visa?

For HSMP, the employee must be skilled, which must be demonstrated by education or professional qualifications. For EU Blue Card, the employee must have a post-secondary education degree, issued after completion of a studies of at least three years. We expect the rules to change in the fall of 2023, allowing professional qualifications to be relevant for EU Blue Card applicants without a degree.

Does the role need to be advertised?

No. If the requirements are met, no prior local labor market search or advertising for the role is required.

Is this work permit strictly tied to the sponsoring employer?

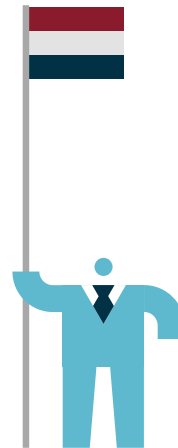
Yes. The work permission is restricted to a specific role and specific employer.

What is the maximum duration for such work visa/permit?

The duration of the employment agreement to a maximum of five years (extendable).

What is the average processing time? Is expedition possible?

The statutory processing time is 90 days. HSMP are normally processed within two weeks. EU Blue Cards are processed in 90 days.



The Netherlands

Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. Provided the dependents are the spouse, (registered) partner or children below 18 of the applicant or his partner. Dependents are allowed to work without restrictions.

Do I need to prove language skills?

No requirement to prove local language skills.

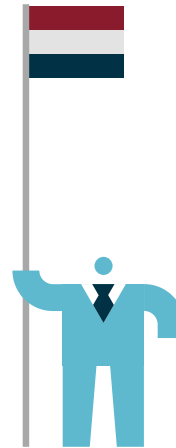
Does the visa lead to permanent stay/settlement?

Yes. After five years of uninterrupted and lawful residence in the Netherlands, an HSMP or EU Blue Card holder can be eligible for permanent residency provided certain conditions are met, including having passed the Civic Integration Exam.

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Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

The EU Blue Card (a temporary residence and work permit for the purpose of performing work in a profession requiring high qualifications) is the most common sponsored work and residence permit for a non-European Economic Area highly skilled workers.

However, if the foreigner will be coming to Poland for the first time, it is more common and practical for the employer to obtain a work permit for the foreigner and then obtain a visa to Poland.

When and where to apply for EU Blue Card?

The application should be submitted to the competent provincial office in Poland, no later than the last day of legal residence in Poland (you cannot apply while staying in Poland for tourist purposes).

Is there a minimum salary to qualify for a work visa?

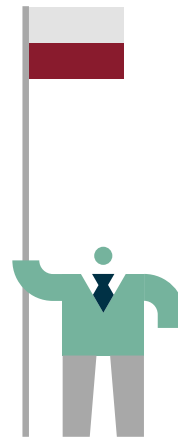
Yes. The annual gross salary for the EU Blue Card holder cannot be lower than the equivalent of 150% of the amount of average remuneration in the national economy in the year preceding the filing of an application for granting a temporary residence and work permit (i.e. ca. EUR 25,580 gross per year), with an employment contract or civil law contract lasting a minimum of 12 months.

In the case of a standard work permit, a foreigner's annual salary cannot be lower than the statutory minimum salary in Poland and lower than that of other employees employed in the same position.

Is there a minimum skill level for the role to qualify for a work visa?

Yes. For EU Blue Card the individual must be in possession of qualifications obtained upon completion of a higher education degree (a university degree) or at least five years of professional experience at a level comparable to the level of qualifications obtained on completion of university studies, required to perform the work specified in the employment contract/civil law contract.

There is no such requirement for a standard work permit.



Does the role need to be advertised?

Yes – local labor market test and related advertising is required. However, the Polish law provides for several exemptions (e.g. (i) the occupation that the foreigner performs or the type of work is on the list of occupations and types of work that are exempt from the labor market test; (ii) the foreigner, immediately before applying for EU Blue Card, had a work permit or a unified residence and work permit with the same employer and in the same position; (ii) the foreigner has already been lawfully employed on the territory of Poland for a period of two years on the basis of EU Blue Card).

Is this work permit strictly tied to the sponsoring employer?

Yes. During the first two years, EU Blue Card is tied to the specific employer and a specific position with the sponsoring employer. However, an individual may file application for amendment to EU Blue Card.

What is the maximum duration for such work visa/permit?

The permit is granted for a period not exceeding three years, renewable.



What is the average processing time?

Is expedition possible?

The maximum statutory time is up to two months, however in practice it takes at least six months to process application for EU Blue Card.

Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. The holder of an EU Blue Card may bring dependants and the dependants may apply (under simplified conditions) for family reunification.

Do I need to prove language skills?

No requirement to prove local language skills.

Does the visa lead to permanent stay/settlement?

Yes. A long-term EU resident's stay permit may be granted to a foreigner for an indefinite period of time, if the foreigner has been staying in Poland legally and uninterruptedly for at least five years, including EU Blue Card, directly before filing an application for such a permit (provided that all other condition set forth in the laws are met).

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Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

There are two main types – Highly Skilled Workers and Inter-corporate Transfers.

The work permit for Highly Skilled Workers covers the hiring in Spain of highly skilled workers. To qualify, the employee must have a highly skilled job position, a higher education degree or a minimum professional experience of three years, and a minimum annual salary of EUR 42,000 (EUR 62,000 for managers). The inter-corporate transfers cover the temporary transfer of an employee employed outside the EU to a legal entity or client of the employer or its group in Spain. To qualify, the employee must normally have been employed by the group overseas for at least three months and have a university degree or three year-experience in the employee's role.

In addition, if the employee will work remotely for an entity located outside Spain, the employee may be eligible to apply for a digital nomad visa.

Where can I make the visa application from?

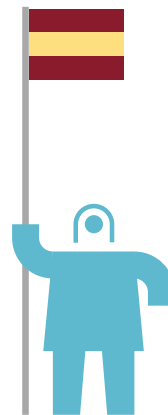
From Spain or from the employee's country of residence (in this case, the applicant will have to obtain a work permit first, and a visa afterwards).

Is there a minimum salary to qualify for a work visa?

Yes, but only for Highly Skilled Workers: EUR 42,000 per year or EUR 62,000 if the employee will hold a managerial position in Spain. For employees aged 30 or younger, such amounts are reduced by 25%.

Is there a minimum skill level for the role to qualify for a work visa?

Yes, in the three types of work permit, the employee must either be the holder of a higher education degree (a university degree) or have three years of relevant professional work experience in functions analogous to those of the position to be performed in Spain that can be considered comparable to such higher qualification.



Does the role need to be advertised?

No. If the legal requirements are met, no prior local labor market search or advertising for the role is required.

Is this work permit strictly tied to the sponsoring employer?

Yes. The work permission is restricted to a specific role and specific employer.

What is the maximum duration for such work visa/permit?

In the three types of work permit, up to three years, renewable. The only exception is the digital nomad visa when the application is submitted outside Spain, in which case the maximum duration of the initial visa is one year, renewable.

What is the average processing time? Is expedition possible?

The maximum processing time for the work permit is 20 working days (public holidays and weekends excluded). If no decision was made during this term, the work permit shall be deemed granted. When a visa is also required because the application has been submitted while the employee is outside Spain, a 10 day processing time for the visa must be added.

Expedition is not possible.



Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. Dependants permitted are spouses, unmarried partners, children under 18 at the time of the first visa application, legal aged children if they are financially dependent on the applicant and parents in the applicant's charge. Dependants are allowed to work in Spain without needing additional work permission. Their work and residence permit are tied to the principal applicant.

Do I need to prove language skills?

No requirement to prove local language skills.

Does the visa lead to permanent stay/settlement?

Yes. After five years of uninterrupted and lawful residence in Spain, the employee can be eligible for long term residency provided certain conditions are met.

Key contact

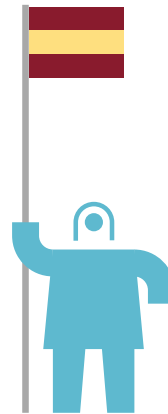


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Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

The EU Blue Card is the most common employer sponsored work visa for a non-European highly skilled worker.

Is there a minimum salary to qualify for a work visa?

Yes, the minimum salary to qualify for the EU Blue Card is one and a half times a Swedish average wage. The Swedish Migration Agency determines this amount once a year. From 28 August 2023, the salary threshold is SEK 57,450 per month (gross salary). In addition to the minimum salary requirement, the salary must always be at the level of collective agreements or practices in the profession or industry.

Is there a minimum skill level for the role to qualify for a work visa?

Yes, the employee must either be holder of a higher education degree (a university degree equivalent to 180 university credits) or have five years of relevant professional work experience.

Does the role need to be advertised?

Yes, the employer must advertise the job position in Sweden and within the EU/EEA and Switzerland for at least 10 days.

Is this work permit strictly tied to the sponsoring employer?

Yes. During the first two years, the EU Blue Card is tied to the specific employer and a specific position with the sponsoring employer. After the employee has worked for two years and extended the work permit, it is possible to change employers without submitting a new application as long as the job is in the same occupation.

Is this work permit strictly tied to the sponsoring employer?

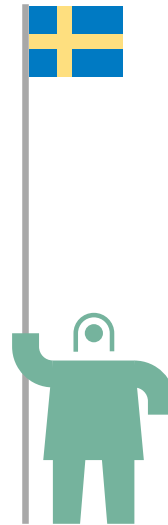
The maximum duration for the EU Blue Card is five years. The first time the applicant receives an EU Blue Card, it is valid for at least one year and up to two years. The applicant must then apply for an extension of the EU Blue Card.

What is the average processing time?

Is expedition possible?

The Swedish Migration Agency shall make a decision on a EU Blue Card within 90 days and they usually use the full 90 days to make a decision.

Expedition is not possible.





Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. The applicant may bring dependants and the dependants may apply under easier conditions. Dependants are allowed to work in Sweden without needing any additional work permission.

Do I need to prove language skills?

No. The applicant does not need to prove language skills to obtain the EU Blue Card.

Does the visa lead to permanent stay/settlement?

Yes. When the applicant has had an EU Blue Card in Sweden for 48 months and worked in Sweden for a period of 48 months, it is possible to apply for a permanent residence permit provided that all conditions are met. The application for a permanent residence permit shall be made in connection with the extension of the EU Blue Card.

Key contact

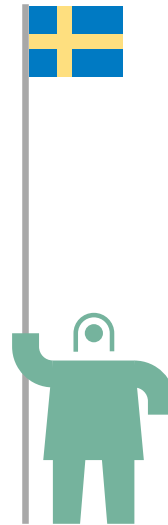


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Key issues:

What is the most common employer sponsored work visa or permit requested for highly skilled staff?

There are two main types – Global Business Mobility and Skilled Worker (formerly known as Tier 2 General). This will cover all new-hires made in the UK and most if not all of the new-hires from overseas. Global Business Mobility (formerly known as Tier 2 Intra-company Transfer) is an option for moving an employee from an overseas office to the UK for a short-term. To qualify, the employee must normally have been employed by the group overseas for at least 12 months, but can be less if the UK salary will exceed £73,900, but they must be employed by an overseas company at the time the visa application is made.

Where can you make the visa application from?

UK applications can only be made from a country the applicant is resident in – not visiting. There are occasional concessions when it is impossible to apply in a home country.

Is there a minimum salary to qualify for a work visa?

Yes. For either category, it is necessary to pay the higher of the salary required for the visa category, OR the salary dictated by the UK Government as required for the role. Each job that qualifies for a work visa has a Standard Occupation Classification (“SOC”) code with its own minimum salary. For a Global Business Mobility visa, the minimum salary will be £45,800 or £73,900 for those with less than 12 months service (“High Earner”). For Skilled Worker category the minimum salary required is £26,200 or £20,960 if the applicant is a “new entrant” or the role is a “shortage occupation”. Please note the UK Government sets minimum salary requirements based on a 37.5 hour working week.

Is there a minimum skill level for the role to qualify for a work visa?

For most roles, the minimum skill level is RQF Level 3. This is the equivalent of “A” Levels – below University degree level. Not all roles are eligible for Global Business Mobility.



Does the role need to be advertised?

No. But the employer will need to be able to evidence there is a Genuine Vacancy if required.

Is this work permit strictly tied to the sponsoring employer?

Yes. The work permission is restricted to a specific role and specific employer. Even an internal move may require a new work permit. Please note that working at or for a 3rd party is very restricted.

What is the maximum duration for such work visa/permit?

For Global Business Mobility, the maximum duration is five years in any six year period, but can be nine years in any 10 year period for a High Earner. For Skilled Worker, there is no limit, but each visa can only be for a maximum of five years.

What is the average processing time?

Is expedition possible?

This will vary depending on the location of the application and the availability of expedited processing options (and fees). Can be as quick as 24 hours. Most expedited applications will be processed in four to seven working days.



Questions applicants may ask and how to respond:

Can I bring dependants – and are they entitled to work?

Yes. Dependants permitted are spouses, non-married partners (if there is evidence of co-habitation for at least two years) and children under 18 at the time of the first visa application. Dependants are allowed to work in the UK without needing additional work permission. Their visa duration is tied to the principal applicant.

Do I need to prove language skills?

No for Global Business Mobility, but **yes** for Skilled Worker.

Does the visa lead to permanent stay/settlement?

Global Business Mobility **does not**, Skilled Worker **does** after 5 years work/residence in the UK.

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This is a very high level review of the position as at November 2023.

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