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## **EUROPEAN UNION: EU DIRECTIVE 2014/66 ESTABLISHES SIGNIFICANT CHANGES TO INTRA-COMPANY TRANSFER WORK PERMIT PROCESSES**

Citing the increased trend of job relocations within multinational companies, the European parliament and the Council of the EU has adopted Directive 2014/66, which seeks to streamline and harmonize intra-company transfer (ICT) work permit processes across the EU's member states. The Directive focuses on:

1. The conditions of entry and residence for intra-company transferees and their dependents; and
2. The movement within the EU for non-EU nationals who have been granted an intra-company transferee work permit.

The Directive establishes baseline eligibility requirements regarding the transfer of non-EU national employees from an employer's offices outside the EU to offices in an EU member states.

Member states have until November 29, 2016 to enact immigration laws and regulations that are compliant with the Directive. Denmark, Ireland, and the United Kingdom have opted out and will not be bound by the Directive.

During the next two years, member states should be introducing ICT work permit laws and regulations that will benefit employers in the following ways:

1. Employees can be transferred for up to three years for managers or specialists and up to one year for trainees;
2. Employees may be able to conduct certain work activities at client sites;
3. Employees may be transferred to multiple offices in multiple EU member states. The ICT work permit application will be processed by the member state where the employee will spend most of his/her time;
4. Employees holding an ICT work permit from one member state may be able to enter and work for their employers in other member states on either a short-term (90 days over a 180 day period) or long-term (over 90 days) basis;
5. Employers will generally not have to conduct a local labor market test prior to transferring the employee to an EU member state;
6. ICT work permit application will have to be processed within 90 days, which allows employers to fulfill business needs more quickly;
7. Member states are encouraged to create simplified, fast-track process for employees of pre-approved companies.

While each member state will have a fair amount of discretion regarding implementation, the spirit of Directive 2014/66 is one that is favorable to employers who are relocating their employees to Europe.

FosterQuan will continue to monitor these changes and the impacts of this Directive and will provide additional information in future Immigration Updates<sup>®</sup>, and on our firm's website at [www.fosterquan.com](http://www.fosterquan.com).