

Mobility: Immigration alert

April 2022



Sweden

Swedish Parliament to vote on new work permit legislation on 20 April 2022

Executive summary

The Swedish Parliament is scheduled to vote on 20 April 2022 on a proposal to amend the Swedish new work permit legislation. If approved, the new legislation will go into effect on 1 June 2022 and result in multiple changes, including the introduction of a new permit type for highly skilled workers and new heightened employer responsibilities.

Background

The introduction of the new work permit legislation is intended to attract and retain highly skilled workers to Sweden and enable individuals who are not eligible to extend their current permits or obtain permanent residence to remain in Sweden. The new legislation would also heighten the application requirements of employers and family members of work permit holders.

Key points

If approved, the following legislative changes, which apply to new and pending work permit applications, will go into effect on 1 June 2022:

- Unlimited extensions for temporary work permit holders. Temporary work permit holders will be able to extend their work permits on an indefinite basis. This will provide greater flexibility for employers and employees, and allow for better resource planning, particularly for rotational staff and short-term assignees
- New permit for highly skilled workers. The new permit would allow highly skilled workers to reside in Sweden for up to nine months, during which time they will be able to seek employment opportunities and/or set-up their own

businesses in Sweden. While this permit does not confer work authorization onto its holder, it offers opportunities for potential employers to more easily identify and hire candidates who are third-country nationals. These third-country nationals would be able to apply for a work permit from within Sweden, convert an existing permit into a regular work permit and commence employment as soon as the work permit application has been filed (i.e., they do not have to wait until a decision has been made)

- Requirement to include employment contracts together with work permit applications. Employers will be required to submit a copy of the employment contract offered to the third-country candidate together with the offer of employment to demonstrate that the expected employment conditions in Sweden are in line with those listed in the contract. This measure is designed to promote greater accountability of employers hiring foreign workers
- Requirement for employers to report changes in employment conditions. Employers will be required to report changes in employment conditions for third-country nationals to the Swedish immigration authorities. As of the time of this writing, it is not yet clear what sorts of changes in employment conditions will trigger the requirement to report. However, it is expected that employers will be required to report situations where the employment conditions are less favorable to those previously offered (e.g., a lower salary or fewer working hours). This is expected to place greater responsibility and accountability on Swedish employers

- Reduction in the risk of work permit application rejections and deportations of foreign workers due to minor administrative errors. The new law aims to reduce the likelihood that highly skilled third-country nationals will be deported or have their work permit extension applications rejected due to minor administrative errors on the part of their sponsoring Swedish employers. This is intended to ensure that valuable foreign labor is retained in Sweden
- Financial support requirement for work permit holders with accompanying dependent family members. For accompanying dependent family members to be issued residence permits, the principal work permit holder will be required to meet an (after-tax) income threshold and demonstrate that they can financially support their family members during their time in Sweden. By adding this maintenance requirement, the Swedish Government is aiming to standardize the financial support requirements related to dependent family members across all major permit types
- Re-entry visas. Foreign workers will be able to apply for visas to re-enter Sweden while they have pending work and residence permit extension applications in process with the Swedish Government, even after the validity periods of their permits have expired

For additional details, click [here](#) (available in Swedish only at this time).

Key steps

EY will continue to monitor these developments. Should you have any questions, please contact any of our immigration professionals.

Andreas Bråthe
Partner – People Advisory Services, Global Immigration
Tel: +46 73 397 24 33
Email: andreas.brathe@se.ey.com

José Vaz
Senior Manager – People Advisory Services, Global Immigration
Tel: +46 70 148 13 25
Email: jose.vaz@se.ey.com

Elin Harrysson
Manager – People Advisory Services, Global Immigration
Tel: +46 73 255 77 02
Email: elin.harrysson@se.ey.com

Elsa Tirén
Assistant Manager – People Advisory Services, Global Immigration
Tel: +46 76 853 19 79
Email: elsa.tiren@se.ey.com

Josef Gyрмаi
Assistant Manager – People Advisory Services, Global Immigration
Tel: + 46 70 913 96 26
Email: josef.gyрмаi@se.ey.com

Oliver Parsa
Assistant Manager – People Advisory Services, Global Immigration
Tel: +46 72 194 74 32
Email: oliver.parsa@se.ey.com

EY | Building a better working world

EY exists to build a better working world, helping create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

Ernst & Young LLP is a client-serving member firm of Ernst & Young Global Limited operating in the US.

© 2022 Ernst & Young LLP.
All Rights Reserved.

EYG no. 002945-22Gbl

2101-3682263
ED None

ey.com