

Mobility: Immigration alert

April 2022



Sweden

New work permit legislation to go into effect on 1 June 2022

Executive summary

The Swedish Parliament recently voted to amend the Swedish work permit legislation. The new legislation, which goes into effect on 1 June 2022, includes 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 will also lead to an increase in the application requirements for employers and family members of work permit holders.

Key points

The following changes, which apply to new and pending work permit applications, 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 will 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 will 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 work conditions in Sweden are in line with those listed in the contract. This measure is designed to promote greater accountability for employers who hire 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 of work permit application rejections and deportations of foreign workers due to 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 aims 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.

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EYG no. 003676-22Gbl

2101-3682263
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