



New rules for labour immigration



Welcome to Sweden – we are now creating new opportunities for labour immigration



IN THIS PAMPHLET, the Government presents one of the most significant reforms of Swedish immigration policy in several decades. Facilitating increased opportunities for labour immigration will be of vital importance for Sweden's ability to meet both present and future challenges in the labour market. At the same time, this will contribute to a more culturally diverse and open society.

Sweden has a tradition of labour immigration. In the decades following the Second World War, immigration made a major contribution to our prosperity. Sweden was still a labour immigration country at the beginning of the 1970s, but the general perception of immigration changed subsequently as the flows to Sweden came to be dominated by asylum seekers. Apart from asylum seekers and their relatives, the number of people who have been given the opportunity to come to Sweden to create a better future for themselves has been relatively small.

Migration is a positive force in our increasingly globalised world. In order to promote cross-border mobility and to make use of the knowledge and experience of labour immigrants, it is time to change our perspective. We must recognize the ambition and potential of individuals who wish to come to our country to live and work, and provide them with the opportunity to start a new life for themselves in Sweden.

This is why the Government and the Green Party have decided to open a new path for those wishing to come here to work. In doing so, Sweden is setting an example which hopefully others in Europe will follow.

Every day we can read about the labour shortage in

several occupations and sectors of the Swedish labour market. Our population is getting older and many people will soon be leaving working life. The fact that fewer and fewer people will have to support an increasing percentage of the population may have negative consequences for the labour market and for the economy as a whole. This demographic trend presents a challenge for future growth and the sustainability of our welfare system.

I do not believe that increased labour immigration is the only appropriate response to the demographic challenges we are facing. More labour immigration is only one of several instruments in efforts to prevent labour shortages and to maintain the supply of labour in the short and long-term. Increased labour immigration therefore constitutes a complement to measures which aim to utilize the labour already in the country.

One area in which labour immigration can play a vital role is where there are problems recruiting people with the right skills. Even today, many companies are facing recruitment problems. Some of these companies you will meet in the pamphlet. Their testimony confirms what I have heard when I have been travelling around the country. The reality is that some skills cannot be found in Sweden today, even though we still have unemployment. These recruitment difficulties create great problems for employers in finding staff and the situation prevents them from expanding and ultimately from creating more jobs. This is where increased labour immigration definitely can make a difference.

Tobias Billström, Minister for Migration and Asylum Policy

New rules for labour immigration

The Government proposes new rules for labour immigration to Sweden. The rules will create a more effective and flexible system which will make it easier for people to come to Sweden to work and for companies to recruit labour from outside Europe.

AN EMPLOYER WHO IS not able to meet his or her labour needs through recruitment in Sweden or in other EU/EEA countries or Switzerland will be able to recruit labour from a third country if certain fundamental conditions, such as, for example, terms of employment, are fulfilled. It will also be easier to come to Sweden to attend a job interview. Permit periods will be longer and it will be possible for visiting students and some asylum seekers to remain in the country and apply for permits from inside Sweden. It is proposed that the new laws and regulations enter into force on 15 December 2008.

The agency-based labour market test will be phased out

The Swedish Public Employment Service will no longer be able to argue that labour of right qualifications is already available in Sweden, other EU/EEA countries or Switzerland. The point of departure will be that the individual employer best knows the recruitment needs of his or her business. When processing cases involving residence and work permits, decisions will be based on employers' own assessment of their needs.

Salary and other terms of employment

The Swedish Migration Board will examine whether the terms offered, i.e. salary, insurance protection and other terms of employment, are in accordance with the conditions applying to employees already resident in the country. In Sweden, these are established by so-called collective agreements. This is to ensure that there is sound competition for jobs in the labour market and to avoid social dumping.

The Swedish Public Employment Service was previously responsible for checking that the Community

preference was respected, i.e. that posts were made available to job applicants in the other EU/EEA countries and Switzerland. Under the new rules, the Swedish Migration Board will take over this task. Cases relating to residence and work permits will thus all be dealt with by a single agency.

In assessing the conditions offered with the employment, the main rule will remain unchanged, i.e. the employer is required to give the employee organisations an opportunity to state an opinion on the terms of employment. The statements made by employee organisations are of great importance when making these examinations.

Changed rules for work permits

Time limits for work permits will be extended.

A temporary permit can be granted for the duration of the employment or for a maximum of two years. If the person is still working after this, it will be possible to extend the permit once or several times. The total permit period may amount to no more than four years. After four years, a permanent residence permit can be granted. The examination of an application for an extension of a work permit takes place in Sweden and the applicant will not need to return home to apply for an extension.

Three-month transition period

With longer permit periods, it may happen that a position is terminated during an ongoing permit period. A position may be terminated for various reasons, such as

- the employee resigns
- the employer's business activities cease
- the employee is given notice of termination because of lack of work.

In these situations, the employee will be granted a transition period of up to three months in order to look for a new job. If he or she does not get a new job, the residence permit will be revoked.

Simplified rules for visiting students who wish to stay on and work in Sweden at the completion of their studies

The Government proposes that visiting students who have completed studies corresponding to 30 higher education credits or who have completed one term of research education at institutions of higher education will be allowed to apply for work and residence permits without having to first leave Sweden.

The possibility of applying for job applicant visas

The possibility of obtaining a visa, for example, to attend a job interview, will be greater. A person subsequently offered employment will not always need to return home to apply for a residence and work permit.

Even today, companies may have problems in recruiting staff. This may involve welders, electricians and engineers, but also doctors.

The possibility for asylum seekers who have found employment to apply for residence and work permits

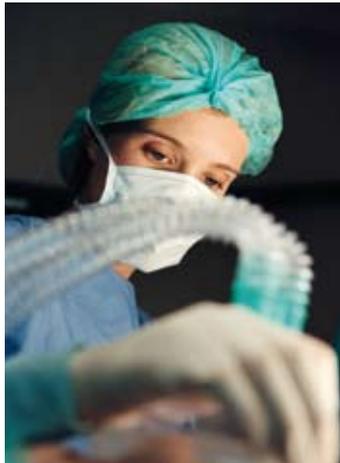
An asylum seeker whose application has been refused through a final and non-appealable decision may be granted a residence permit for work without first having to leave the country if he or she has had a job for at least six months. The position must be permanent or for a period of at least one year from the date of application and must fulfil the general conditions for work permits. An application must have been received by the Swedish Migration Board within two weeks of the decision concerning a rejection of an asylum application becoming final and non appealable. Family members of the applicant will also be able to be granted residence permits without leaving the country.



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Knowledge about India – a key qualification

INDISKA IS A family business selling fashion and interior design inspired by India. Knowledge about Indian design and handicrafts is therefore a key qualification for this company.

“It is important to have an exchange of Indian designers who come to us to learn,” says Sofie Gunolf, Indiska’s CEO.

EVEN OUT IN THE STORES and among decorators and buyers there is a need for employees with this qualification.

“But today’s system is far too complicated for us to go further and try to recruit foreign labour. We wanted, for example, to employ two Indian chefs for our restaurant businesses and then discovered how difficult it is for a company to do so,” says Anders Thambert, Chair of the Board at Indiska.

“Instead of employing Indian designers, the company brings them in on contract. But for it to be a meaningful exchange for both the company and the employees, they must be able to work in Sweden for a longer period,” says Sofie Gunolf.

“Indian designers coming here to work gain valuable knowledge that they take back home when they return. Swedish employees also have a lot to learn from their Indian colleagues”, she says.

Greater exchange between countries

Indiska is a company that is expanding in India. It is therefore important that Indian employees can come to Sweden to work for a few years.

“There are large cultural differences between Sweden and India. Employees who come here acquire a better understanding of our business and can contribute to its development. For example, they learn to assert themselves in a different way than had they only worked in India,” she says.

Today’s system for labour immigration is old-fashioned, believes both Sofie Gunolf and Anders Thambert, who would like to see greater freedom for companies. It is the company, they say, which has the best knowledge of the skills needed in its own business sphere.

“When we open stores in India, our Swedish staff want to go there to work to increase their skills and further develop their qualifications. And in India, this is entirely possible,” says Anders Thambert.

The many applications that the company receives from India show that there is an interest in coming to Sweden to work. This often involves young people who have studied in Sweden. But with today’s system, the company has to turn these people down.

Qualifications from abroad are needed

“Sweden needs qualifications from abroad. If we cannot employ the skills we need, the company cannot grow and will stagnate instead. Growth of the company benefits both the domestic and European labour market,” says Anders Thambert.

“Indiska operates in the Scandinavian market. The majority of our employees will therefore be Scandinavian. But we welcome people who have moved here to work with us and especially those from India,” says Sofie Gunolf.



“Today’s system for labour immigration is old-fashioned,” say Anders Thambert and Sofie Gunolf.



In the shops customers can buy nuts and other sweets over-the-counter but can also have a cup of coffee and a cake. The idea comes from Lebanon.

Qualified pastry chefs – a shortage occupation

TASTY HOUSE HAS a number of shops in Skåne, where customers can buy nuts and sweets over the counter, but can also have a cup of coffee and a cake. The idea comes from Lebanon. The company now wants to open more shops around the country but needs good pastry chefs – a shortage occupation in Sweden.

“QUALIFIED PASTRY CHEFS are key people for our business. But there is a shortage of these skills in Sweden,” says Magnus Hallin who started Tasty House together with Hassan Sarris.

They discovered this when they were going to start their first shop in Helsingborg in the summer of 2005. Together with the local office of the Swedish Public Employment Service and the county labour board, the company searched for staff in Sweden and EU countries but without success. Only two people replied to five advertisements and neither of them had the right qualifications.

In Sweden today there are only a few pastry chefs according to Magnus Hallin, and those who are here often work in their own, or family businesses.

Skills available abroad

Lebanon has other traditions with regard to the bakery industry and almost every better class hotel has its own pastry shop. There they have managed to keep professional skills alive in a different way from Sweden, he thinks. The company has also employed eight people from Lebanon who have obtained residence and work permits in Sweden.

Now the company wants to expand and open shops in more places. To do this, good pastry chefs are needed.

“We very much need to employ foreign staff. I hardly dare to think about what would happen if we don’t

manage to do so. For each foreign employee, we can employ twelve to fifteen more people. In the future I would guess that the company will have a few key people of Lebanese origin. The rest will be staff from Sweden.”

Complicated to employ foreign staff

Employing foreign staff has been a complicated and time-consuming task. In some intensive periods, Magnus Hallin has even spent half of his time working with these issues.

“There has been a tradition in Sweden to take on foreign labour with technical skills. But I think in the future that we will need to import other skills, such as craftsmanship, for example.”

Magnus Hallin believes that it would be good if it were easier for job-seekers to come to Sweden to attend job interviews, for example. Employers would then have the chance to meet the person in question and the job-seeker could see the company and the place where he would be working.

“There seems to be a fear that we will get people here who will stay for good, and exploit our system. But they come here to work. If they don’t get a job, they move somewhere else. People who are good at their jobs will always find work.”



Ursula Hass together with some of the students at the Blekinge Institute of Technology.

Great interest in studying technology in Sweden

AT PRESENT, almost one thousand foreign students are studying at the Blekinge Institute of Technology. They are studying in various masters programmes, primarily in ITC and telecommunications. Skills that many companies in the region need.

“We must make use of the resources that we invest in these students,” says Ursula Hass, Vice-Chancellor of the Blekinge Institute of Technology.

“BRINGING FOREIGN STUDENTS here is a conscious strategy on the part of the Institute. Young Swedes have very little interest in studying technological subjects. But there are many good foreign students with both the interest in and an insight into the potential of the jobs that technological education leads to,” says Ursula Hass.

She sees the task of supplying qualified technological skills to the region and the rest of Sweden as an important one for the Institute. The foreign students also enhance the quality of the education and of research.

“They often have a stronger theoretical background than Swedish students and they therefore place completely different demands on the teaching. Gathering so many different nationalities in one and the same place is an asset for both the Institute and the region.”

The Institute works actively with the local business sector. Included in the masters programmes is a final dissertation which the students do in conjunction with different companies. This cooperation often functions as a gateway for the students; they get to know the industry and by doing so, become more attractive for employment in these companies.

“Companies see the work on these dissertations as a long job interview. When they invest so much in one person over a six month period, they also want to get something in return – they want to be able to employ the person. It would make it easier for all the parties – students, companies and the higher education institution – if students could apply for residence and work permits on the spot,” says Ursula Hass.

“For Sweden to be able to compete with other

countries, we must strengthen our technological skills. We must be able to make use of the resources that we invest in these students. Changed rules would also change foreign students’ views of Sweden as a country in which to acquire education. It would be more attractive for them to study here and to work if there were also a chance for them to remain after completing their studies,” says Ursula Hass.

Foreign students keen to work in Sweden

“Sweden is a good country in which to study and live”, say Hasnain Kashif from Pakistan, Vikas Sidhavatula from India and O Ladipo Samuel David from Nigeria. These are some of the foreign students who have chosen to do their master programmes at the Institute. A clean natural environment, a sparsely populated country and a high standard of living attracted them to Sweden. Other important arguments are the high standard of education, and courses that are free of charge.

They are studying here for two years, and are very interested in continuing in Swedish working life.

“We have received a good education and would like to give something back to Sweden,” says O Ladipo Samuel David.

He already has a work permit in England. But a Swedish company wants to employ him, and he is now waiting to hear whether it would be possible for him to remain here to work.

The students do not view returning home to apply for a residence and work permit as a viable alternative. You have to be here, otherwise employers forget about you.

The right skills – a strategic issue

ENGCON NORDIC AB in Strömsund has difficulty today in recruiting certain occupational groups such as welders and design engineers. They must therefore employ staff who do not have the right skills. Employing staff from third countries could be a solution for the company.

THE COMPANY MANUFACTURES tiltrotators and other attachments for excavators and tractor loaders. A tiltrotator can be likened to the 'wrist' between the arm of the excavator and the bucket (or whatever other tool that is fitted to the excavator tool). Engcon Nordic AB is located in Strömsund and is one of the municipality's biggest employers with 101 employees.

Although the company cannot now find personnel with the right qualifications they must nevertheless take on staff.

"We have to lower our requirements of the staff we employ. But the start-up period for these staff is longer as we have to train them first. This affects our production, which cannot run at full capacity," says Mikael Persson, Head of Human Resources.

Today the company has employees from Georgia, Rwanda, Germany and France.

"Finding staff with the right qualifications is a strategic issue for us. If we have access to the right qualifications, we can also increase our production," he says.

As one of the largest employers in the municipality, the company's development also affects the region. As in many other municipalities in Jämtland, young people in Strömsund move to other places as soon as they have completed upper secondary school.

"We want them to stay and also want more people to move into the municipality both from other countries and from the rest of Sweden. We are going to need qualified labour both in the short and long-term."



Engcon Nordic AB manufactures attachments for excavators and tractor loaders and is one of Strömsund's largest employers.

Sweden's migration and asylum policy

THE MINISTRY OF JUSTICE is the ministry in the Government responsible for migration and asylum policy. The responsible Minister is Minister for Migration and Asylum Policy Tobias Billström. Swedish migration policy includes refugee and migration policy, as well as voluntary return home and support to return migration.

It also includes cooperation at international level on these issues. Migration and asylum policy is by nature a cross-border issue. People are continually moving from one country to another in the world. Some are forced to flee persecution, while others move for economic and social reasons. They may do so to start a family, work or study in another country. They may also move to another country in the general hope of finding better prospects for the future. Migration often has a major impact on the development of both countries of origin and countries of destination.

Sweden should have a humane refugee policy and be a place of refuge for people fleeing from persecution and oppression. The possibility of seeking asylum must be safeguarded and the trend in Europe to close more borders must be opposed.

However, migration policy in Sweden and in the world must be more than just asylum policy.

The Government's starting point is that immigration helps to vitalise the labour market and the economy as a result of the new knowledge and experience that new arrivals bring from their home countries. This is why the Government is proposing new rules for labour immigration.

Want to know more?

Read more about Sweden's migration and asylum policy on the Ministry of Justice website, www.sweden.gov.se/justice. There you will also find more information on the Government's proposals for new rules for labour immigration.

To order more copies of this pamphlet, you can email: info.order@justice.ministry.se.

The Swedish Migration Board is responsible for migration, refugee, repatriation and citizenship issues. More information is to be found on the Swedish Migration Board website, www.migrationsverket.se.



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