

International NGOs: Recruiting international staff

CAGI – 9 November 2016

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Département de la sécurité et de l'économie

Office cantonal de l'inspection et des relations du travail / Office cantonal de la population et des migrations

Main-d'œuvre étrangère / Secteur emploi

Dual system for granting foreign nationals access to the Swiss labour market:

- ***EU/EFTA nationals:*** Agreement on the Free Movement of Persons (AFMP);
- ***Non-EU/EFTA nationals:*** restrictive conditions (Federal Act on Foreign Nationals).

Nationality is key (a non-European citizen with a valid permit in an EU/EFTA country is considered as such when he/she is hired by an employer in Geneva).



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EU-27/EFTA countries

Austria	France	Liechtenstein	Romania
Belgium	Germany	Lithuania	Slovakia
Bulgaria	Greece	Luxembourg	Slovenia
Czech Republic	Hungary	Malta	Spain
Cyprus	Iceland	Netherlands	Sweden
Denmark	Ireland	Norway	United Kingdom
Estonia	Italy	Poland	
Finland	Latvia	Portugal	



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Romania – Bulgaria

Since June 1st 2016, Bulgarian and Romanian workers are subject to the same system as citizens of the EU-25/EFTA.

United Kingdom

The United Kingdom is still a member of the EU; the Brexit has no legal consequence so far.

Croatia

Member of the EU, but does not yet benefit from the AFMP. Restrictive conditions apply.



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Nationals of the EU-27/EFTA countries

(work contract with an NGO in Geneva)

Upon arrival of the employee, the employer must send the following documents to the OCPM:

- M or F form **fully** completed, dated and signed;
- Copy of the employee's passport or identity card;
- 2 photos (passport size).

If residing in Switzerland:

- Copy of a marriage certificate for spouse;
- Copy of birth certificate for each child;
- Copy of the rental lease or equivalent document.



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Types of work permits EU-27/EFTA

Online notification

For employment up to 90 days per calendar year.

https://www.sem.admin.ch/sem/en/home/themen/fza_schweiz-eu-efta/meldeverfahren.html

L permit

For employment for a limited period of time (from 3 months up to 12 months) reflecting the period specified in the employment contract.

B permit

Long term work permit for five years (more than 12 months).

G permit

For employment for a limited period of time (from 3 months up to 12 months) reflecting the period specified in the employment contract. More than 12 months the employee will receive a permis G for five years.



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Non-EU/EFTA nationals

(work contract with an NGO in Geneva)

- The NGO sends all necessary documents to the OCPM who will send the file to the MOE (OCIRT).
- The request must be filed *6-8 weeks in advance*.
- The foreign national must wait abroad while the process is being completed. It includes the approval of the cantonal decision by the federal authority.
- At the end of the process, the foreign worker must get a visa at the closest Swiss embassy in order to legally enter Switzerland.
- An internship (unpaid or paid) requires a work authorization.



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Necessary documents :

- M form **fully** completed, dated and signed ;
- Copy of the employee's passport;
- Cover letter explaining why the NGO needs to hire this particular person (project, job description, etc.) ;
- Employee's CV + copies of diplomas ;
- Signed employment contract ;
- Detailed information on the hiring process and the need to hire a non-European national (non-applicable if intra-group transfer of an executive or a specialist).



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Necessary documents for cross-border commuters :

- F form **fully** completed, dated and signed (\neq M form) ;
- Copy of a valid residence permit in France ;
- Proof of residence in the border area for more than 6 months ;
- 2 photos (passport size) ;
- Other documents: same as above.



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Applicable legal criteria:

- Economic interest (for NGOs importance for the "international Geneva");
- High level of qualifications and responsibilities;
- Third state nationals may only be admitted if nobody can be recruited in the labour market of Switzerland or EU/EFTA countries. Vacant positions must be registered with the cantonal employment office; other channels of recruitment must be used (employment agencies, online job listings, etc.) The NGO must provide detailed information on the recruitment process and its results;



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Applicable legal criteria:

- The salary and work conditions are examined;
(no part-time jobs!)
- Availability of quotas (> 4 months contracts).
- Internships (persons studying abroad): can be authorized; however, given the limited number of work permits available, internships must be limited to 4 months.

We do not convert permits granted for an internship into regular or long term permits.



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Types of work permits for non-Europeans

L permit

Short stay work permit (4 to 24 months maximum)

Linked to contract and employer

Quota: 133 L permits per year for the canton of Geneva

Family reunification can be authorized

B permit

Long term work permit

Additional restrictions can be applied (e.g. to professional mobility)

Quota: 83 B permits per year for the canton of Geneva

Family reunification can be authorized

G permit

For cross-border commuters; no quota, no federal approval.



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Main-d'œuvre étrangère / Secteur emploi

Contacts

Service étrangers (OCPM)

Secteur emploi

Tél.: 022 546 47 95

Fax: 022 548 48 22

E-mail: emploi.ocpm@etat.ge.ch

Internet: www.ge.ch/ocpm

OCIRT

Main d'œuvre étrangère

Tél.: 022 388 74 00

Fax: 022 546 96 35

E-mail: smoe@etat.ge.ch

Internet: www.ge.ch/ocirt/moe



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Useful websites

State Secretariat for Migration (SEM)

www.sem.admin.ch

Office cantonal de la population et des migrations (OCPM)

www.geneve.ch/ocpm

Office cantonal de l'emploi (OCE)

www.geneve.ch/emploi

Office cantonal de l'inspection et des relations du travail (OCIRT)

www.geneve.ch/ocirt

Service de la main-d'œuvre étrangère

www.ge.ch/moe

Etat de Genève - Accords bilatéraux

www.geneve.ch/bilateral



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