

# GET READY FOR SUMMER: SWISS IMMIGRATION TIPS FOR COMPANIES AS SUMMER APPROACHES

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As summer draws closer, focus can naturally shift to holidays and much anticipated events with family and friends. We have compiled a check-list to help you stay organized this time of year around your company's Swiss immigration needs in order to avoid stress and enjoy the summer season to its fullest.

In order to help companies and their foreign employees plan for the summer season from a Swiss immigration perspective, we have compiled a check-list that touches upon the following topics:

- 1. Vacation planning**
- 2. New employee start-date planning**
- 3. Swiss permits needing renewal/extension during summer**
- 4. Foreign employees departing from Switzerland**

## 1. Vacation Planning


For foreign employees, L permits can be invalidated if the holder spends more than three consecutive months outside of Switzerland. With regard to B and C permits, these can be invalidated if the holder spends more than 6 consecutive months outside of Switzerland.

It is therefore a good idea to remind foreign employees who will go on holiday that they need to pay attention to the consecutive time they spend outside of Switzerland. Normally vacations are not long enough to cause an issue under these rules, but it is in any case recommendable to make sure your foreign employees are aware of them.

## 2. New employee start-date planning

For certain categories of foreign employees, the processing time for the corresponding work and residence permit applications may potentially take a little longer in the summer months.

Government employees (i.e. the people who process immigration applications at various authorities), enjoy taking some summer holidays just like anyone else. Depending on the authority, this could potentially slow down the processing and therefore is important to keep in mind. In the case of Non EU nationals, the work permit applications have to pass through three different



authorities before they are approved, (cantonal labour market authority, federal migration authority, and cantonal migration authority). Therefore, this potential for some delays is important to note.

For foreign employees, especially Non EU employees, who will be moving to Switzerland with children who will need to start school in August or September, we recommend that you start planning their immigration process now so as to avoid the stress of potentially missing some school start dates due to a still pending immigration application.

### **3. For permits needing renewal/extension during summer**

If you have foreign employees whose permits will expire during the summer months, start planning and thinking about their renewal/extension process now. Swiss work permit extensions can be filed up to three months before the expiry date, so it is possible to be proactive in such a case.

Linked to renewals and extensions is the potential need of some employees for Swiss re-entry visas. A re-entry visa is essentially a document that can be stamped in the employee's passport before they leave for their holiday that ensures they will be able to re-enter upon their return.

If, for example, an extension has been filed but the new permit card itself has not yet been issued, (and the old one has expired), if the employee wishes to travel outside of Switzerland then depending upon their nationality they may require a Swiss re-entry visa in order to re-enter Switzerland upon their return. The cantonal migration authority in the employee's canton of residence is responsible for issuing re-entry visas.

### **4. Foreign employees departing from Switzerland**

If you have foreign employees who will be departing Switzerland permanently this summer, it is a good idea to remind them that they should deregister with their commune of residence before leaving. In some cases, it is also possible to deregister after they have left retroactively, but is not guaranteed as an option. Each local commune has its own process for deregistration, but it is generally a simple step and requires the employee to pass by the commune office with certain documents

We hope this information has been useful for you, and should you have any questions please feel free to reach out to us.

## WHO IS FRORIEP?

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We have grown a domestic and international client base ranging from large international corporations to private clients. Our unique, truly integrated, international structure mirrors our strong cross-border focus. We value and promote continuity and strong client relationships. Our teams are tailor-made, assembled from every practice area and across our network of offices.

Many of our lawyers are recognised as leaders in their practice areas, and our clients benefit from our in-depth knowledge and the rich diversity of talents, languages and cultures that makes our lawyers particularly versatile and adaptive.

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