

Single permit for residence and work in the Netherlands

This Special summarizes the main requirements for obtaining a single permit for residence and work in the Netherlands.

荷兰居留与工作单一许可

本法律特刊简要介绍了获得荷兰居留与工作单一许可的主要要求。

Introduction

An employer that wants to bring employees from outside the EU to work in the Netherlands, but not as a “highly skilled migrant” (we have discussed this category in a previous special), can apply for the so-called 'single permit for residence and work' (“GVVA / arbeid in loondienst”).

简介

雇主想将欧盟之外的雇员迁移来荷兰工作，但并非作为高技术移民（我们在以前的特刊中对此进行过讨论），可以申请所谓的居留与工作单一许可（“GVVA / arbeid in loondienst”）。

Single permit procedure overview

The employer applies on behalf of the employee to the IND for a single permit for employment purposes. There is no need for the employer to be a “recognized sponsor” like under the highly skilled migrant scheme (however it will make the application easier and quicker). Note that it is not possible to have the employee on a foreign payroll – the Dutch company applying for the single permit must be the actual employer and therefore have the employee on its own payroll.

单一许可程序概述

雇主代表雇员基于工作目的向荷兰移民局申请单一许可。雇主不需像在高技术移民的方式下，必须是被认可的担保人（然而这样可以使申请程序变得简单快捷）。请注意将雇员放在外国的工资单上是不行的——申请单一许可证的荷兰公司必须是实际雇主，因此，需将雇员放在自己公司的工资单上。

The IND will assess the immigration part of the application itself, and seek advice from the Employee Insurance Schemes Implementing Body (“UWV”) with regard to the employment issues. Only upon receiving a positive recommendation from the UWV, the IND will grant a single permit. The IND must consult the UWV and decide upon the request within 90 days.

荷兰移民局一方面会就申请案的移民部分进行审查，同时会就雇用问题向员工保险计划实施机构(“UWV”)征求建议。只有当从员工保险计划实施机构收到肯定的推荐意见时，荷兰移民局才能批准单一许可。荷兰移民局必须征求员工保险计划实施机构的意见，并且要在 90 天内就申请作出决定。

UWV assessment

Labour market test

Regarding the employment part, the UWV first of all applies the so-called labour market test. This means that the UWV will assess whether the employer has made suffi-

员工保险计划实施机构审查

劳动力市场审查

就雇用部分，员工保险计划实施机构首先采用所谓的劳动力市场审查。这意味着员工保险计划实施机构将会评

cient efforts to find suitable staff on the local Dutch labour market and within the European Economic Area (“EEA”, i.e. the EU countries and Liechtenstein, Iceland and Norway). These efforts should include publishing the job opening through relevant outlets. The UWV requires that the job opening at least be published on the website of the European Employment Services (“EURES”, <https://ec.europa.eu/eures/page/index>). We recommend to also publish the job opening on other recruitment websites and / or in magazines so as to prove to the UWV that maximum efforts are being made to find suitable candidates. The job opening ads have to be maintained for a minimum of five (5) weeks, in some cases (if the job description is very specific and candidates are difficult to find – the UWV will decide on this) up to three (3) months.

If the employer’s efforts are deemed sufficient, but in the EEA there is a sufficient supply of labour available on the market, the UWV will still give a negative recommendation. In other words, if there are suitable candidates for the job in question on the EEA labour market, the UWV will in principle give a negative recommendation.

The UWV will under circumstances not apply the labour market test for employees in certain fields, such as musicians and artists, key personnel in non-profit organizations, international education teachers, etc.

Salary assessment

In addition to the labour market test, the UWV also assesses whether the employment conditions – in particular the salary – of the migrant employee are acceptable. The employee has to not only at least earn the minimum wage, or (if applicable) the minimum collective bargaining agreement wage, but the salary also has to be in line with market practice.

The UWV will first and foremost request the employer to demonstrate whether the salary is in line with market practice. The employer can do this by for instance proving that the proposed salary is in line with the average salary in the market for comparable jobs for people with similar education and experience. Also, the employer can demonstrate that the salary is in line with that of other employees within the company.

If the UWV is satisfied with the employer’s explanation, it will accept the proposed salary. If the UWV on the other hand has doubts, it will proceed to investigate. This typically entails desk research into popular salary comparison websites (for instance: [Intermediar, <http://www.intermediar.nl/testen-tools/intermediar->](http://www.intermediar.nl/testen-tools/intermediar-)

价雇主是否是否做了足够努力以在荷兰本地劳力市场和欧洲经济区（欧洲经济区，即欧盟成员国、列支敦斯登、冰岛及挪威）寻找合适的雇员。这些努力包括通过相关媒体发布招聘广告。员工保险计划实施机构要求至少在欧洲就业服务网站 (“EURES”, <https://ec.europa.eu/eures/page/index>) 发布招聘广告。我们建议也在其他招聘网站和/或杂志上发布招聘广告，以证明为找到合适的候选人已尽最大努力。招聘广告至少持续五（5）周，在某些情况下（如果工作描述非常具体且很难找到候选人——由员工保险计划实施机构决定）可长达3个月。

如果雇主被认定为付出了足够的努力，但在欧洲经济区劳动力市场劳动力供应充足，那么员工保险计划实施机构仍会给出否定的意见。换句话说，如果欧洲经济区劳动力市场就相关工作有合适的候选人，员工保险计划实施机构原则上会给出否定意见。

员工保险计划实施机构在某些情况下对某些领域的雇员不采用劳动力市场审查，例如音乐家和艺术家、非盈利组织的主要人员、国际教育的教师等。

Salary review

除了劳动力市场审查，员工保险计划实施机构也会审查雇佣条件——尤其是迁移雇员工资——是否可被接受。雇员不仅要达到最低工资标准，或者（若适用）集体合同最低工资标准，而且应与市场实际情况相符。

员工保险计划实施机构首先会要求雇主证明工资是否与市场实际情况相符。例如，雇主可以证明所提供的薪资与市场从事同等工作、有相似教育背景及工作经验的雇员的平均工资相一致。雇主也可以就所提供薪资与公司里其他员工工资相一致予以说明。

如果员工保险计划实施机构对雇主的解释满意，它就会接受拟提供的工资。相反，如果员工保险计划实施机构对此有疑惑，它会继续进行调查。这通常需要通过大众工资比较网站（如：[Intermediar, <http://www.intermediar.nl/testen-tools/intermediar-salariskompas>](http://www.intermediar.nl/testen-tools/intermediar-salariskompas)）进行案头研究。

[salariskompas](#)).

No single permit

Finally, certain categories of employees are not eligible for a single permit for residence and work, for instance intra-company transferees in large multinational corporations (key personnel, trainees, or specialists). For such categories, the employer is required to start two separate application procedures: a residence permit application with the IND and a work permit application with the UWV.

Assistance

HIL has assisted Chinese and other non-European companies and individuals with relocation to the Netherlands since 1994. Please contact the persons below for more information on our services.

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非单一许可

最后，某些类型的雇员不适用居留与工作单一许可，例如大型跨国企业内部公司直接的调任（主要人员、培训生或专家）。对于这类雇员，雇主需提起两个单独的申请程序：一个是向荷兰移民局申请居留许可，另一个是向员工保险计划实施机构申请工作许可。

我们的服务

自 1994 年起，荷兰浩达律师事务所就开始协助中国及其它非欧洲国家的公司和个人移居荷兰。若您需更多信息，欢迎与我们联系。

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