



LABOUR MOBILITY SCHEME FOR SLOVAKIA





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The Labour Mobility Scheme for Slovakia supports the achievement of the following Sustainable Development Goals:



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Definition of terms

The Strategy for Labour Mobility of Foreigners in Slovakia until 2020, with an Outlook to 2030 uses the term '**labour mobility**' in the meaning of 'labour migration'. The term is more frequently used nowadays to reflect the dynamic and multi-directional nature of modern migration, indicating that those who move for employment purposes may do so more than once, may move across different countries of destination and that their employment abroad may not necessarily result in settlement in another country, keeping their prime place of residence in their country of origin.¹ The official title of the project which resulted in the Labour Mobility Scheme for Slovakia is also based on this term. In EU terminology, the term 'labour mobility' means the transfer of workers between EU and EEA Member States and Switzerland on the basis of the instruments created for this purpose under European legislation (short-term mobility, long-term mobility, intra-company transfers).

In the following text, **non-EU nationals** ('third-country nationals' in Slovak legislation) are also referred to as '**foreign workers**', '**foreign workforce**', '**foreign employees**' or '**foreigners**'. All these terms refer to persons whose country of origin is other than an EU/EEA Member State or Switzerland who intend to be, are or were engaged in a paid/gainful activity. In the EU context, 'foreigner' is a person who is not a citizen of an EU or EEA Member State, or Switzerland. In Slovak law, the term 'foreigner' means anyone who is not a Slovak citizen.

All terms and forms in the male gender also include persons of the female and other genders, and these terms need to be treated as gender-neutral.

Migration is the movement of a person or a group of persons from their place of usual residence across an international border (international migration) or within a state (internal migration), regardless of the nature and causes or length of the stay. In the European context, migration is the movement of a foreigner who establishes their usual residence in the territory of an EU Member State for a period longer than 12 months. Short-term migration is the movement of a foreigner

who changes their usual residence for a period of more than 3 months but less than 12 months, except in cases where the movement is for purposes of visits to relatives, holiday or medical treatment.²

In the context of migration, a distinction is made between **labour migration** – the movement of nationals from countries other than EU/EEA or Switzerland to Slovakia or other EU country for the purpose of employment, and **economic migration**, the reasons for which are economic, usually motivated by the prospects of a better life and a higher standard of living.³

Integration is the process of integrating migrants into society. It is a two-way process of mutual recognition and respect between foreigners and the local population. For the process to be successful, the involvement of the regional and local levels is crucial. The real integration of foreigners happens at their place of legal residence – at work, in communities, neighbourhoods, restaurants, apartment blocks, accommodation facilities, etc.⁴

Labour market integration is the process by which foreign workers from non-EU/EEA countries achieve the same range of labour market participation as the domestic population by using their skills and realising their economic potential.⁵

¹ International Migration Law Glossary on Migration, available at: https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf

² Glossary of Migration and Asylum Terms, EMN, available at: <https://emn.sk/sk/migracny-slovník.html>

³ International Migration Law Glossary on Migration, available at: https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf

⁴ Ibidem.

⁵ Glossary of Migration and Asylum Terms, EMN, available at: <https://emn.sk/sk/migracny-slovník.html>

LIST OF ABBREVIATIONS

AFIS	Automated Fingerprint Identification System
AMF	Asylum and Migration Fund
AMIF	Asylum, Migration and Integration Fund
APD	Aliens Police Department
BBFP PPF	Bureau of Border and Foreign Police of the Presidium of the Police Force
CLC	Central Lustration Console
Coll.	Collection of Laws of the Slovak Republic
COLSAF	Central Office of Labour, Social Affairs and Family
CR	Czech Republic
CSIF	Centres for Support of Integration of Foreigners
CVA	central visa authority
CVEK	Centre for the Research of Ethnicity and Culture
CZ-ISCO	national standard classification of occupations based on the international classification in the Czech Republic
EC	European Commission
ECU	electronic foreigners registration system
EEA	European Economic Area
EMN	European Migration Network
EP	European Parliament
ESF	European Social Fund
ESF+	European Social Fund Plus
ESIF	European Structural and Investment Funds
EU	European Union
EURES	European Employment Services
EU-SILC	EU Statistics on Income and Living Conditions
FSO	Slovak foreign service offices abroad
GDP	Gross domestic product
HBS	Household Budget Survey
HTU	higher territorial unit (self-governing region)
ID number	company registration number
ILO	International Labour Organization
IOM	International Organization for Migration
IRIS	International Recruitment Integrity System
IS	information system
IT	information technology
JS	job seeker
JV	job vacancy
LFSS	labour force sample survey
LI	labour inspectorate

LMIS	Labour Market Information System
LO	labour office
MEc SR	Ministry of Economy of the Slovak Republic
MESRS SR	Ministry of Education, Science, Research and Sport of the Slovak Republic
MF SR	Ministry of Finance of the Slovak Republic
MFEA SR	Ministry of Foreign and European Affairs of the Slovak Republic
MH SR	Ministry of Health of the Slovak Republic
MI CR	Ministry of the Interior of the Czech Republic
MI SR	Ministry of the Interior of the Slovak Republic
MIC IOM	Migration Information Centre of the International Organization for Migration
MIGRA	Information system of migration and international protection
MIRDI SR	Ministry of Investments, Regional Development and Informatization of the Slovak Republic
MLSAF SR	Ministry of Labour, Social Affairs, and Family of the Slovak Republic
NGOs	non-governmental organisations
NP	natural person
NPIT	natural person income tax
OECD	Organisation for Economic Cooperation and Development
PN	personal number
PR	public relations
REGOB	Population Register of the Slovak Republic
RFA MI	Refugee Facilities Administration of the MI CR
SAS	Slovak Academy of Sciences
SIS	Slovak Information Service
SK-ISCO 08	national standard classification of occupations in the Slovak Republic based on the international classification ISCO-08
SPI	Social Policy Institute
SR	Slovak Republic
TEA	temporary employment agency
TT	temporary professional traineeship
UIS	uniform information system
UN	United Nations
USA	United States of America
VIS	Visa Information System

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INTRODUCTION

One of the factors that will affect the growth of the Slovak economy in the coming years is labour mobility.⁶ In order to manage it effectively and transparently, the government must remove the existing legislative barriers and create conditions for the employment of foreigners, together with conditions for their integration into the labour market and society.⁷

Foreign labour mobility is one of the most effective way of saturating labour market needs in the event of a shortage of available workforce. When configured appropriately, the system responds to labour market needs more flexibly than the systems for career education and retraining of the available unemployed. Integration with the related policies at the legal, organisational, conceptual and practical levels is an integral part of migration policies and managed migration.⁸

The Labour Mobility Scheme for Slovakia was drawn up as part of the project **Technical Support for the Development of a Labour Mobility Scheme for Slovakia**. This project was funded by the EU through the Structural Reform Support Programme and implemented by the International Organization for Migration (IOM) in cooperation with the European Commission's Directorate-General for Structural Reform Support (DG REFORM). The Scheme is based on the 2018 Strategy for Labour Mobility of Foreigners in Slovakia, which aims to streamline and speed up the system for the entry and residence of non-EU/EEA nationals for the purpose of employment, especially in occupations with a shortage of workforce.

Representatives of key government authorities, employers, social partners, local governments, the professional community, and national and international experts were involved in the preparation of the Scheme as part of the Project Advisory Board, providing their expertise and comments on the measures proposed under the Scheme.

The proposed measures forming the **Labour Mobility Scheme for Slovakia** are supported by research (evidence-based research). As part of the research work, a comprehensive analysis of the legal situation and national policies in the field of labour mobility in Slovakia and analyses of the Slovak labour market, labour mobility systems in selected EU Member States, countries of origin and successful labour mobility management instruments, as well as an analysis of the fiscal impacts of labour migration, were conducted. Controlled interviews with representatives of the relevant government and local authorities and employers, together with a questionnaire survey among foreign workers from non-EU countries, were also conducted.

The proposed measures **are of a recommendatory nature**. The objective is to facilitate and accelerate the recruitment and admission of foreign workers to the Slovak labour market, contribute to an effective labour mobility policy, increase Slovakia's attractiveness through incentive measures and, at the same time, help foreign workers integrate into society. When developing the Scheme, five basic objectives were set out, which need to be achieved through the measures:

- reduction of the administrative burden on government authorities, foreigners and employers,
- acceleration of processes and faster entry of foreign workers to the labour market,
- systematic, transparent and predictable decision-making by government authorities,
- simplification of the system and bringing of all procedures together into a harmonious whole,
- active participation by social partners.

The Scheme is complemented by three additional documents that provide a more comprehensive picture of the current state of foreign labour mobility and offer solutions in other relevant areas not covered by the Scheme itself: **the Research Reports Compendium, the Communication Strategy, and the Proposal of**

⁶ Migration has the potential to affect economic development, in particular through changes in the size and age structure of the population and hence labour supply. In general, given the unfavourable demographic development determined by the ageing of the population, migration can be expected to have a positive impact on the level of Slovakia's economic growth and hence on its overall GDP. This positive effect will also be passed on to consumption and the level of disposable income. Source: Domonkos, T., Fiškálne efekty migrácie v SR, Výskumný zborník Schémy pracovnej mobility pre SR, IOM 2021. [Fiscal effects of migration in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium, IOM, 2021.], IOM, 2021.

⁷ Responses from Kahanec M., Ďurana R., Šrámková L. and others, Onuferová M.: Potrebujeme Slovensko pracovníkov z iných krajín? Zvýši alebo zníži to naše platy? (odpovedá 10 ekonómov) [Does Slovakia Need Workers from Other Countries? Will This Increase or Decrease our Wages? (Responses from 10 Economists)], Denník N daily, available at: <https://e.dennikn.sk/679289/potrebujeme-slovensko-pracovnikov-z-inych-krajin-zvysi-alebo-znizi-to-nase-platy-odpoveda-8-ekonomov/>

⁸ Bargerová Z., Divinský B.: Integrácia migrantov v Slovenskej republike, Výzvy a odporúčania pre tvorcov politik [Integration of Migrants in the Slovak Republic, Challenges and Recommendations for Policy-makers], IOM, 2008, available at: https://www.iom.sk/en/publications/migrant-integration.html?download=134:mic/integracny_vyskum_iom.pdf

Legislative Changes. These documents should facilitate the implementation of the Scheme.

The Scheme contains proposals for measures for the flexible management of labour mobility to Slovakia. The measures can also be applied separately, but their full weight and effectiveness will not be achieved until they are implemented in their entirety.

The Scheme is divided into four chapters.

The **first chapter**, Legislative Measures, contains the technical measures and measures speeding up entry into the labour market. The measures are described in detail and the basic principles of their functioning and reasons for introducing them are explained. Measures that are part of the existing system are compared with the proposed solutions in easy-to-read tables. The schematic representation of the processes makes it possible to obtain a comprehensive picture of the functioning of the proposed system and the time sequence of the individual steps leading to the entry of a foreigner to the labour market.

The **second chapter**, Bilateral Cooperation with the Countries of Origin of Foreign Workers, presents a proposal for the successful implementation of one of the labour mobility instruments – bilateral agreements and partnerships. Bilateral agreements related to skills mobility are an opportunity for both the destination country and the country of origin of foreign workers. Even though the Scheme itself is universal in nature, the individual instruments proposed can also be applied separately, only for selected countries. The chapter presents proposals for procedures for selecting suitable partner countries/regions with which Slovakia could cooperate in the field of labour mobility.

The **third chapter**, Incentive Measures to attract foreign workers to Slovakia, summarises and describes a set of measures aimed at attracting a broader group of foreign workers to Slovakia. The measures are classified into three separate categories – structural, economic and integration (personal) measures. Each category contains a list of measures that are needed to ensure that foreign workers arrive, stay and have a satisfying life in Slovakia. The implementation of these measures can be ensured using a variety of instruments, therefore, specific activities and recommendations. The proposal of activities is also based on good practice of other countries or entities that have been implementing successful projects in this field for a long time.

The **fourth chapter**, Data Collection for the purposes of setting up and evaluating the labour mobility measures,

identifies the entities that collect and process the data necessary for the management, control and evaluation of foreign labour mobility. The chapter draws attention to certain shortcomings of the current state of play and offers recommendations that will contribute to improving the scope and availability of data on foreign labour mobility.

Principles of the Labour Mobility Scheme for Slovakia

The draft Scheme is based on six underpinning principles providing a basis for the proposed measures:

1. **Evidence-based** – the measures are based on research and “verified data” that are up-to-date, relevant and directly related to labour market needs. This principle also highlights the importance of data collection and analysis in relation to foreign labour mobility.
2. **Transparency** – each measure is based on clearly defined rules that will be known to all actors and the room for exceptions and individual assessment is minimised.
3. **Cost-effectiveness** – from the recruitment of workers to their stay in Slovakia. The measures eliminate unnecessary costs for employers, foreigners and the government.
4. **Universality** – uniform rules for all foreign workers, regardless of their country of origin. Every foreigner who meets the qualification and other professional requirements is given equal access to employment and protection of their rights.
5. **Protection of the rights of foreign workers** – access to information in an intelligible language, legal and employment advice, the possibility to change employer, regular checks on whether foreign workers perform the declared work and receive the declared remuneration, and safe return to the country of origin eliminate the potential vulnerability of the foreigner’s position.
6. **Attractiveness** – the measures are aimed at increasing foreigners’ interest in arriving, taking up employment and staying in Slovakia for a long term. The attractiveness is affected by *incentives* – incentive measures used to attract foreign workforce.

Methodology

The proposed measures stem from evidence-based research conducted in the context of preparing the Scheme.

In the first phase of the research, the available legislative and strategic documents, policies, annual reports and yearbooks, as well as expert and academic publications and articles, were mapped out and analysed as part of desk research. In the second phase, controlled semi-structured qualitative interviews were conducted with representatives of the relevant government and local authorities and employers as part of primary data collection. IOM also conducted an anonymous questionnaire survey in four languages – English, Ukrainian, Serbian and Russian – focusing on the experience of non-EU foreigners with the immigration process and life in Slovakia. The respondents were approached through social media and larger employers.

A roundtable with organisations that provide integration services or are active in the field of migration and integration of foreigners in Slovakia was also part of the research. The starting points of the research phase are discussed in more detail in the next subchapter Starting Points - The Research Part of the Scheme.

IOM's expert team on labour migration and integration and external research experts on economic, financial and fiscal impacts, migration and integration research, and labour market forecasting and data collection were also involved in research work. The comparison of existing labour mobility schemes in other EU Member States was prepared by an international expert team. The members of the Project Advisory Committee, in which the relevant ministries, employers' unions and associations, trade unions and local authorities were represented, were also involved in the preparation of the Scheme.⁹

The proposed measures are also based on more than 15 years of experience of the Migration Information Centre of the International Organization for Migration (MIC IOM) with the integration of migrants in Slovakia and capacity building of government agencies and local authorities.

STARTING POINTS – THE RESEARCH PART OF THE SCHEME

The Labour Mobility Scheme for Slovakia is based on a comprehensive analysis of research outcomes in the following fields:

1. existing legislation,
2. labour market needs in Slovakia,

3. migration and integration policies in Slovakia
4. available integration measures at state and local government levels,
5. fiscal impacts of labour migration,
6. labour mobility systems in selected EU Member States (good practice),
7. countries of origin and successful labour mobility management tools.

The complete analysis and identification of the problem areas is available in the Labour Mobility Scheme for Slovakia Research Reports Compendium.¹⁰

1. Analysis of existing legislation

An analysis of the legal and institutional framework for employment aimed at exploring:

- the roles and processes of individual institutions,
- the procedures related to the entry of foreigners into Slovakia,
- their employment and residence opportunities,
- the recognition of education and professional qualifications,
- recruitment,
- health and social security and termination of residence.

The analysis revealed shortcomings in a number of areas. As a matter of priority, the Scheme deals with those that hinder the speed and transparency of the processes in place.

Given the ongoing process of harmonisation of labour migration rules within the EU, the draft Scheme does not introduce national measures at the expense of common rules for the operation of the system within the EU, instead, it proposes standard types of residence permits/ visas granted in accordance with European rules with minimum impact from national measures. The Scheme makes maximum use of the potential of the existing system, retains the skeleton of the system based on a list of shortage occupations, and responds to the following shortcomings, in particular:

- An absence of functional short-term and circular migration instruments to fill sectors where there is demand for low-skilled workforce.
- Minimum possibilities for attracting and retaining highly skilled workers. The absence of a system of incentive measures.

⁹ MLSAF SR (Labour Section, COLSAF and the Social Policy Institute), MFEA SR, MEc SR, MF SR, the BBFP PPF, the MI SR, SAS, the Union of Towns and Cities of Slovakia, the Association of Towns and Municipalities of Slovakia, the Confederation of Trade Unions, Modern Trade Unions AIOS, the Association of Industrial Unions and Transport, the Association of Employers' Unions, KLUB 500, the National Union of Employers.

¹⁰ Výskumný zborník Schémy pracovnej mobility pre SR, IOM, 2021.

- The absence of a definition of the term ‘skilled worker’ – without it, it is impossible to set up effective tools for attracting them and conditions for their entry and stay.
- Inadequate promotion of job search portals abroad, poor availability of information on job vacancies in Slovakia abroad, and recognition of educational and professional qualifications, English translations of websites are unavailable or incomplete.
- The system’s lack of transparency and the poor availability of information increases the demand for the services of recruitment and relocation agencies, whose activities are inadequately regulated and controlled.
- The legislation does not allow foreigners to apply for a Schengen visa, national visa or a temporary residence permit for the purpose of seeking work unless they have a job offer. National visas are underused.
- The issuing of single residence and work permit is complicated by the need for cooperation and communication between LOs and the APD. Employers do not find out whether they can recruit a foreigner for a vacant job until several months after reporting the job vacancy.
- The salary threshold for the EU Blue Card and the need to submit proof of recognition of qualification even in the case of unregulated professions discourages foreign workers from applying for the Blue Card. Thus, the Blue Card fails to serve the very purpose for which it was created.
- The renewal of residence permits is complicated by the fact that employment is terminated on the date of termination of the foreigner’s residence permit, even though the renewal procedure is still pending and the foreigner intends to continue to work for the employer.
- The system does not allow family members to enter the labour market during the first year. For Slovakia, this constitutes a barrier to attracting and integrating the workforce. The time limits for granting temporary residence for the purpose of family reunification and the time limit for granting a residence permit to the sponsor are not aligned.
- The websites of Slovak FSOs contain no information and no documents to promote employment in Slovakia and to attract skilled foreign workers.
- The recognition of professional qualifications of healthcare workers is complicated by the disproportionately high fees for supplementary examination. The testing methods lack transparency and vary from each other and no common standards for the examination boards exist. Information on preparatory training seminars, language courses and language examination dates is unclear.
- The incentives offered to foreign healthcare workers by the government or HTUs are unattractive.
- The legislation does not simplify the process of recruiting foreign healthcare workers. There is no possibility, in particular for physicians and nurses, to engage in skilled activities under the supervision of local physicians/nurses while waiting for the process of recognition of their professional qualifications to be completed.
- Slovakia has yet to enter into social security treaties with a number of countries whose citizens rank high in terms of the number of residence permits granted, notably Vietnam, China, Iran and India.

2. Analysis of labour market needs

Any labour market policy needs accurate, accessible and properly evaluated data. Only on the basis of these data can the government ensure functional configuration of the individual instruments (training, retraining, promotion of job creation, labour mobility, etc.). Even though foreign migration is only one of many instruments for meeting the objectives related to labour market needs, it is a very important one. Unless configured and managed properly, Slovakia will lose its advantage in economic competition. Therefore, the analysis of labour market needs must also be based on comprehensive and representative data that quantify the current and predict the future situation on the labour market.

The analysis of labour market needs describes the supply-demand relationships and the methodology used in labour market surveys. The current structure of foreign workers reveals that they are employed in the segment of less complex occupations (SK-ISCO 8 and 9). However, this is mainly due to the lack of representativeness of the data used in the evaluation of the situation on the labour market and creation of the List of Occupations with a Shortage of Workforce. This is because the data comprise only the job vacancies and the number of job-seekers reported to the COLSAF database. The List of Occupations with a Shortage of Workforce (hereinafter also referred to as the ‘List’) is created on the basis of these incomplete indicators, which ultimately reflect the occupational needs in manufacturing rather than real demand for higher-skilled occupations.¹¹

A representative survey is needed to get a realistic idea of the state of the labour market. This will then allow us to formulate effective measures. Hence, the proposed changes are mainly aimed at supplementing the methodo-

¹¹ Štefánik M.: Identifikovanie potreby slovenského trhu práce, Výskumný zborník Schémy pracovnej mobility pre SR [Identifying the Needs of the Slovak Labour Market, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

logy for creating the List so that it includes other relevant indicators, such as the commonly used LFSS indicators (e.g. the number of employed or unemployed persons and change in their number over time). A detailed description of the proposed solution is provided in the Labour Mobility Scheme for Slovakia Research Reports Compendium.

3. Analysis of migration and integration policies in Slovakia

a) National policies on migration in Slovakia

The most important national strategic document in the field of labour mobility to Slovakia, which also provided a basis for the Labour Mobility Scheme, is the **Strategy for Labour Mobility of Foreigners until 2020, with an Outlook to 2030** (hereinafter also referred to as the ‘Strategy’).^{12, 13}

The most recent document that describes the risks associated with automation and population ageing is the **Recovery and Resilience Plan of the Slovak Republic** (hereafter the ‘Recovery Plan’). It promotes the arrival of foreign experts and the creation of a fast-track scheme for highly skilled workers from non-EU countries. It also pays attention to reducing the administrative burden involved in residence permits arrangements for the workers and their family members and facilitating their integration and proposes the creation of a socio-cultural orientation programme.¹⁴ Additional national baseline and strategic documents are analysed in the Labour Mobility Scheme for Slovakia Research Reports Compendium.

b) Regional policies – strategies for cities, municipalities and self-governing regions

The policies at regional and local levels were examined especially in the context of mapping out the integration measures for foreigners. Integration at the local level has been at the periphery of interest in institutional and financial sense. Most strategic

documents of cities or regions do not address this topic at all. The exceptions are the Bratislava¹⁵ and Košice self-governing regions.^{16, 17}

The measures under the Scheme pay increased attention to creating channels for the arrival of highly skilled workforce and ensuring rapid entry into the labour market for a broad range of the skilled and low-skilled workforce needed.

It is important to not only attract the necessary foreign workers to the country and enable them to enter the labour market quickly, but to also ensure that they stay in the country. The involvement of actors at the local level is essential for the configuration and functioning of most of the integration activities, which act as incentives and are further elaborated in the chapter Incentive Measures to attract foreign workers to Slovakia.

4. Analysis of available integration measures at the government and local government levels

The analysis of integration measures comprises the mapping out of the available services supporting the integration of foreigners in Slovakia that are provided by the government, local government and other actors. The integration of foreign workers in Slovakia was examined from two aspects. In this analysis, integration was examined from a general theoretical perspective on integration from the ‘outside’ and from a specific perspective, focusing on the individual integration steps in the life of foreign workers in the new country.

The measures relating to the integration of foreign workers, contained in the section Incentive Measures to attract foreign workers to Slovakia, are based on an analysis of the data collected during the research. Qualitative semi-structured interviews were conducted with representatives of cities in order to identify the current situation in the provision of integration services and

¹² Further information about the starting points of the Strategy for Labour Mobility, which were also used for the purposes of drafting this document, is available in the Labour Mobility Scheme for Slovakia Research Reports Compendium, IOM, 2021.

¹³ Strategy for Labour Mobility of Foreigners in Slovakia, 2018, Long-term measures, available at: <https://rokovania.gov.sk/download.dat?id=8A2432145C5943FAA7774BEEBFA4465F-A055B23C55662CE743BF6DB80530A080>

¹⁴ Recovery and Resilience Plan of the Slovak Republic, National Integrated Reform Plan, Ministry of Finance, 2020.

¹⁵ Economic and Social Development Programme of the Bratislava Self-governing Region for 2021-2027 (with an Outlook to 2030), Social Inclusion Policy of the Bratislava Self-Governing Region for 2020-2030

¹⁶ Programme of Economic and Social Development of the Košice Self-Governing Region for 2016-2022 – Roadmap for Managed Migration in the Košice Region (Regional Integration Policy)

¹⁷ Further information about the starting points of regional and local strategic documents, which were also used for the purposes of research and for drafting this document, is available in the Labour Mobility Scheme for Slovakia Research Reports Compendium – Mészárosová, S.: Integrácia zahraničných pracovníkov a ich rodinných príslušníkov, Výskumný zborník Schémy pracovnej mobility pre SR [Integration of foreign workers and their family members, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

readiness of cities for a potential increase in the number of foreign workers.¹⁸

The expert team also carried out an online questionnaire survey targeting non-EU foreigners, in which 479 foreigners from 56 countries participated.¹⁹ As many as 56.8% of the respondents stated they were not working in the field they had studied. In the case of foreign workers working outside their field of expertise, *brain waste* may occur where their skills are used neither in the destination country nor in the country of origin, and both countries thus lose out on talent. The benefit for the Slovak labour market may lie in that foreign workers are often willing to work in lower-skilled jobs that are not in high demand.

When evaluating the immigration process in Slovakia, the questionnaire survey respondents highlighted, in particular, their experience with interpreters, residence permits for their family members and their experience with recognition of qualifications. Among the worst rated were finding a physician, experience with employment agencies, communication with government agencies (LOs, the APD, etc.) and the length of the immigration process.²⁰ Even after several years of living in Slovakia, foreigners cited the highly bureaucratic nature of processes, the lack of information in foreign languages, and the (lack of) acceptance by the majority population as the main drawbacks. In addition, the respondents stated that, during their stay in Slovakia, they had experienced structural discrimination, especially when arranging their residence permits, but also in practical matters related to the enrolment of their children in kindergartens or when arranging their residential parking. Detailed results are available in the Labour Mobility Scheme for Slovakia Research Reports Compendium.

During the roundtable with non-profit organisations operating in the field of integration of foreigners in Slovakia, the participants agreed that cities perceived their role in this field rather passively and were dependent (in terms of capacity, logistics and often financially) on projects of non-profit organisations or the MIC IOM. Despite the lack of activity from the cities, such projects may be a catalyst for change. Also mentioned in this context was the limited duration (and funding) of the projects and related (lack of) sustainability of the measures/changes. The analysis of integration measures in Slovakia showed

that the integration services and advice network is inadequate and that a systemic solution is absent at both national and local levels. Therefore, as a matter of priority, the measures under the Scheme encourage better institutionalisation of integration services and creation of an 'integration infrastructure' at the local level coordinated by the government and include proposals for the diversification of financial resources.

5. Analysis of labour migration systems in selected EU Member States

The analysis focused on countries with a high proportion of foreign workforce, which apply proven demand-oriented systems: Germany, Denmark, and Ireland. Finland and Lithuania were chosen because of their similar populations to Slovakia and the fact that they present a comparable language barrier to foreigners. The following conclusions from the comparison of the above countries were taken into consideration, in particular:

- The system of managed labour migration is functional and effective if there are fixed requirements and the government dispenses with individual assessment of applicants. Instead of using the labour market test, it has proven effective to base the regulatory mechanisms on a salary threshold, lists of shortage and in-demand occupations, and quotas.
- A consistent focus on reducing the administrative burden is of great benefit not only to foreign workers, but also to employers and the government.
- The use of post-recruitment control mechanisms is preferred over lengthy screening of foreigners at the entry stage.
- In 2016, Denmark replaced its points-based system with a scheme based on a salary threshold and lists of in-demand occupations for highly skilled and skilled foreigners.
- The system needs to be digitised. Denmark, Germany, Finland, and Ireland have developed systems for electronic submission of residence permit applications.
- Germany, Denmark, and Finland have entered into several bilateral labour mobility agreements.
- The automatic right to work for the family members of foreign workers is one of the basic integration measures.
- Ensuring that foreign workers are adequately informed through web-based platforms, including in English,

¹⁸ More information on the methods and outcomes of the qualitative interviews, the questionnaire survey and the roundtables is available in the Labour Mobility Scheme for Slovakia Research Reports Compendium – Tabosa, C.: Prieskum pracovnej mobility a moderovaná diskusia – zahraniční pracovníci na Slovensku, Výskumný zborník Schémy pracovnej mobility pre SR [Labour Mobility Survey and Moderated Discussion – Foreign Workers in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

¹⁹ Ibidem

²⁰ Ibidem

helps to protect workers' rights and increases the country's attractiveness.

6. Analysis of countries of origin and successful labour mobility management tools

One way to manage foreign labour migration is through bilateral agreements, focusing especially on skills mobility partnerships.²¹ Slovakia has entered into only one agreement on the employment of non-EU citizens – with the Russian Federation, which, however, it is not currently performed. Slovakia is not very active in bilateral cooperation in mutual employment of citizens and labour migration. It concentrates especially on supporting working holiday programmes for youth, using formal instruments of bilateral agreements, but also less formal instruments from memoranda of understanding. Slovakia has entered into agreements on working holiday programmes with a number of countries, e.g. Canada, New Zealand and Australia. The agreements mainly benefit Slovak citizens, the interest in participation in the programmes on the part of citizens of the other contracting parties is minimal.²²

Instead of analysing one specific country of origin, a more general approach was chosen and identification of potential countries of origin of foreign workers with which Slovakia could enter into general bilateral labour mobility agreements or agreements for the relevant sectors of economy.

7. Analysis of the fiscal impacts of migration

The current structure of the foreign workforce in Slovakia shows a positive effect of foreign workers²³ on the country's fiscal balance. Compared to the domestic population, net taxes (the difference between taxes and transfers) of domestic workers and foreigners are almost the same from birth to around fifty years of age. Net taxes of older age groups of foreigners are higher than those of domestic workers. The fiscal effect of an average foreigner was positive in 2018 (the taxes and contributions paid averaged EUR 3 000), which is due to the younger age structure of the foreign population, only slightly lower tax payments

compared to the domestic population, and a low take-up of social insurance benefits.²⁴

The impact of migration on fiscal balance is seemingly negligible. Due to the unfavourable development of the age structure of its population, Slovakia will face fiscal imbalances in the long term. In order to mitigate them, it will likely be necessary to reduce transfers and/or increase taxes. Even though migration will not stop the adverse trend, it may help mitigate it. If migrants arriving in Slovakia have a similar age structure as at present, an increase in taxes (or decrease in transfers) that is around 1.3% lower than in the zero-migration scenario would be sufficient to offset the fiscal imbalances. A well-configured labour migration policy with effective instruments to attract foreign workers in their most productive phase of life, who integrate into the labour market quickly, would make the fiscal effects even more pronounced.²⁵

The lengthy process of granting residence permits to non-EU/EEA foreigners who want to work in Slovakia deprives Slovakia's public budget of revenue. If a foreign worker has to wait an unreasonably long period of time to be granted a residence permit, Slovakia's budget loses around EUR 257 in net taxes for each month of waiting on average.²⁶ A process taking three to six months deprives Slovakia of net taxes amounting to EUR 771 to 1 542 per person on average.

When analysing the fiscal impacts, the Scheme also revises how shared taxes could be redistributed and how municipalities with a higher proportion of foreigners could be provided with resources to finance their integration measures.

²¹ For more information see Chapter 2. Bilateral Cooperation with the Countries of Origin of Foreign Workers.

²² Drozd, P., Paulenová, P.: Právna analýza, Výskumný zborník Schémy pracovnej mobility pre SR, [Legislative Analysis, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

²³ nationals of EU Member States and non-EU nationals.

²⁴ Domonkos, T.: Fiškálne efekty migrácie v SR, Výskumný zborník Schémy pracovnej mobility pre SR, [Fiscal Effects of Migration in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

²⁵ Ibidem

²⁶ Ibidem

1

LEGISLATIVE MEASURES

Foreign labour mobility is the most effective way to meet labour market needs in the event of a shortage of available workforce. If managed properly, it helps the government respond to labour market needs more quickly and flexibly than a system of career training or retraining of the available unemployed.

EU Member States most often use a **demand-oriented system** (or employer-led system). This system requires that foreigners present a job offer from a specific employer before entering the labour market. The systems in Canada, New Zealand and Australia tend to focus more on the **assessment of the foreigner's potential and skills** (skill-based or potential-oriented system). Once they have satisfied precisely defined conditions, foreigners are allowed to arrive in the country and look for a job.²⁷ The current labour mobility system in Slovakia is exclusively demand-oriented, but good practice from other EU Member States shows that a combination of both approaches is more efficient, especially in the long run.

The key recommendation of the Scheme is to create a system that is primarily based on existing labour market needs in real time, but also opens the door to the most talented foreign workers in occupations that are in short supply on the labour market or occupations where shortages may occur due to transformation of the economy (e.g. IT, green energy, etc.).

The proposed measures utilise the potential of the existing system. The use of the list of occupations with a shortage of workforce is the most suitable solution for Slovakia at present. However, it is necessary to modify the methodology of creating the list and correct the shortcomings revealed by its analysis.

Given the government's personnel, technical and financial capacity, our priority in respect of the legislative measures was to design a feasible system rather than provide an ideal solution. At the same time, the Scheme has been designed so that it can be very easily transformed into an ideal, fully digitised environment, in which it could reach its maximum efficiency.

The legislative measures are conceptually divided into two parts:

I TECHNICAL MEASURES

1. the timely introduction of a single identifier for foreign workers (the assignment of a personal number),
2. modification of the system for granting consent to filling a job position by a foreigner,
3. gradual replacement of the labour market test with an appropriately set salary threshold,
4. labour market surveys and creation of a list of occupations with a shortage of workforce,
5. digitisation of the system.

II THE MEASURES ACCELERATING LABOUR MARKET ENTRY ARE INTENDED FOR

1. foreign workers in shortage occupations,
2. highly skilled foreign workers,
3. talent and experts in strategic sectors,
4. low-skilled foreign workers and seasonal workers

From among the **technical measures**, the key measure for the Scheme is the 'modification of the system for granting consent to filling a job position'. The other measures can be adapted or not adopted at all. However, implementation of the technical measures to the full extent will allow the full potential of the Scheme to be realised.

Each proposed measure is described in detail below, together with an explanation of the basic principles of its functioning and the rationale for the configuration of its individual elements. Measures that are, to an extent, already part of the existing system in Slovakia are compared with the proposed solutions in easy-to-read tables. The schematic representation of the processes makes it possible to obtain a comprehensive picture of the functioning of the proposed system and the time sequence of the individual steps leading to the foreign worker's entry to the labour market.

²⁷ Poutvaara, P., Drometer, M., Rhode, C., Burmann, M.: A Novel Two-Track Labour Migration System for Germany, available at: <https://www.econstor.eu/bitstream/10419/181270/1/dice-report-2018-1-5000000001957.pdf>

Table 1: Proposed legislative measures

MEASURES ACCELERATING LABOUR MARKET ENTRY						TECHNICAL MEASURES	OTHER LEGISLATIVE CHANGES
shortage occupations				high-skilled occupations		permanent single identifier	changes in Act No. 404/2011 Coll.
single residence and work permit	EU Blue Card	circular migration programme	visa for indemand occupations	EU Blue Card	job seekers visa	consent to filling a job position	changes in Act No. 5/2004 Coll.
						salary threshold	changes in Act No. 461/2003 Coll.
						method of assessing the labour market situation	changes in Act No. 311/2001 Coll.
						digitisation	changes in Act No. 3011/1995 Coll.

TECHNICAL MEASURES

1 Timely introduction of a single identifier for foreign workers (the assignment of a personal number)

CURRENT SITUATION

Currently, foreigners are assigned a personal number at the moment they are granted a residence permit. However, according to the current legislation, a large group of foreign workers may enter the Slovak labour market even before they are granted a temporary residence permit. Even though these foreigners have yet to hold a residence document, they already need a personal number.

The personal number ensures unique identification of a natural person in information systems.²⁸ It is the key identifier in all registers in which every worker must be registered. Since most foreigners do not have a personal number when they enter the labour market, the Social Insurance Agency and health insurance companies register foreigners under temporary identifiers. Thus, in the case of re-registration, the same person is assigned another, different identifier. This situation causes many **problems**.

The most important of them are:

- a) on the part of the **employers** who
 - have to re-register employees with the Social Insurance Agency (change the information after the personal number is assigned),

²⁸ §2(1) of Act No. 301/1995 Coll., on the personal number, as amended by Act No. 515/2003 Coll.

- have to file applications with the Social Insurance Agency in person (as the person does not have an identifier, electronic submission is not possible);
- b) on the part of **the foreign workers** who
- have frequent problems with incorrect assessment of their social insurance periods,
 - have to comply with the information obligation towards their health insurance company after obtaining the personal number and exchange their health insurance card,
 - have trouble finding the physicians they need as the physicians are not willing to register foreigners (if the number changes, physicians claim payments for the 'wrong' insured person and insurance companies do not reimburse them);
- c) on the part of **the government**, which
- has additional administrative and financial costs related to the 'cleaning' of registers,
 - faces additional risks of error as those who become aware of the changes (e.g. the Social Insurance Agency) are not authorised to enter them in the register of natural persons,
 - has incorrect statistical data,
 - experiences difficulties in 'matching' offenders with persons in the register of natural persons if these persons have been registered several times or if their identifier has changed after assigning the personal number.

WHAT IS NEEDED?

It is necessary to create a uniform system for assigning personal numbers to all foreign workers from EU and non-EU countries before they enter the Slovak labour market. On the basis of this system, a single permanent identifier (personal number) will be assigned to foreigners at their first contact with a government authority.

Such a system will provide:

- accurate single identification of the foreigner,
- a reduction of administrative burden for all affected actors,
- space for accurate statistical surveying of relevant data,
- indirectly affect foreigners' access to integration services at the level of municipalities and HTUs.

An alternative to the proposed solution could be the introduction of thorough control mechanisms in the system of the register of natural persons, which would not allow duplicate registration of a foreigner with the same first name, surname, date of birth and nationality, together with the registering entity's obligation to issue foreigners with a document proving that they have a unique meaningless identifier of a natural person.

However, this solution implies a rather extensive legislative intervention. This would concern, in particular, the Social Insurance Act²⁹, according to which only the personal number can be used as the social insurance number, and the Health Insurance Act³⁰, which requires that the meaningless identifier be replaced with the personal number, if granted, once a residence permit is issued to the foreigner.

WHICH CATEGORIES DOES THE MEASURE CONCERN?

All foreigners (including EU citizens) working in Slovakia.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM

- a) Entry into the labour market will only be possible after the personal number has been assigned,
- b) the personal number will be assigned to foreigners at their first contact with a government authority,
- c) the foreigner will know the personal number (it will be indicated in a document available to the foreigner),
- d) the personal number does not cease to exist after termination of residence.

REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) Foreigners will be accurately and uniformly identifiable before all government authorities and institutions and non-state entities.
- b) If the entry into the labour market is conditional on the assignment of the personal number, it has to be easily and quickly, i.e. automatically, obtainable
 - either on the basis of an application for an entry visa related to employment in Slovakia,
 - on the basis of an application for the relevant temporary residence permit, or
 - in special cases, at the request of the foreigner or the foreigner's employer.

²⁹ Act No. 461/2003 Coll., on social insurance, as amended

³⁰ Act No. 580/2004 Coll., on health insurance and on amendments to the Insurance Act, as amended

- c) The personal number will be indicated directly in the entry visa issued in connection with employment in the territory of Slovakia. In all other cases, it will be indicated on a separate personal number certificate. Foreigners would use the certificate to prove their personal number until obtaining a residence permit, especially when registering with the Social Insurance Agency and health insurance companies, but also when opening a bank account, registering their telephone number with an operator, or after having committed an offence (e.g. a traffic offence).
- d) Every foreigner will be issued a permanent personal number. After termination of residence, it will not cease to exist and will not need to be reassigned on re-entry.

2 Granting of consent to filling a job position

CURRENT SITUATION

The existing procedure for the approval of foreign workers is considered to be one of the key problems in the system of employment of foreigners in Slovakia:

- For **employers**, the system lacks predictability. Employers do not learn whether they can or cannot employ the foreigner until a few months after selecting the worker, when the temporary residence is or is not granted by the APD.
- The process is costly for foreign workers (or, as the case may be, employers). They are required to pay various fees without knowing whether the basic prerequisite for the granting of a residence permit – consent of the LO – has been fulfilled, i.e. without any guarantee of the outcome.
- For the **government**, the process is administratively and financially demanding. The administrative proceedings to grant a temporary residence permit can be initiated and conducted even if the basic conditions, such as a job vacancy reported within the minimum time limit, have not been met. Yet, it is not possible to add this information in the course of the proceedings and thus rectify the error.

The necessary communication between administrative authorities and the dependence of the APD's decision-making on the prior binding opinion of the LO significantly prolong the individual proceedings and increase the likelihood of administrative error.

WHAT IS NEEDED?

The solution is a specific system for the granting of consent to filling a job position to a specific employer. This will allow the employer to recruit non-EU workers without the need for particular employees to be assessed by the LO.

WHICH CATEGORIES DOES THE MEASURE CONCERN?

All non-EU foreigners, except those who can be employed by means of the information card.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM

- a) strict separation of the granting of consent to the employer from the granting of a residence permit to the foreigner (the requirements for single permits under the Single Permit Directive continue to be satisfied),
- b) universality³¹,
- c) unification of the granting of consents,
- d) the employer reports the job vacancy by means of an electronic report,
- e) the LO does not assess a particular employee, but the job position (with the exception of the Blue Card),
- f) the LO assesses whether the employer meets the criteria for employing a foreigner,
- g) the LO assesses the wage offered or the situation on the labour market,
- h) the issue of the consent is subject to a fee,
- i) the consent takes the form of a time-limited certificate,
- j) the result of the process is the issue of consent to filling the job position.

Consent to filling a job position contains:

- consent number,
- identification of the employer,
- identification of the employee (only in the case of the Blue Card), otherwise completed by the employer,
- job position,
- wage offered,
- place of work,
- period of employment,
- validity of the consent.

³¹ Directive 2011/98/EC of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State

REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) The measure will make it possible to grant consent to the recruitment of a foreigner by a particular employer. It will require no communication between the APD and the LO when granting the consent or in the proceedings to grant a residence permit.
- b) With minor variations, it will be possible to apply the measure to all foreign workers entering the Slovak labour market on the basis of a single permit, the EU Blue Card, seasonal employment or national visa, regardless of whether this concerns a regular worker or a worker in an occupation with a shortage of workforce. The granting of a temporary residence permit to a foreigner will be subject to the same procedure regardless of whether it is being granted for the first time or renewed, or whether the purpose of the permit or the employer are being changed. The system will also make it possible to unify the existing processes for the approval of entry into the labour market through a confirmation of the possibility to fill in a vacancy, or confirmation of the possibility to fill in a vacancy which corresponds to a highly skilled job and, if appropriate, the approval of work permits.
- c) Currently, the labour market entry assessment is split between the LO and the COLSAF, depending on whether it involves the granting of a Blue Card or not. Once the process are unified, the consent would only be issued by the LO.
- d) The system for reporting job vacancies remains unchanged.
- e) The LO will not grant consent for a specific employee, but for the filling of one or more specific positions with a particular employer (with the exception of the Blue Card). This will enable employers to respond flexibly to their needs and fill job vacancies with foreigners. The selection of a particular foreign employee will be at the sole discretion of the employer, who will also be responsible for ensuring that the employee meets the qualification criteria, if required for the given position, and the security criteria since security assessment will essentially be the sole reason for not granting a residence permit to the employee. One exception will be foreign employees working on the basis of the Blue Card, who will have to be selected in advance because they are required to have their compliance with the qualification criteria assessed by a government authority before they are granted a temporary residence permit.
- f) The possibility to employ a foreigner will in principle be a privilege granted by the government only to a select group of employers. Employers who fail to comply with their statutory obligations will be sanctioned by the government by making it impossible for them to employ a foreigner. Disapproval of employment may also be a preventive measure to protect the foreign employee. The LO will assess whether the employers:
 - have fulfilled their tax obligations,
 - are not registered as debtors vis-à-vis the LO, the Social Insurance Agency, and health insurance companies,
 - have not been sanctioned for illegal employment,
 - are not subject to bankruptcy proceedings, restructuring or receivership,
 - have not been sanctioned with a lawfully imposed penalty prohibiting them from receiving grants or subsidies or prohibiting them from receiving aid and support provided from EU funds, if they are legal persons,
 - have no unsatisfied employee claims from work contracts (the employer's statement to this effect forms part of the application).
- g) The wage offered must correspond to the type of consent required (e.g. the Blue Card) and the specific occupation (see measure no. 3), or, if applicable, the examination of the labour market situation is required.
- h) A reasonable administrative fee may be charged for the issue of the consent to cover the cost incurred by the government in the administrative process. The fee would also eliminate the potential accumulation of a large number of consents for an employer which would remain unused. At the same time, the fee would prevent the distortion of input data, the evaluation of which is used as a basis for the proper configuration of the system. The introduction of a consent fee may also lead to a reduction of the fee for the granting of a residence permit. A reduced fee could be collected for positions in occupations where there is a shortage of workforce.
- i) The validity of the consent will be limited in time, no less than three months, so that the use of the consent corresponds to the labour market conditions at the time of issue. The last date of its validity will also be the last date when it can be accepted as a basis for the residence permit/visa application.
- j) The outcome of the process will be the issue of a blank consent to filling a job position with a foreigner by a particular employer. The consent constitutes the employer's binding offer of employment to the foreigner, who will present it as a basis for the granting of a temporary residence permit or, if appropriate, entry visa. In the case of the Blue Card, the consent will also contain the employee's name. Neither the APD nor Slovak FSOs will assess in any way whether

the foreigner can be employed in Slovakia, they will only check the validity of the consent issued.

3 Gradual replacement of the labour market test with an appropriately set salary threshold

The **labour market test** is intended to ensure that foreign workers enter the labour market only after domestic workers, EU citizens or foreigners from non-EU countries who are legally resident in the country have been sought unsuccessfully.³² The test is an administratively lengthy and personnel-intensive process, which is why many European countries are moving away from it. They are replacing it with more effective measures, such as the creation of lists of shortage occupations, privileged occupations or, conversely, occupations in which foreign workers are not allowed to enter the labour market; introduction of a quota system; increased fees for residence permits; introduction of employer sponsorship schemes, or the setting of a minimum salary threshold.

The **salary threshold** is a regulatory tool used by the government to fix the minimum income that a foreigner must reach in order to be allowed to enter the labour market. The salary threshold also acts as a protective measure in relation to the labour market, the employee and the social security system. Its key objective is to prevent wage dumping by the unrestricted recruitment of foreign workers, especially from countries where wages are below those of the host country. By using a salary threshold, employers can be given a free hand in a demand-driven migration system to recruit those foreigners who better meet their requirements compared to the domestic workforce, while the wages offered and demanded are not the only factor in the selection process. Three basic approaches can be used as a basis to determine the salary threshold:

1. A **statutory salary threshold** (e.g. in Ireland) – makes it possible to dispense with other regulatory tools (the labour market test, qualifications assessment) and obtain a work permit subject to meeting a minimum number of other conditions.
2. **Individual assessment of the salary amount** (e.g. in Germany) – different factors, such as qualifications, age, region, sector, size of the employer, etc. are taken into account when assessing every application. The assessment takes longer and is less transparent.

3. **Combination** – compliance with the statutory minimum wage is required together with an individual assessment of the wage offered. The system also uses a statutory salary threshold; if it is met, no further assessment of the requirements for employment is made.

CURRENT SITUATION

Every foreigner applying for a job has to undergo a labour market test. The only exceptions are employees in positions with a shortage of workforce, teaching staff and scientific workers. Workers applying for a Blue Card, which is granted subject to demonstrating that the salary exceeds 1.5 times the sector average, also have to undergo the test. These provisions increase the staffing requirements for the so-called vacancy agents in labour offices, while LOs have long been understaffed in this regard.³³

According to employers, the existing procedures are inefficient because the methodology implies that if the LO has more than five job seekers for a given position in the register of unemployed, another selection procedure should be carried out. From the standpoint of employers, the recruitment of foreign workforce is usually a more expensive alternative than hiring a domestic job seeker and therefore it is looked at as a last resort. The survey among employers revealed that the existing system is unpredictable and gives the authorities a wide margin of discretion. Employers point out the importance of good relations with the LO, which is not desirable in a transparently configured system.

Salary thresholds in other EU countries

Good practice from other EU Member States shows that modern systems of employing foreign workforce are increasingly moving away from individual labour market tests and replacing them with other tools.

Comparison of the existing salary thresholds in EU countries

DENMARK – employers can bypass the requirement to pass the labour market test by meeting the salary threshold, which is preferred by most employers in practice.

³² Glossary of Migration and Asylum Terms, EMN, available at: <https://emn.sk/sk/migracny-slovník.html>

³³ Strategy for Labour Mobility of Foreigners in Slovakia until 2020, with an Outlook to 2030, MLSAF SR

IRELAND relies on a salary threshold system complemented by a list of shortage occupations and a list of occupations that cannot be filled by foreigners even if the salary threshold condition is met. At the same time, it makes it possible to obtain general work permits for occupations which are not included in either list, but which, except in special cases, have to pass a labour market test in addition to meeting the salary threshold. The lists of shortage occupations and the salary threshold are determined by the regulation governing work permits, which can be approved directly by the minister for enterprise.

Table 2: Salary threshold in Ireland

IRELAND	GENERAL WORK PERMIT	PERMIT FOR SHORTAGE OCCUPATIONS	PERMIT FOR SHORTAGE OCCUPATIONS
Salary threshold	EUR 30 000 (27 000 for some students)	EUR 32 000	EUR 64 000
Included in the list of shortage occupations	not required	required	not required
Included in the list of 'ineligible occupations'	not allowed	not allowed	not allowed
Labour market test	yes	no	no
Qualifications	not required	to be examined	not required

* The average annual wage in Ireland is around EUR 42 000 and the minimum wage is EUR 20 000 (2021 figure).

GERMANY applies a salary threshold across the entire system of foreign labour migration, however, it applies multiple levels depending on the category of applicants. The salary threshold has been fixed for some categories of applicants, other categories are subject to individual assessment. In general, the calculation is governed by a variable set by Germany on an annual basis. The variable is the maximum base for the calculation of the employer's and employee's contributions to pension insurance.

In 2021, the maximum annual employee contribution to the pension insurance scheme was EUR 85 200. The Aliens Act specifies a percentage from this amount, which serves as reference for determining the salary categories. Four salary thresholds are distinguished on this basis:

1. Shortage occupations of Blue Card applicants – 52% of maximum annual employee contribution to pension insurance (EUR 44 300)
2. Other occupations of Blue Card applicants – 2/3 of maximum annual employee contribution to pension insurance (EUR 56 800)
3. IT workers – 60% of maximum annual employee contribution to pension insurance (EUR 51 120)
4. Other permits – foreigners over 45 years of age – 55% of maximum annual employee contribution to pension insurance (EUR 46 860)

The **CZECH REPUBLIC** applies several parallel programmes. Instead of the standard individual labour market test, it divides foreigners according to the desired qualifications into several categories and uses quotas and salary thresholds as instruments. The skilled worker programme, intended for citizens of 9 non-EU countries in occupations under CZ-ISCO 4-8, requires a wage of 1.2 times the minimum wage in the corresponding wage group. **The highly skilled worker programme**, intended for foreigners working in occupations under CZ-ISCO 1-3, requires a wage guarantee equivalent to a salary threshold amounting to the average salary of the corresponding subgroup (4-digit CZ-ISCO code).

When considering the good practice examples from Ireland and Germany, it is important to take into account the attractiveness of the countries to foreign workers from EU Member States, who may be recruited by employers to vacant positions regardless of the salary threshold level. The labour market in Slovakia is less attractive to EU citizens compared to those countries and this fact must be taken into account when setting the salary threshold so that even low-skilled jobs with a shortage of workforce can be effectively filled with foreign workforce from non-EU countries.

WHAT IS NEEDED

Based on the experience from other EU Member States, it is recommended to gradually replace the individual assessment of employees by means of a labour market test and introduce an obligation for employers to offer the foreign worker a wage corresponding at least to the salary threshold set for the specific situation. During the transitional period, it will be necessary to continue to use individual labour market tests when recruiting foreigners to work in occupations not considered as shortage occupations. Alternatively, a salary threshold could also be set for these occupations solely by agreement between the social partners and the labour market test could be carried out only if the salary offered does not meet this criterion.

WHICH CATEGORIES DOES THE MEASURE CONCERN?

All non-EU foreigners in occupations with a shortage of workforce and Blue Card applicants.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM

1. SETTING THE SALARY THRESHOLD

- a) The salary threshold system will be introduced gradually, over a longer period of time.
- b) The salary threshold must be set on the basis of income that must be reached in order for the foreigner to become a 'net contributor' to the national budget.
- c) The salary threshold must be regularly reviewed and respond flexibly to the current situation. The set threshold must be the result of negotiations between the social partners.
- d) The salary threshold should be regulated by a normative legal act and the possibility of individual discretion should be limited.
- e) The introduction of a salary threshold requires an assessment of its impact in terms of regional differences in remuneration, or the age and work experience of the foreigners.

- f) Workers whose salaries are determined by national salary schedules, such as the teaching staff, are not part of the system.

REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) The system will be rolled out over several years, during which data will be evaluated and the impact of salary levels on foreign labour mobility will be assessed.
- b) A foreigner becomes a 'net contributor' to the national budget when he pays more in social contributions, income taxes and indirect taxes to the state than he receives in social benefits and public services. Based on the relevant expenditure on the worker and his contributions and taxes, a gross estimate of his annual income can be calculated. This amount will serve as an aid for policy makers.
- c) In order for the set salary threshold to be effective, the resulting minimum salary threshold must be the result of negotiations between the social partners and it must be regularly reviewed and adjusted. This will considerably simplify the inflow of foreign workforce in sectors where average wages exceed the salary threshold. Conversely, exceptions will need to be made where average wages are below the salary threshold, if these are occupations with a shortage of workforce. In order to avoid wage dumping, the usual remuneration in the occupation in question should serve as a minimum salary level³⁴.
- d) The salary threshold must be specified by legislation of general application, which will ensure transparency and eliminate the possibility of individual discretion.
- e) In order to assess the impact of the salary threshold in terms of regional differences in the remuneration of workers, or the age and work experience of foreigners, several categories need to be created based on the most influential criteria. We recommend that the following categories be specified:
 - occupations with a shortage of workforce in SK-IS-CO 1,2 (Blue Card) – criterion: 1.2 times the gross wage in the economy,
 - occupations with a shortage of workforce in SK-IS-CO 3-9 (single permit, national visas) – criterion: regional gross wage in the region by SK-ISCO group,
 - other occupations, SK-ISCO 1-3 (Blue Card) – criterion: 1.5 times the gross wage in the economy,
 - other occupations, SK-ISCO 3-9 (single permit, national visas) – criterion: regional gross wage in the region by SK-ISCO group and the applicant's age.

³⁴ Poutvaara, P., Drometer, M., Rhode, C., Burmann, M.: A Novel Two-Track Labour Migration System for Germany, available at: <https://www.econstor.eu/bitstream/10419/181270/1/dice-report-2018-1-50000000001957.pdf>

- f) Workers whose salaries are determined by national salary schedules are not part of the system.

The proposed measure serves as guidance because detailed research into the fiscal and labour market impact of this measure is required to set the precise salary threshold. An incorrectly set salary threshold would render this measure completely inoperative. This is demonstrated by the example of the salary threshold set in accordance with the Blue Card Directive for highly skilled workers.

WHAT IS NEEDED?

For highly skilled workers with an EU Blue Card, the salary threshold should be reduced, in line with the possibilities offered by the EU Blue Card Directive, to 1.2 times the gross wage in the economy for SK-ISCO 1 and 2 occupations with a shortage of workforce. For other workers with an EU Blue Card, the salary threshold should remain at 1.5 times the gross wage. Nevertheless, it is desirable to change the method of calculation and use the average wage in the sector rather than the average wage in the national economy as a basis. See also measure no. 7 for more details.

2. ASSESSMENT OF THE SALARY THRESHOLD

- a) The employer communicates the offered salary amount by means of electronic notification and indicates it in the application for consent to filling the job position. Compliance with the salary threshold condition replaces the individual labour market test.
- b) The salary amount is checked by the LO through the work contract sent by the employer after the foreigner starts employment and the data provided by the Social Insurance Agency.
- c) A breach of the obligation to pay a salary at the specified amount constitutes grounds for refusal of consent to employment of foreigners in the future.

REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) After the offered salary amount is reported, the LO can assess at the outset whether the application meets the requirements. The salary threshold will therefore be one of the basic conditions for granting the consent to filling a job position. The individual labour market test would be retained only for exceptional situations.

- b) The interconnection of the electronic systems of the COLSAF and the Social Insurance Agency would allow for easy checking of compliance with the salary threshold condition at any time during the work contract. Any circumvention of this obligation would disqualify the employer from the possibility of employing additional foreigners under the Scheme.
- c) If the employer fails to pay the expected minimum wage specified in the job vacancy notification, the LO will be able to restrict the employer's access to the employment of foreigners. In addition to protecting the labour market from wage dumping, this will also protect the rights of foreign workers.

- The fact that there is a shortage of workforce for a certain job may indicate that the level of remuneration does not match employees' expectations. If set appropriately, the salary threshold can put upward pressure on salaries for domestic workers in these occupations.
- This will increase the tax revenue of the national budget and the amount of funds contributed to social and health insurance schemes.
- The income of foreign workers will also increase, which will reduce the possibility of them becoming dependent on the state social assistance system or on the employer.
- It will protect the economic environment from the emergence of undesired competition from foreign companies that base their business on importing cheap foreign labour from their own country. The final salary threshold level may be determined by agreement between the social partners.
- The assessment of a worker's entry into the labour market through the salary threshold is not as demanding as a labour market test in terms of paperwork, funding or personnel.

4 Labour market survey and creation of the list of occupations with a shortage of workforce

CURRENT SITUATION

The Employment Services Act does not define in detail the methodology for creating the List of Occupations with a Shortage of Workforce (hereinafter also referred to as the List). Therefore, the methodology was developed by the COLSAF and consulted with social partners. The COLSAF creates the List using data collected and administered exclusively under its own responsibility. Specifically, this includes information on:

- a) job vacancies reported by employers directly to the COLSAF or through the LMIS, where the employer has indicated that a vacancy is suitable for non-EU nationals and the job has been vacant for at least three months;
- b) the number of job seekers who are declaring their interest in becoming employed in the given occupation or worked in that occupation as their most recent job.

The employer's obligation to report job vacancies can also be fulfilled via job portals other than the LMIS, provided that the COLSAF has signed a cooperation agreement with them (www.profesia.sk, www.kariera.sk, etc.). However, these vacancies are not included among those on the basis of which shortage occupations are identified because the data have a different structure and cannot be handled without special interventions.³⁵

The COLSAF creates a list of job vacancies and job seekers by the occupations sought in a given district, at the level of a 7-digit code. If the number of vacancies in a given occupation and district is greater than the number of job seekers, the occupation is included in the List. Prior to publication, the List is communicated to employer representatives who can add an occupation if a reasoned request is made, provided that at least one vacancy in that occupation was reported in the period prior to the publication of the List.

At the same time, the List should, by its nature, be representative of the labour market as a whole. A segment of more complex occupations is absent in the existing List. In practice, especially due to the high level of detail of the selected categories (SK-ISCO occupations at the level of a 7-digit code and districts), occupations are put in the List by the COLSAF on the basis of a small number of job seekers with work experience in the given occupation; moreover, their number changes rapidly over time. On the job vacancy side, the numbers in each occupation are higher, but also less controllable. A simple comparison with the small numbers of job seekers shows that larger employers can, for example, by simply reporting 30 job vacancies, ensure that these are included in the List. Yet, it is beyond the COLSAF's capacity to check the published job vacancy information.³⁶

In order to manage migration, it is not necessary to identify labour market demand in such detailed occupational categories as is the case in the published List.

The current system is characterised by:

- poor representativeness,
- too much detail, which can compromise its accuracy,
- easy influenceability,
- lengthy processes,

a strict boundary between occupations on the List and those that narrowly missed it or were put under a code for only slightly different occupations.³⁷

WHAT IS NEEDED?

Other data and indicators should be taken into account when creating the List and less detailed occupational categories should be used. This will make the List more representative and eliminate any attempts of larger employers at manipulating it.

The addition of the data on job vacancies from commercial service providers would help make the data sufficiently representative. Incorporation of these data may cause certain duplication, therefore, it is advisable to start working with the data on the growth rate and structure of employment collected by the Slovak Statistical Office in the context of the representative Labour Force Sample Survey.

The proposed change will necessitate the processing of information from several indicators into a synthetic indicator that will make it possible to create a more comprehensive picture of national and regional labour market needs. Based on the values of the synthetic indicator, it will be possible to rank occupations according to labour market demand. The flexibility and predictability of the system lies in the dialogue between the social partners, which will determine the minimum value of the index for shortage occupations.³⁸

³⁵ Štefánik M.: Identifikovanie potreby slovenského trhu práce, Výskumný zborník Schémy pracovnej mobility pre SR [Identifying the Needs of the Slovak Labour Market, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

³⁶ Ibidem.

³⁷ Ibidem.

³⁸ Ibidem.

WHICH CATEGORIES DOES THE MEASURE CONCERN?

All foreigners coming from non-EU countries.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM

- a) The List will be created on the basis of more robust statistical data with a higher number of observations. The use of the hierarchical nature of the SK-ISCO classification and the aggregation of occupations into groups (subgroups)³⁹, or aggregation of job vacancies and job seekers at the level of regions, will make it possible to identify the subgroups of shortage occupations more reliably. Extension of the database used in the creation of the List to include other labour market indicators (e.g. the number of job vacancies advertised through commercial portals)⁴⁰,
- b) the List will be based on a synthetic indicator formed by factor analysis,
- c) the existing COLSAF infrastructure will be utilised,
- d) the current role of the List of occupations with a shortage of workforce will be retained,
- e) the social partners will continue to be involved in the creation of the List.⁴¹

- c) The generation of the synthetic indicator can be automated, which means that it would not increase the workload on, for example, the currently responsible methodology and statistics department of the COLSAF.
- d) The values of the synthetic indicator could be recalculated quarterly.
- e) Prior to the publication of the List, it would be advisable to consult the social partners on the indicator values for the next quarter and, if appropriate, correct the values on the basis of the consultations.⁴²

REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) In order to sustain economic growth, it is also necessary to attract highly skilled and skilled foreign workers with more comprehensive skills into occupations with long-term workforce shortages. Even though the COLSAF receives information on job vacancies advertised through commercial portals (profesia.sk, kariera.sk) and data exchange exists in this regard, the exchanged data cannot be used in the creation of the List due to their structure. The data sources and indicators specified in **the table 3** could be added to identify the needs of the Slovak labour market
- b) The information from the individual indicators can be summarised into a synthetic indicator of the demand for individual occupations. The synthetic indicator could be used in the existing model for the assessment of work permit applications by the COLSAF.

³⁹ This can also be applied in the current process of creating the List and does not require any additional investment.

⁴⁰ This can also be applied in the current process of creating the List and does not require additional investment apart from modifying the structure of data exchange so that data from commercial providers can be used.

⁴¹ Štefánik M.: Identifikovanie potreby slovenského trhu práce, Výskumný zborník Schémy pracovnej mobility pre SR [Identifying the Needs of the Slovak Labour Market, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

⁴² Ibidem

Table 3: Indicators for examining labour market needs⁴³

INDICATOR	SOURCE
Replacement and expansion demand: Share of workers aged 60+ in employment in the occupation (weighted by the occupation's share in total employment)	LFSS
Replacement and expansion demand: Year-on-year change in employment in percent	LFSS
Number of unemployed according to LFSS: Number of unemployed who worked in the given occupation before becoming unemployed	LFSS
Inflow of job seekers: Inflow of unemployed who worked in the given occupation before becoming unemployed	COLSAF
Duration of unemployment: Median duration of registered unemployment	COLSAF
Inflow of vacancies registered by the COLSAF: Inflow of vacancies in the given occupation per quarter	COLSAF
Median vacancy duration: Median length of time a vacancy is advertised	COLSAF
Share of foreign workers in employment: Inflow of foreign workers in the given occupation	COLSAF

5 Digitisation

The activities of the responsible government agencies will be aimed at full digitisation of the process of granting residence and work permits, nevertheless, these activities are time-consuming. The proposed measures can be implanted into the present context and applied independently of the implementation of the time-consuming measures related to digitisation. At the same time, all measures are designed so as to allow for an easy transition to a fully digitised environment, without the need for additional changes.

Digitisation will significantly speed up processes and reduce the administrative burden on all parties involved in the proceedings. The possible solutions are presented at two levels. At the lower level (**Version 1.0**), we propose linking the necessary data exchange between the parties of the proceedings to the existing portals used at present. The higher level of digitisation of processes (**Version 2.0**) envisages linking the system to a new electronic information system to be implemented under the responsibility of the MI SR.

⁴³ Ibidem.

VERSION 1.0

Under Version 1.0, an existing portal (istp.sk or slovensko.sk) **would be modified at minimum financial cost**. The text below identifies the different actors in the relationships between them; the data that need to be collected electronically; and the outcome to be achieved by processing them.

I. EMPLOYER AND THE LABOUR OFFICE

Effective electronic communication between the LO and the employer is key to the implementation of the Scheme.

slovensko.sk portal

Every legal person and natural person-entrepreneur is required to communicate with government authorities via the slovensko.sk portal. A space needs to be created within the existing infrastructure for communication between employers and the LO when recruiting foreigners and issuing the proposed consents. The functions of the existing ISTP.sk information system, which is used by the MLSAF SR, need to be extended.

IŠTP.sk portal

Employers will communicate with the LO exclusively through the electronic system where they will have their own profiles registered to the company's ID number. Employers can use the profile to:

- report job vacancies,
- submit applications for the issue of the consents,
- send attachments requested by the LO,
- check whether the LO has notified them that they need to eliminate shortcomings in the application,
- report that a foreigner has started employment,
- check the validity and status of the consents issued,
- pay the administrative fee for issuing the consent,
- report the termination of employment,
- report that a consent has not been used.

Outcome:

- job vacancy notification,
- application for the issue of a consent to filling a job position by a foreigner.

The Labour Office will:

- process data from the job vacancy notification,
- pair the reported SK-ISCO with the job positions index and the minimum wages table,
- check whether the employer has met the conditions for employing a foreigner,
- request additional information and notify the employer of the need to eliminate shortcomings in the submission,
- keep record of issued, active and inactive consents for a specific company ID number,
- register information cards (EU citizens, exemptions under §23a of the Employment Services Act),
- keep electronic records of documents and data on the employer and the foreigners employed,
- the system will automatically store the information provided by the employer into a database, which will be helpful in the collection of data on foreigners employed in Slovakia, their nationality, age, gender, duration of employment, wage, SK-ISCO of the job position, the highest level of education achieved, etc.

Outcome:

- consent to filling a job position (with/without name),
- decision to withdraw the consent,
- imposition of a penalty on the employer for a breach of obligations.

II. LABOUR OFFICE AND SOCIAL INSURANCE AGENCY

The data provided by the Social Insurance Agency will be essential in the retrospective checks of compliance

with the conditions for the employment of foreigners. By changing the scope of the data in the NP registration sheet sent by employers to the Social Insurance Agency, the employers' reporting obligations vis-à-vis the LO and the APD can be eliminated.

The Social Insurance Agency will inform the LO about:

- the date of commencement and termination of employment,
- the SK-ISCO of the job position,
- wage level,
- place of work,
- nationality,
- employers' social insurance arrears.

Outcome:

- acquisition of data for issuing/withdrawing consents,
- acquisition of data to assess the employer's eligibility to employ a foreigner.

III. LABOUR OFFICE AND OTHER GOVERNMENT AUTHORITIES

In the existing systems, the LO obtains information from other government authorities about whether employers:

- have fulfilled their tax obligations,
- have not been sanctioned for illegal employment,
- are not subject to bankruptcy proceedings, restructuring or receivership,
- have not been sanctioned with a lawfully imposed penalty prohibiting them from receiving grants or subsidies or prohibiting them from receiving aid and support provided from EU funds, if they are legal persons.

Outcome:

- acquisition of data to assess the employer's eligibility to employ a foreigner.

IV. LABOUR OFFICE AND THE APD

Exchange of data within existing systems on:

- final termination of residence permits,
- consent withdrawal.

Outcome:

- acquisition of data on residence permit status and consent status.

V. EMPLOYER AND THE SOCIAL INSURANCE AGENCY

The NP registration form will be extended to include additional data necessary for more comprehensive and

efficient data collection (amendment to §231(1) of Act No. 461/2003 Coll., on social insurance). Employers will report to the Social Insurance Agency:

- data in the same scope as at present,
- the SK-ISCO of the job position,
- the place of work,
- the type of work permit, if the person concerned is a foreigner (information card, consent).

Outcome: More data that are relevant for the LO will be available to the Social Insurance Agency.

VERSION 2.0

The objective of the new electronic **system ECU (register of foreigners)** is to streamline the work of officers of the Border and Aliens Police Service and the staff of non-ministerial institutions in the process of granting residence permits to foreigners and the paperwork associated with their residence in Slovakia (e.g. the ML-SAF SR, SIS, Social Insurance Agency, municipal authorities, MF SR, MFEA SR). The system must be automatically populated with data from systems of other institutions. Access to the system will be restricted to government authorities according to the scope of information that they need for their activities. Employers and foreigners will communicate with authorities via their own platform.

ECU functions:

- interoperability between the information system for registration of foreigners and other relevant information systems (in particular Interpol, the Schengen Information System, AFIS, information systems of non-ministerial institutions),
- promotion of legal employment by speeding up the process of obtaining a residence permit,
- a link to the system for registration of foreigners to apply for a visa and residence permit,
- online access for foreigners to information on the status of their application and to making changes that they have to deal with in person today (e.g. change of address, the issue of a new residence document),
- creation of a relevant and flexible source for providing statistical information on the residence of foreigners in Slovakia,
- targeted collection of data on foreigners to evaluate the effectiveness, efficiency, relevance, appropriateness and sustainability of labour mobility policies.

Information requirements of individual authorities

– authorities with access to the ECU will be able to participate in populating the system with data, sharing the data and requesting the necessary information.

I. LABOUR OFFICE AND THE APD

Labour Office:

- access to information about the moment when the foreigner became eligible to work on the basis of a specific consent (submission of a complete residence permit application),
- access to information on the termination of residence,
- access to information on the place of residence.

APD:

- access to information on the issued consents to filling a job position (only the consent number is indicated in the residence permit application, which is automatically paired and the consent is assigned to the particular foreigner),
- upon receipt of the residence permit application, the APD indicates in the system whether all attachments have been submitted, i.e. whether the foreigner is eligible to work,
- access to information about the start of employment.

II. APD + LABOUR OFFICE AND THE HEALTH INSURANCE COMPANY

APD + LO:

- access to information on the commencement/termination of public health insurance,
- access to information on health insurance arrears.

Health insurance company:

- access to information on the commencement/termination of residence.

III. APD + LABOUR OFFICE AND THE TAX OFFICE

APD + LO:

- access to information on income tax in the case of self-employed persons and managing directors of limited liability companies,
- access to information on employers' arrears.

IV. MFEA SR and the APD

MFEA SR:

- access to information on the status of pending proceedings held by the APD in relation to a foreigner,
- access to information on the granting/termination of a residence permit.

APD:

- access to information on the granting/non-granting of visas,
- access to information on the submission of an application to a Slovak foreign service office.

V. EMPLOYER AND THE APD

Employer:

- access to information about the date when the foreigner is eligible to start working (date of submission of a complete application, date of submission of missing documents),
- access to information on final termination of a residence permit.

APD (the information from the LMIS is mirrored in the ECU):

- access to information on the consents issued,
- access to information that a consent has not been used,
- access to information on the change of the employer and the next employer.

VI. FOREIGNER AND THE APD (+ SLOVAK FOREIGN SERVICE OFFICES)

- foreigners receive information from a Slovak foreign service office or the APD via their profile about the status of the proceedings, the days remaining until the decision is issued, shortcomings in the application, rejection of the application, suspension of the proceedings, and termination of residence,
- foreigners receive an invitation to biometric data collection. At the request of the APD or the Slovak foreign service office, they present the originals of the electronic documents submitted,
- foreigners fulfil all their reporting obligations vis-à-vis the APD via their profile (reporting of the commencement/termination of residence, reporting of the address of residence, changes in the data by sending scans documenting the changes). The facts that need to be documented in writing are sent out within the specified time limit,
- foreigners receive information from the APD via their profile about the status of the proceedings, the days remaining until the decision is issued, shortcomings in the application, rejection of the application, suspension of the proceedings, and termination of residence.

MEASURES ACCELERATING LABOUR MARKET ENTRY

6 Labour mobility programme – shortage employees

CURRENT SITUATION

Through the amendment to the Employment Services Act Slovakia has implemented a system of an accelerated process for the admission of foreign workers in occupations where a shortage of workforce was identified. Even though the new legislation created conditions for a very rapid entry of foreigners to the Slovak labour market, it failed to meet the expectations of a large portion of employers due to the way of creating the List (of shortage occupations) which does not reflect the real needs of the Slovak labour market, as well as due to numerous other issues with the functioning of the system.

WHAT IS NEEDED?

The system of accelerated admission of foreign employees based on a list of occupations with a workforce shortage is a step in the right direction. Given the current structure of the labour market where a considerable portion of occupations with a workforce shortage consists of less skilled jobs, it is clear that choosing an approach focused on the education of foreign workers only would increase the discrepancies on the labour market even more.

The proposed solution preserves the existing system but removes its deficiencies identified within the survey. In order to create the list, several indicators will need to be analysed; this issue will be addressed in a more detailed outcome of a labour market survey (see measure No. 4).

WHICH CATEGORIES DOES THE MEASURE CONCERN?

All foreign nationals from non-EU countries who will be employed in occupations with a shortage of workforce.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM:

- a) the employer gets the consent to filling in a job position in advance;
- b) replacing the limit on the maximum number of foreign employees by assessing a salary threshold;
- c) an individual is allowed to start a job based on the submission of a complete application for residence before the residence permit is actually granted;
- d) an employee has a right to work while the aliens police decide on his/her application, provided he/she is legally residing in Slovakia;
- e) the possibility of a foreigner to work in the territory of Slovakia is not subject to assessment by an aliens police department (APD);
- f) the result of the process is a single permit for residence and work;
- g) an employee has a right to work for the entire duration of residence renewal proceedings;
- h) a foreigner may change his/her employer without the engagement of an APD.

REASONS FOR AND DESCRIPTION OF THE MEASURE:

- a) Before choosing a particular employee, an employer requests a Labour Office for consent to filling the job position by a foreign worker. After examining the conditions using a procedure specified in measure No. 2, the Labour Office grants a blank consent to fill in one or several particular positions within a period of five days. The selection of a particular employee is in the sole discretion of the employer who, however, will bear the responsibility for the employee meeting the qualification criteria.
- b) An appropriately set salary threshold will prevent wage dumping and create conditions for a wage growth in occupations that have been included on a list of shortage occupations because offered wages do not match the levels demanded by domestic employees. It will also allow removing the existing restrictive measures that set the maximum limit for the number of foreigners employed by the employer through accelerated recruitment to 30%. The appropriate setting of the salary threshold requires a more in-depth research (see measure No. 3).
- c) Since the authorities assessing the labour market needs have granted an affirmative opinion on the employment of a foreigner, there are no grounds to restrict his/her entry to the labour market for reasons on the part of authorities that decide about a “residence permit”. The existing obligations of an employer to inform the Labour Office about starting a job are preserved, along

with the obligation to send a work contract to the Labour Office. The system unambiguously identifies the foreigner by his/her personal number, thus allowing cross-checking with other public authorities, e.g. the Social Insurance Agency, if the employer meets its obligations (e.g., salary threshold level).

EXAMPLE OF EMPLOYING A FOREIGNER UNDER THE PROPOSED SOLUTION:

The foreigner submitted a complete application for a single permit for residence and work to an Aliens Policy department. He/she was assigned a personal number and holds a confirmation from the ADP that he/she is eligible to work in the territory of Slovakia. After checking the foreigner's passport, the employer finds that he/she entered Slovakia 70 days ago. Since the statutory period for granting a temporary residence permit is 30 days, the employer has to decide whether to employ the foreigner worker for the remaining 20 days of his/her legitimate stay before he/she will be granted residence. The foreigner cannot stay longer in the territory of Slovakia under a visa-free regime. The employer has to be aware that if the APD fails to decide within 20 days, the work contract will be terminated and the employer will be required to meet all the obligations arising from the termination of the work contract with the foreigner. If the employer considers this too large a risk, he will wait and employ the foreigner only after the temporary residence is granted.

The system minimises the risk of entry to the labour market by persons whose application for residence may eventually be rejected, by making the labour market entry conditional on submitting biometric data and filing a complete application for temporary residence. The filling of a complete application mainly:

- reduces the administrative burden on APDs;
- minimises the number of discontinued residence permit proceedings;
- prevents the speculative filing of applications that would enable short-time “rotation” of employees from visa-free countries;
- cuts down the number of cases where a foreigner's work contract would expire and he/she would have to leave Slovakia due to the fact that no decision was issued on his/her application while his/her residence permit was valid.

The measure requires a greater degree of responsibility from the employer who must consider whether to

employ a foreigner before he/she is granted a temporary residence permit, taking into account the length of validity of his/her visa and/or the possibility to stay in Slovakia under a visa-free regime. The system does not assume that the employee could remain in the territory of Slovakia after his/her residence permit expires.

- d) After the entry to the labour market, the foreigner is permitted to work throughout the entire validity of the residence permit. Unlike the current legislation which allows a six week “onboarding training”, the proposed solution does not impose any time limits other than the legitimate duration of residence.
- e) Single permit applications will only be filed by persons presenting evidence that a Labour Office has permitted their employer to employ a foreign worker. Once the proceedings start, the APD will not be required to wait for other public authorities to approve that the foreigner can work. The proposed measure will also considerably streamline the system as it does not allow the APD to start proceedings that could result in the application being rejected for reasons on the part of the Labour Office, thus creating capacities to accelerate the decision-making process.
- f) No national system for the granting of temporary residence is contemplated under the proposed measure. On the contrary, it stays within the framework of European single permit legislation.
- g) The possibility of continuing the employment during the renewal of a temporary residence permit represents a major issue under the current system. Employers are often forced to terminate work contracts with their foreign employees (or the contracts are terminated *ex lege*) where no decision on their application for renewal has been issued during the validity of the original permit. The proposed measure is based on the separation of the system for granting work and residence permits. When renewing a residence permit, too, it is, therefore, necessary that a foreign employee who demonstrates to have the consent of a Labour Office be allowed to continue working for his/her original employer and/or to start working for a new one even during the permit renewal procedure until a valid decision on the renewal of his/her residence permit is delivered.
Given that the time limits for the granting of consent differ between shortage and non-shortage occupations, an employer will have to make sure that the application for consent is filed in time. Foreign employees will be allowed to apply for a residence permit renewal even without such consent, but they will not be allowed to continue working after the expiry of the original residence permit (as is the case under the existing conditions).

- h) Assessing the change of an employer during the validity of the residence permit should not be among the powers of the Aliens Police. Only a foreigner’s reporting obligation is preserved in order to avoid the unnecessary paperwork related to the commencement of the proceedings to cancel permit due to the ceasing of the purpose after the expiry of a protection period, after the notification of termination of employment with the original employer.

Table No. 4: Comparison of the current and proposed situation in employing foreigners in occupations with shortage of workforce

	CURRENT SITUATION	PROPOSED MEASURE
Job vacancy notification	yes, with no time limit	yes, with no time limit
Consequences of the failure to submit a job vacancy notification	end of the process, no subsequent validation possible	Labour Office requests that a job vacancy be notified extending the time limit for obtaining consent
Approving a greater number of foreigners in a single step	no	yes
Assessment of foreigner's income	minimum wage	salary threshold
Possibility to employ a foreigner prior to the granting of a temporary residence permit	yes, after the submission of a complete application	yes, after the submission of a complete application
Possibility of an employer to verify whether the submitted application was complete	no	confirmation on the possibility to start working (personal number certificate)
Possibility to work prior to the granting of a temporary residence permit	not more than six weeks	until the expiry of the legal residence
Documents attached to a temporary residence application	a pledge of employment, proof of clean criminal record, proof of accommodation	consent, proof of clean criminal record, proof of accommodation
Maximum number of foreigners employed through an accelerated procedure	not more than 30%	no limit
APD communicates with the Labour Office and waits for the consent to fill in a job vacancy	yes	no
Employer reports the start of work contract	repeatedly (information card, after the residence permit is granted)	after the start of employment
Possibility to work during a residence permit renewal	until the expiry of the original residence permit	throughout the entire residence renewal procedure
Change of employer	confirmed by an APD upon Labour Office's consent	by granting a new consent without APD's involvement

Diagram No. 1: Comparison of the sequence of steps to grant a residence permit for employment in a shortage occupation

COMPARISON OF THE PROPOSED SOLUTION WITH THE CURRENT SITUATION – RESIDENCE PERMIT PROCEDURE

CURRENT SITUATION



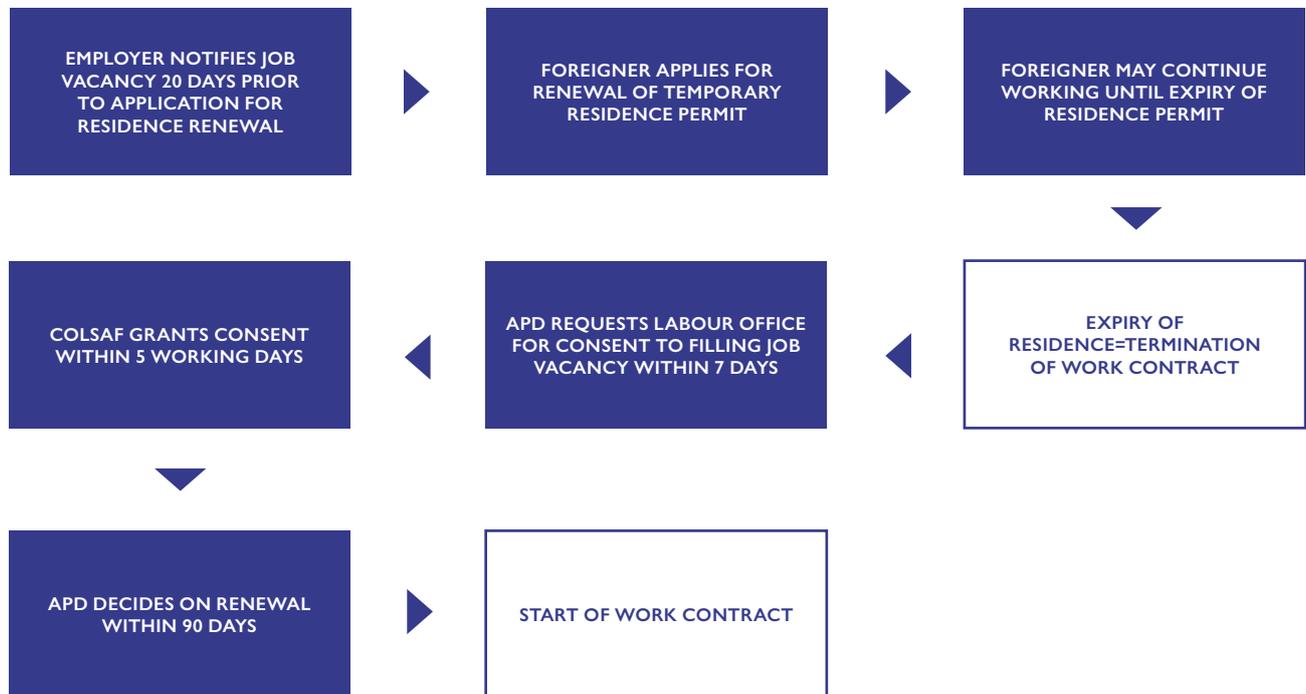
PROPOSED SOLUTION



Diagram No. 2: Comparison of the sequence of steps to renew a residence permit for employment in a shortage occupation

COMPARISON OF THE PROPOSED SOLUTION WITH THE CURRENT SITUATION – RESIDENCE RENEWAL

CURRENT SITUATION



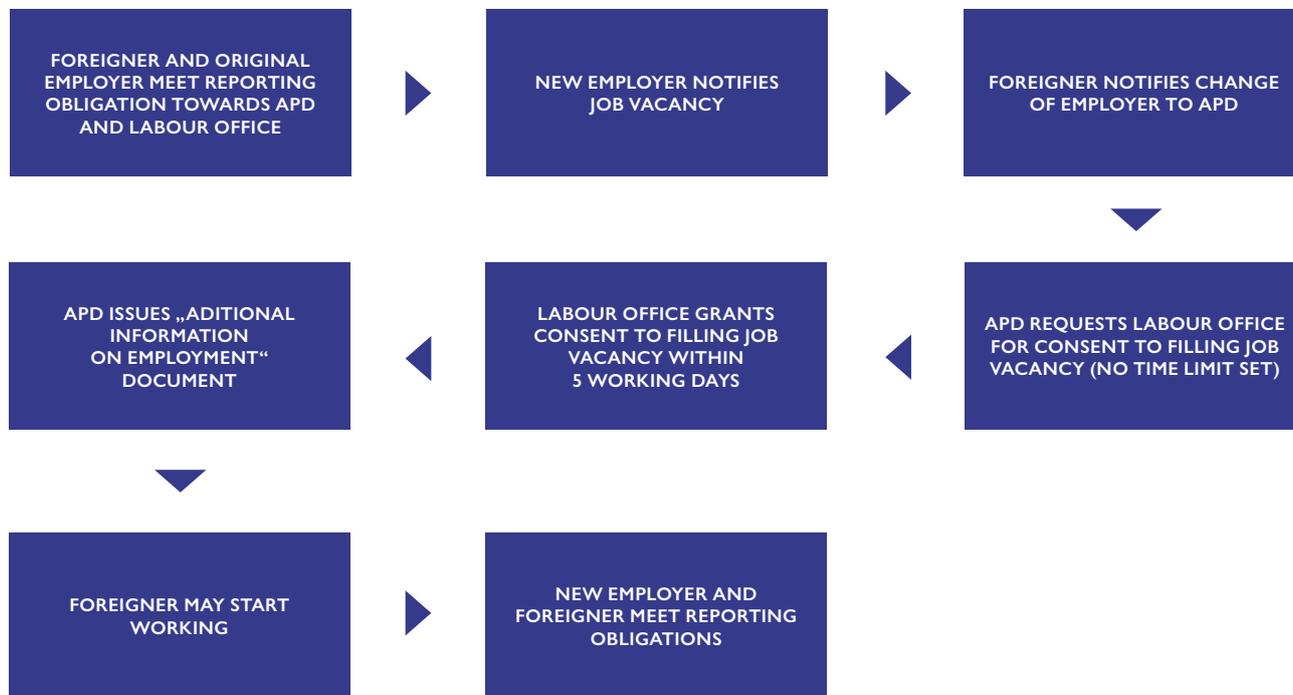
PROPOSED SOLUTION



Diagram No. 3: Comparison of the sequence of steps to change the employer in a shortage occupation

COMPARISON OF THE PROPOSED SOLUTION WITH THE CURRENT SITUATION – CHANGE OF EMPLOYER

CURRENT SITUATION



PROPOSED SOLUTION



Single permit – general (non-shortage occupations)

The granting of a single permit to foreigners entering the Slovak labour markets in occupations not included on the List of occupations with a shortage of workforce follows a similar procedure. The only difference is the length of the process to obtain consent to fill in a job position. The consent is granted by the Labour Office within 30-60 days after examining the situation on the labour market. Once the consent is granted, the same procedure applies as in the case of occupations that are considered in shortage.

7 Labour mobility programme – highly qualified workforce (EU Blue Card)

CURRENT SITUATION

The EU Blue Card is a part of EU's joint strategy to attract highly qualified labour. In 2019, a total of 36,806 EU Blue Cards were issued; the largest number (78%) in Germany, followed by Poland (5.7%) and France (5.5%). The Czech Republic issued 570 EU Blue Cards, Slovakia only twelve.⁴⁴ Unlike Slovakia, the Czech Republic and other Member States also operate their own national systems to attract highly qualified experts; therefore, the number of EU Blue Cards issued does not reflect the actual number of highly qualified third-country national workers arriving in the EU Member States.⁴⁵

This instrument failed to meet the expectations, particularly owing to the fact that, in addition to the EU Blue Card, many Member States also rely on their own national legislative Instruments. In 2018, EU Member States issued as much as 70% of blue cards for highly qualified third-country national workers under their own national programmes. The potential of this instrument remains underutilised; therefore, the European Commission is working on a “new directive”.⁴⁶

The newly proposed EU Blue Card directive should mainly focus on increasing the Blue Card's attractiveness by offering such possibilities and rights which national programmes are unable and cannot provide. By their very own nature, national schemes cannot offer the possibility to easily move, work and reside in several EU Member States, thus

attracting highly skilled workers. Only actions at the EU level can offer a flexible system enabling the Member States to better compete with other major destinations for the limited supply of highly skilled workers.⁴⁷ The OECD data published in 2016 indicate that of all non-EU migrants coming to OECD countries, only 48% of low-educated migrants and 31% of high-educated ones chose EU as their destination.⁴⁸ A review of the EU Blue Card scheme under a new policy on legal migration with an aim of turning it into a more effective instrument to attract talent to Europe was announced under a European Agenda on Migration.⁴⁹

The European Parliament and the Council agreed on the new rules on 17 May 2021, which amend and modify some of the principal areas in an EU Blue Card approval process:

- The salary threshold for EU Blue Card employees will be lowered and should move between 1.0 up to 1.6 times the average gross annual salary in the EU country concerned;
- The minimum length of a work contract will be reduced from 12 to 6 months;
- New rules will make it easier to recognise professional skills for occupations in the information and telecommunications technology sector;
- Changing the position or employer will be more flexible;
- Administrative burden in the case of moving to another EU Member State will be reduced;
- Obtaining a long-term residence permit will be easier.

WHAT IS NEEDED?

In view of the final works being done on the “new directive” that will contain several principal and attractive changes both for third-country workers and employers, as well as due to the fact that Slovakia currently has no national scheme for admission of highly qualified foreign workers in place, it is advisable that the EU Blue Card remains a primary instrument for attracting these workers to Slovakia. The proposed solution concentrates on removing the deficiencies identified in the functioning of this instrument within the limits offered by existing European legislation.

⁴⁴ Source: Eurostat (online data code: MIGR_RESBC1), available at: https://ec.europa.eu/eurostat/databrowser/view/migr_resbc1/default/table?lang=en

⁴⁵ Highly Qualified Worker Programme, available at: <https://www.mpo.cz/en/foreign-trade/economic-migration/highly-qualified-worker-programme--248598/>

⁴⁶ Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment COM/2016/0378 final - 2016/0176 (COD).

⁴⁷ Ibidem.

⁴⁸ Senne, J.-N. a David, A.: General Context and Contribution of Labour Migration in Europe, OECD 2016

⁴⁹ Communication from the Commission of 13 May 2015 – European Agenda on Migration, COM(2015) 240 final

WHICH CATEGORIES DOES THE MEASURE CONCERN?

Foreign workers coming from non-EU countries with tertiary education, a job offer for a period exceeding one year, and a salary offer corresponding to the relevant salary threshold.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM:

- a) consistent separation of the approval process;
- b) lowering the existing salary threshold;
- c) elimination of duplicate labour market tests and salary threshold assessments;
- d) simplification of how proof of qualifications is provided;
- e) an individual is allowed to start a job upon filing a complete application even before he/she is granted a residence permit;
- f) the possibility of a foreigner to work in Slovakia is not subject to assessment by an APD;
- g) the result of the process is the issuance of a Blue Card;
- h) an employee has a right to work for the entire time of residence renewal proceedings;
- i) a foreigner may change his/her employer without the engagement of an APD.

REASONS FOR AND DESCRIPTION OF THE MEASURES:

- a) Approving a job position by a Labour Office upon employer's request should be separated from the granting of a residence permit that is done by an APD upon foreigner's/employer's application for residence.
- b) In order for the existing salary threshold for Blue Card to reflect the conditions on the labour market in Slovakia, it is advisable to make use of the possibilities afforded by the EU Blue Card directive and reduce the salary threshold for shortage occupations to 1.2 times the wage in national economy. Accordingly, the calculation of the salary threshold for other highly qualified occupations also needs to be set as a multiple of the wage in national economy. This will make the conditions more realistic compared to the current situation when the level of salary threshold is determined on the basis of an average sector-specific wage. It is also necessary to regularly review the salary threshold level.
- c) Experience from other EU Member States shows that an appropriately set salary threshold is a sufficient safeguard to protect the labour market and prevent wage dumping. Duplicate labour market tests are a redundant complication in the system that must be completely eliminated.

- d) Foreigners would be required to prove their education by a proof of relevant higher professional qualification – an officially authenticated tertiary education/university diploma. This will prevent the employers from misusing the system by employing foreigners without the necessary qualification. The system remains unchanged for regulated professions for which a proof of recognition of qualification in a relevant field or sector is required.
- e) Under the proposed solution, the consent to filling in a job position is to be granted in advance, before the foreigner applies for a Blue Card. Therefore, there are no grounds to restrict his/her entry to the labour market for reasons on the part of authorities in charge of deciding about a “residence permit”. The existing obligations of an employer to inform the Labour Office about starting a job are preserved, along with the obligation to send a work contract to the Labour Office. The unambiguous identification of the foreigner by his/her personal number allows cross-checking with other public authorities, e.g. the Social Insurance Agency, if the employer meets its obligations.
- f) As far as the authorities in charge of residence permits are concerned, the measures minimises the risk of entry to the labour market by persons whose application for residence may eventually be rejected by making the labour market entry conditional on submitting biometric data and filing a complete Blue Card application. Blue Card applications will only be open to persons who hold a proof that their employer has been permitted by a Labour Office to employ a third-country national in this manner. Once the proceedings start, the APD will not be required to wait for other public authorities to approve that the foreigner can work.
- g) The “new Blue Card directive” will increase the EU Blue Card's attractiveness so much that no national scheme will be able to compete with this new model.
- h) The proposed measure is based on the separation of the system for the granting of work and residence permits. When renewing a residence permit, too, it is, therefore, necessary that an employee who demonstrates, during a Blue Card renewal procedure, that his/her employer has consent of a Labour Office, be allowed to continue working for his/her original employer and/or to start working for a new one even during the Blue Card renewal procedure until a valid decision on the renewal of his/her residence permit is delivered. Employees will be allowed to apply for a Blue Card renewal even without such consent; however, they will not be allowed to continue working after their Blue Card expires (as is the case under the existing system).
- i) The existing legislative arrangements governing the change of an employer by a Blue Card holder are not clear-cut, especially as regards mutual relations and

competences of the COLSAF and APDs. After receiving a new work contract from the foreigner within five working days before the start of his/her employment, an APD examines whether the foreign worker will work in the same profession and whether his/her wage corresponds to the salary threshold. The legislation does not clearly specify if the APD

should communicate with the COLSAF and request the consent to the filling of a job vacancy as it is the case with a single permit. Assessing the change of an employer during the validity of the residence permit should not be among the powers of the Aliens Police. The proposed measure only preserves the existing information obligation of the foreigner worker.

Table No. 5: Comparison of the current and proposed situation in employing foreigners with a Blue Card

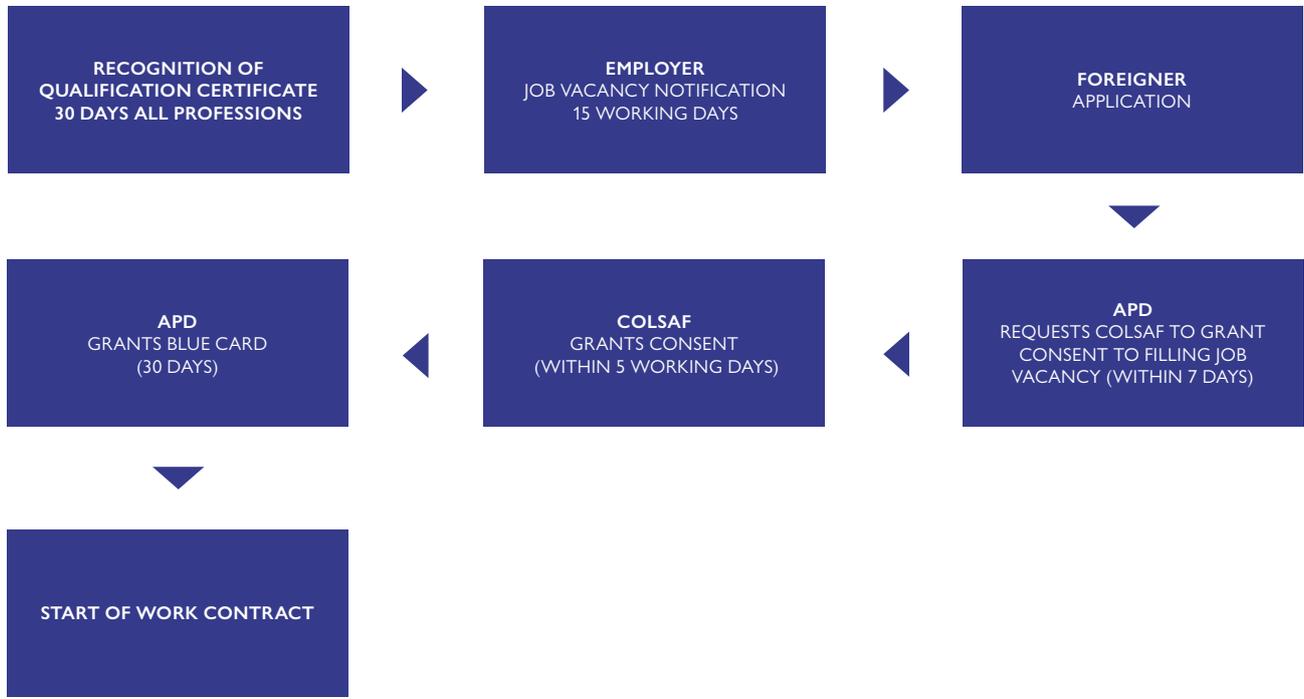
KEY DIFFERENCES:

	CURRENT SITUATION	PROPOSED MEASURE
Job vacancy notification	yes, at least 15 working days prior to filing an application for residence	yes, with no time limit
Consequences of the failure to submit a job vacancy notification	end of the process, no subsequent validation possible	Labour Office requests that a job vacancy be notified, extending the time limit for obtaining consent
Assessment of foreigner's income	yes 1.5 times the average monthly wage of an employee in the relevant sector in Slovakia	yes shortage occupations: SK-ISCO 1, 2 – salary threshold of 1.2 times the wage in national economy other occupations: 1.5 times the wage in national economy
Possibility to employ a foreigner prior to the granting of a Blue Card	no	yes, after the submission of a complete application and obtaining a personal number
Possibility to work prior to the granting of a Blue Card	no	yes, throughout the entire duration of a residence permit procedure
APD communicates with the Labour Office and waits for the consent to fill in a job vacancy	yes	no
Employer reports the start of work contract	after the start of employment	after the start of employment
Proof of education	yes	yes
Recognition of the proof of education	yes, both for regulated and non-regulated professions	yes, for regulated professions
Criminal records register	yes	yes, extract from the criminal records register of a country where the foreigner had the longest residence in the past ten years
Proof of accommodation	yes	no, the address is included in the application for residence

Diagram No. 4: Comparison of the sequence of steps to issue a Blue Card

COMPARISON OF THE PROPOSED SOLUTION WITH THE CURRENT SITUATION – GRANTING OF A BLUE CARD

CURRENT SITUATION



PROPOSED SOLUTION

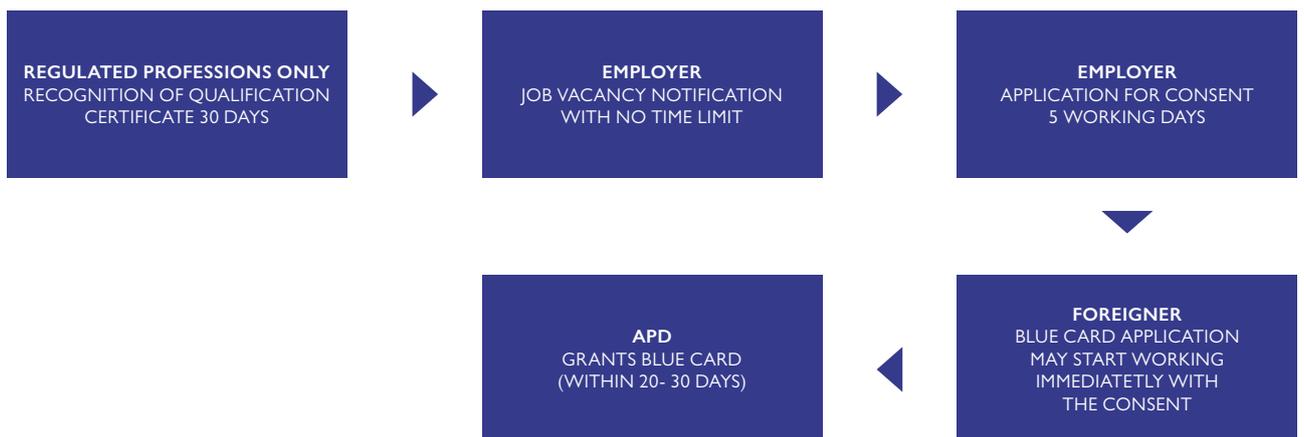


Diagram No. 5: Comparison of the sequence of steps to renew a Blue Card

COMPARISON OF THE PROPOSED SOLUTION WITH THE CURRENT SITUATION – BLUE CARD RENEWAL

CURRENT SITUATION



PROPOSED SOLUTION



Diagram No. 6: Comparison of the sequence of steps to change the employer of a Blue Card holder

COMPARISON OF THE PROPOSED SOLUTION WITH THE CURRENT SITUATION – CHANGE OF EMPLOYER

CURRENT SITUATION



PROPOSED SOLUTION



8 Visas for job seekers

CURRENT SITUATION

Economic and financial conditions offered by Slovak employers to foreign workers today cannot compete with those offered in a majority of EU Member States, including Slovakia's neighbours. This competitive disadvantage must be offset by elimination of administrative barriers at entry to the labour market.

WHAT IS NEEDED?

A system that will enable selected categories of the most talented and most sought-after foreign workers a fast-track entry to the Slovak labour market based on a national visa without the need to present a proof of job position guarantee from a specific employer in advance. At the same time, a comprehensive system of measures to attract international talent to Slovakia must also be put in place.

For Slovakia, having its labour mobility system based on a so-called employer-led approach (similarly to a majority of EU countries in which labour migration is driven by employers' present demand and labour market entry is conditional upon a specific job offer), it is important to create an additional instrument with the elements of a so-called skill-based/potential-oriented system (no job offer required prior to application for residence) which can easily be adjusted for a desired group of foreign workers in future. Visas for job seekers is one of the labour mobility tools that is also employed by several EU countries.

The proposed solution is driven by two basic motivations:

- to create an entry channel for healthcare workers;
- to open Slovakia to foreign talent and the most in-demand experts.

The Recovery Plan also emphasises that Slovakia needs to engage in the competition for international talent in the context of demographic changes and an increased outflow of domestic population. The document discusses a proposal for a so-called fast-track scheme intended for highly qualified workers and foreign students. In addition,

it promotes the need to set up a support programme to attract foreign talent. The aim is to boost the transfer of knowledge and expertise into Slovak economy and academia.⁵⁰

CREATING AN ENTRY CHANNEL FOR HEALTHCARE WORKERS

In terms of population ageing and the outflow of workforce⁵¹ to countries with better working conditions, the Slovak healthcare system is one of the most affected and undersized, yet strategic sectors. The data published by the Employment Institute clearly show that the age structure of medical nurses and physicians is not good (36% of all Slovak physicians were over 55 and 12% even over 65 in 2017)⁵². Slovakia now lacks thousands of medical professionals, and their shortage will increase within the next years. Other EU Members States such as Germany, France and the UK address their lack of medical personnel through bilateral agreements with non-EU countries, supported by special labour mobility schemes focused on this particular sector.

Slovakia lacked 2,500 physicians in 2019 and the number is expected to grow to over 4,000 in the next five years. A similarly unfavourable situation is with dentists and medical and practical nurses (see table No. 6 for more details).

Table No. 6: Shortage of physicians, dentists and nurses in 2019 with an estimate for 2024

OCCUPATION	Workers shortage at 30.9.2019	Estimated workers shortage at 31.12.2024
physician	2,666	4,179
dentist	312	608
nurse	1,544	2,744
medical assistant (practical nurse)	116	205

Source: Ministry of Health of the Slovak Republic

The proposed measure will create a simple entry channel to allow this group of foreign workers to quickly and simply come to Slovakia and, during the validity of

⁵⁰ Recovery and Resilience Plan of the Slovak Republic, National Integrated Reform Plan, Ministry of Finance, 2020

⁵¹ The five faculties with the largest share of graduates leaving Slovakia are three medical faculties. Available at: https://www.mfsr.sk/files/archiv/pri-loha-stranky/20281/98/2017_1_Odliv-mozgov-po-slovensky_20170109.pdf

⁵² Employment Institute: <https://www.iz.sk/30-grafov-o-zdravotnictve/vekova-struktura-lekarov-zubnych-lekarov-siestier-v-roku-2017>

a national visa, engage in activities to meet the qualification criteria necessary for practicing a medical profession, for example, under a special programme developed by competent authorities in this area (Health Ministry, Ministry of Education, Research, Development and Sport, local governments).



EXAMPLE OF USING THE NATIONAL VISA TO FIND A JOB:

A Russian dentist learns that Slovakia offers a stabilisation measure to open a dentist's office in a small region. He decides to go to Slovakia in order to settle there and, prospectively, apply for this form of support. However, in order to practice a medical profession in Slovakia, he/she needs that his/her professional qualification obtained in his/her home country be recognised in Slovakia, which requires a good command of Slovak language. The Russian dentist therefore applies for a visa for job seekers (documenting the purpose of residence by presenting a diploma from a Russian university and sufficient financial resources) and enrolls for an intensive Slovak language course and, as the case may be, for a special internship programme, as well (if available in Slovakia). He/she can work or conduct business during the residence without restrictions. During the visa validity (12 months), he/she must have his/her qualification recognised and apply for an EU Blue Card, or for a single permit. The granting of an EU Blue Card/single permit is conditional upon him/her getting a job in the field for which the national visa was granted. If he/she fails to find the job, he/she must leave Slovakia.

OPENING SLOVAKIA TO INTERNATIONAL TALENT AND EXPERTS

The quality of Slovak tertiary education and conditions for research in Slovakia are insufficient. As much as 14% of Slovak students leave to study at tertiary schools abroad, the second worst result of all OECD countries. By contrast, the numbers of foreign PhD students are

low, and attracting foreign students to come and study at Slovak tertiary education institutions is challenging. Only few study programmes are provided in the English language; foreign lecturers make up only 6% of teachers, compared to more than a half at many top foreign universities.⁵³ No Slovak university was included among the world's TOP 500 universities in 2020 or before.⁵⁴

Once the foreign students are attracted to come to study in Slovakia, it is necessary to create conditions to retain them on the Slovak labour market. The outflow of foreign students from a country where they have graduated is an issue faced by several EU countries. Only some 16-30% of graduates remain in an EU Member State and apply for the change in the purpose of their residence.⁵⁵

The Slovak Ministry of Economy in cooperation with the Automotive Industry Association of the Slovak Republic also emphasise and note the need to enhance research and development activities, referring to a 44% contribution of the manufacturing industry to Slovakia's GDP. In addition to training and retaining domestic research and development workforce, Slovakia must also concentrate on attracting foreign R&D experts.⁵⁶

The measure will enable top school graduates and foreign workers with completed tertiary education to come to live in Slovakia for several months in order to seek and find a suitable job offer. A simplified entry to the country and its labour market, rid of barriers of seeking a job remotely, may give Slovakia a certain competitive edge in competing for foreign talent against other countries.

The Slovak labour market is not expected to be overwhelmed by hundreds of applicants; the measure rather focuses on motivating foreigners in specific life situations, for example, if a TOP 500 university graduate is considering moving to Slovakia for family reasons. This instrument is extremely flexible in case an acute shortage of workforce in a specific sector arises, giving the state a possibility to flexibly adjust the conditions for entry; for example, IT graduates, regardless of university rating, may come to Slovakia for 12 months in order to seek a job in the SK-ISCO 351 category.

⁵³ OECD Economic Survey: Slovak Republic, OECD 2019 (19.06.2020), available at: https://www.oecd-ilibrary.org/economics/oecd-economic-surveys-slovak-republic-2019_eco_surveys-svk-2019-en

⁵⁴ QS 2021 Ranking, available at: <https://www.topuniversities.com/university-rankings/world-university-rankings/2021>

⁵⁵ Burmann, M., Perez, M. H., Hoffmann, V., Rhode, C., Schworm, S.,: Highly Skilled Labour Migration in Europe, Source: OECD (2016), Getting Skills Right: Assessing and Anticipating Changing Skill Needs, OECD Publishing, Paris., available at: <https://www.econstor.eu/bitstream/10419/181272/1/dice-report-2018-1-50000000001959.pdf>

⁵⁶ A proposal for Measures to remove barriers to sustainable development in the automotive industry in Slovakia, including the supply chain – new wording, the Ministry of Economy of the Slovak Republic, April 2019

WHICH CATEGORIES DOES THE MEASURE CONCERN?

1. TOP 500 university graduates (irrespective of the field of study);
2. PhD graduates (irrespective of the field of study);
3. medical doctors and other qualified medical workers;
4. strategic sector, e.g., IT specialists;
5. foreign graduates from Slovak universities within 12 months from graduation

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM

- a) a national system designed to open Slovakia to international talent and experts;
- b) a national visa may be applied for at a Slovak foreign service office (embassies, consulates, etc.) only;
- c) a national visa may be applied for once only;
- d) visa applicants need to present a proof of education/qualification in accordance with existing requirements;
- e) a possibility to work for the entire duration of the visa based on an information card;
- f) a residence permit may only be obtained during the validity of the visa in a relevant field;
- g) family reunification is not possible.

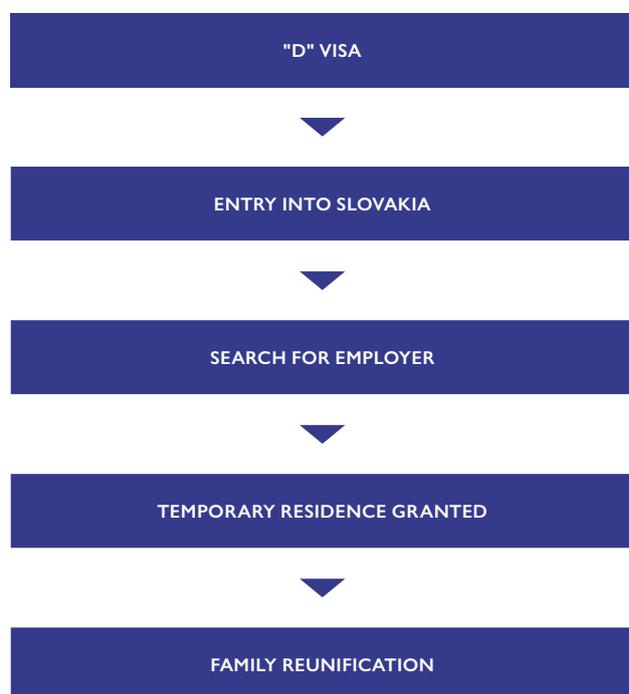
REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) The system will allow pre-defined international talent and experts to enter Slovakia for employment purposes even without having a job offer from a particular employer.
- b) The work permit will be granted to a foreigner based on the national visa. The foreign worker will submit a visa application at a relevant Slovak foreign service office which will issue the visa valid for one year.
- c) The purpose of the national visa is to ensure a simple entry for foreigners who meet the qualification criteria to be included in a specific programme without the need to secure a job offer from a specific employer remotely. Once the foreigner has found an employer, he/she will apply for one of the standard residence permits allowing him/her to work in Slovakia. No renewal or repeated granting of a national visa to the same person is envisaged.
- d) In addition to standard documents, applicants need to prove they meet the criteria to be included in a specific programme in order to be granted the visa, a proof of completing the required education in most cases.
- e) While “searching for an employer” in the field for which the visa has been granted, foreigners are not required to be employed in the field of their qualification.

- The national visa will permit them to work (until they receive a temporary residence permit) for any employer of their choice based on an information card.
- f) After the national visa expires, a national visa holder is only permitted to stay in the territory of Slovakia with a EU Blue Card or a temporary residence permit granted for the employment purposes in the field of his/her qualification for which the national visa was granted.
 - g) A family member may apply for family reunification only after the foreign worker has been granted temporary residence.

Diagram No. 7: Sequence of steps in applying for a national visa for the purpose of seeking employment

PROPOSED SOLUTION



9 Labour mobility programme – national visa for in-demand occupations

CURRENT SITUATION

Under the 2018 Strategy for Labour Mobility of Foreigners, Slovakia adopted legislation enabling an accelerated entry of foreign workers to the labour market in Slovakia based on a national visa granted in the interest of Slovakia, approved by the Slovak government. However, this mechanism has not been used since its introduction. The national visa system represents a flexible tool to manage labour mobility and may serve as a handy

additional option to the system of granting temporary residence to workers in in-demand occupations, especially in the case of short-term work contracts and/or for special types of professions.

The visa regime will also make it possible to focus migration policy on specific source countries and regulate the number of foreigner workers hired in this way with respect to the needs of the Slovak labour market as well as the capacities of affected Slovak foreign service offices abroad.

WHAT IS NEEDED?

A mechanism needs to be created for the Slovak government to approve the issuance of national visas in Slovakia's interest for professions in demand on the Slovak labour market and to commission the Ministry of Labour, Social Affairs and Family of the Slovak Republic to draw up a list of such workers in individual professions.

WHICH CATEGORIES DOES THE MEASURE CONCERN?

All non-EU nationals who will be employed in specific in-demand occupations.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM

- a) a national system focused on workers in specific in-demand occupations;
- b) a possibility to apply for a national visa at a Slovak foreign service office;
- c) the visa will be issued upon an employer's pledge to employ a foreign worker in a profession that has been included on the list of in-demand occupations;
- d) a possibility to work for the entire duration of the visa based on an information card;
- e) no entitlement for family reunification;
- f) a possibility to change the employer;
- g) a possibility to extend/renew the national visa from within the territory of Slovakia;
- h) a possibility to apply for residence permit from within the territory of Slovakia.

REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) The proposed solution presumes that a government resolution will be adopted under which a competent

authority (the Slovak ministry of labour) will determine the groups of workers in in-demand occupations.

- b) Foreigners may submit a national visa application at Slovak foreign service offices abroad only.
- c) The possibility to employ a foreign worker to whom the national visa has been granted is exempt from the requirement to obtain a special permit for residence and work. The inclusion of the profession on the list of in-demand occupations alone will serve as a document for the granting of the national visa. However, a pledge of the employer to employ the foreigner in such a profession will be required.
- d) A national visa holder will be permitted to enter the labour market immediately after obtaining the visa.
- e) Given the temporary character of the foreigner's residence in Slovakia, family reunification is not possible with this type of visa.
- f) Foreigners are permitted to change their employer during the validity of this type of visa, but they only may practice the profession for which the visa was granted.
- g) The national visa may repeatedly be granted to an applicant who meets the criteria, including from within the territory of Slovakia. Foreigners must apply for the renewal of the national visa not later than 15 days before the expiry of the original visa.
- h) A national visa holder has a right to apply for residence from within the territory of Slovakia irrespective of the type and/or purpose of his/her temporary residence. However, foreigners are not permitted to stay in the territory of Slovakia after their national visas have expired.

Diagram No. 8: Sequence steps in applying for a national visa for in-demand occupations

PROPOSED SOLUTION



10 Labour mobility programme – circular migration

CURRENT SITUATION

Slovakia still continues seeing an increased demand for less complex occupations too. Even though the unemployed have a relatively quick and easy option of requalification into this segment, the interest among the domestic workforce is poor. In such cases, foreign labour mobility is the only way to saturate the existing labour market demand and balance out the imbalances on the labour market. They are jobs available in sectors that require a rapid inflow or outflow of workers at a certain point in time (seasonal works in the agricultural sector, commissioning of a production line in an automotive segment, etc.).

WHAT IS NEEDED?

The labour mobility system needs to be complemented with an instrument providing non-qualified and low-qualified foreign workers in SK-ISCO 8 and 9 categories which have been assessed to be in workforce shortage with an accelerated entry to the Slovak labour market under national visas without the possibility to apply for long-term residence in Slovakia, and guarantee their humane and managed return to the country of origin.

Circular migration is good for workers who do not wish to become residents in Slovakia but their sole objective is to make money, support their families in their home countries and then return back home after some time.

WHAT ESLE IS NEEDED?

The existing system of seasonal employment needs to be reformed and complemented with a national component for circular employment of low-qualified foreign workers. The proposed changes make the full use of the possibilities offered by the Seasonal Workers Directive.⁵⁷

WHICH CATEGORIES DOES THE MEASURE CONCERN?

Foreign seasonal workers and low-qualified workers in SK-ISCO 8 and 9 categories.

BASIC PRINCIPLES OF FUNCTIONING OF THE PROPOSED SYSTEM

- a) creating a new concept of the recruitment of foreign seasonal workers;
- b) complementing the existing system designed for foreign seasonal workers by a national component;
- c) a possibility to apply for permit only from outside the Slovak territory;
- d) extending the maximum length of stay;
- e) a visa will be granted based on a consent to filling the job position;
- f) a possibility to change the employer;
- g) a possibility to extend the visa validity;
- h) a possibility to obtain the visa repeatedly, under preferential conditions;
- i) family reunification is not possible;
- j) it is not possible to obtain a different type of residence from within the Slovak territory during the validity of the visa.

REASONS FOR AND DESCRIPTION OF THE MEASURES

- a) The solution envisages unification of the permit-granting system. The current system is too complicated both for employers and foreign workers (which is probably the reason for its low uptake)⁵⁸, allowing foreign seasonal workers to work in Slovakia under three different regimes. Seasonal work would only be permitted based on a visa: in the case of short-term stays up to 90 days based on a Schengen visa, in the case of stays exceeding 90 days on the basis of a national visa granted by Slovak foreign service offices abroad.
- b) The proposed measure envisages interconnecting the seasonal workers system with a separate national system for recruitment and admission of low-skilled foreign workers in shortage occupations that cannot be considered seasonal. The rules for entry to the labour market, change of the employer, as well as the conditions under which they would enter, stay and renew their residence in the territory of Slovakia are identical with those applicable to seasonal workers.

⁵⁷ Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers

⁵⁸ The first permits for seasonal work for 90 days were granted to 1,961 foreign workers in 2019. Seventeen foreign workers were granted residence and work permits for period from three to six months. Source: BBFP PPF

- c) Directive 2014/32/EU clearly states that “it should only be possible to apply for admission as a seasonal worker while the third-country national is residing outside the territory of the Member States”.⁵⁹ However, this provision was incorrectly transposed into Slovak legislation which now allows certain groups of foreign nationals to apply for permit also while residing in the territory of Slovakia. Under the proposed measure, all foreign workers would only be allowed to apply for admission under the circular migration system from outside the territory of EU/EEA countries at Slovak foreign service offices.
- d) The existing system which allows employing foreign nationals as seasonal workers for not more than 180 days in 12 subsequent months does not meet employers’ needs. It is therefore advisable to use the possibilities offered by the directive and extend the possibility to stay on the labour market to nine months.
- e) The proposed measure is based on the principle of uniformity of the entire labour mobility system. The granting of an entry visa is conditional on the employer obtaining consent to filling the job position in advance.
- f) The measure preserves the current arrangement, permitting to change the employer once during the validity of the residence permit.
- g) The measure preserves the current arrangement, permitting to renew the visa once, while extending the maximum length of stay of nine months.
- h) If a foreigner applies for the visa repeatedly, a Slovak foreign service office will grant it in a shortened period.
- i) Given the temporary character of the foreigner’s residence in Slovakia, family reunification is not possible with this type of visa.
- j) The measure is designed as an instrument to support short-term, circular migration; therefore, no possibility for any change of the type of residence from within the territory of Slovakia is envisaged.

Table No. 7: Comparison of the current and proposed situation for seasonal employment

KEY DIFFERENCES:

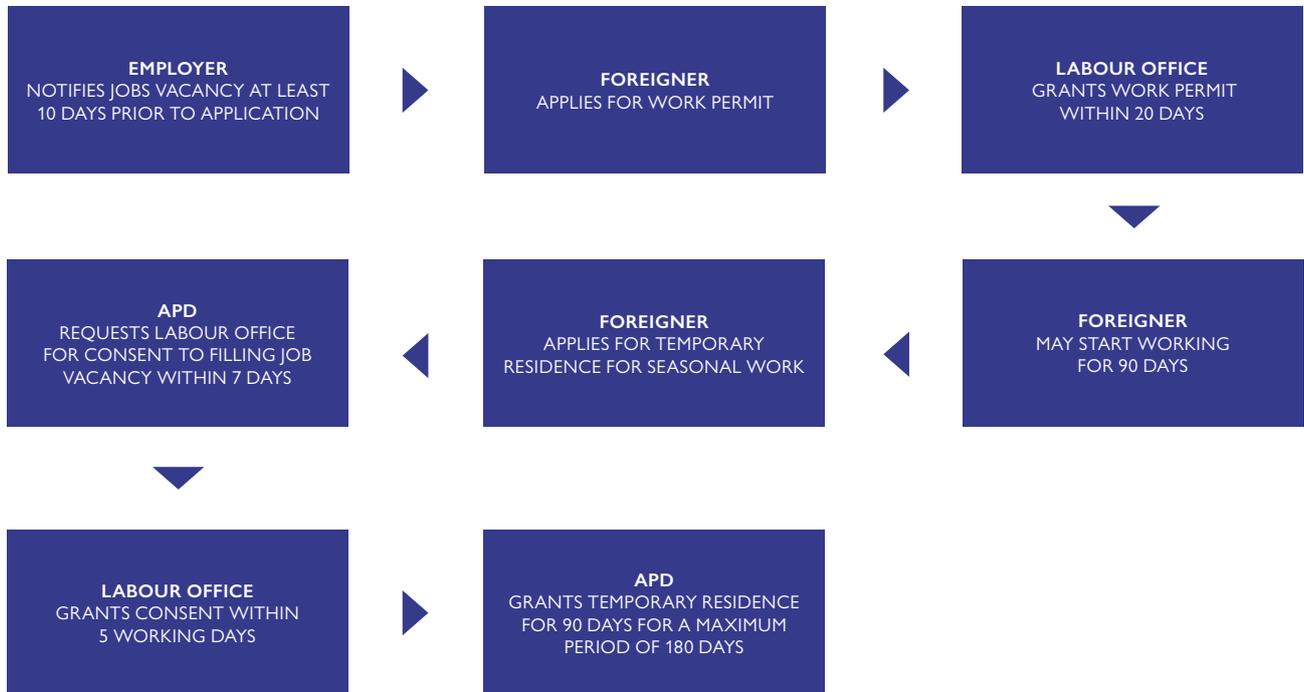
	CURRENT SITUATION	PROPOSED MEASURE
Categories of foreign workers	seasonal workers	seasonal workers and SK-ISCO 8 and 9 category workers
Job vacancy notification	yes, 10 days prior to filing an application for work	yes, with no time limit
Consequences of the failure to submit a job vacancy notification	no work permit granted	Labour Office requests that a job vacancy be notified, extending the time limit for obtaining consent
Approving a greater number of foreigners in a single step	no	yes
Assessment of foreigner’s income	minimum wage	salary threshold
Examining the situation on the labour market	yes	only for occupations that are not in shortage
Possibility to employ a foreigner	not before a work permit is granted (app. 30 working days); in the case of foreigners who need visa, only after an entry visa is granted (+15 days)	based on the consent given after an entry visa is granted
Possibility to apply for the permit from within the territory of Slovakia	yes	no
Length of permit	180 days in a year	9 months in a year

⁵⁹ Recital 15 of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers

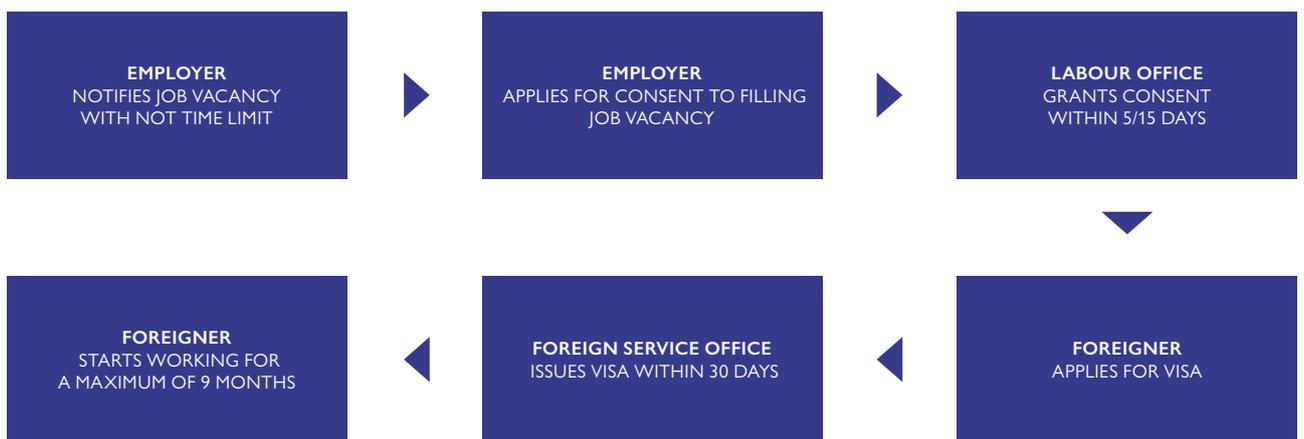
Diagram No. 9: Comparison of the sequence of steps when employing a foreigner for seasonal work

COMPARISON OF THE PROPOSED SOLUTION WITH THE CURRENT SITUATION

CURRENT SITUATION



PROPOSED SOLUTION



2

BILATERAL COOPERATION WITH THE COUNTRIES OF ORIGIN OF FOREIGN WORKERS

International migration is not driven solely by push factors in sending countries (e.g., low wages or high unemployment), but also by pull factors in developed (receiving) countries (e.g., chronic shortage of and need for foreign workers). The demand is triggered either by employers' recruitment campaigns or by state authorities acting on their behalf (e.g., based on bilateral agreements)⁶⁰

When considering alternatives to how to properly manage labour mobility in a country, the market-oriented theory of labour migration usually takes into consideration only demand factors in a **receiving country**. The second variable in this equation, that is, the impact of migration on the development of **countries of origin/ sending countries**, is often overlooked.

The positive effects of the measures proposed to be implemented under the Scheme may multiply if they are also supported through managing the foreign labour mobility by means of bilateral agreements focused on labour mobility and skills. Bilateral agreements on labour mobility and skills⁶¹ represent an innovative approach⁶² that is supported by the ILO⁶³, as well as by EU countries and the international community.

STAKEHOLDERS AND THEIR INTERESTS

Many traditional countries of origin of foreign workers, including Slovakia, have recently become countries of destination for labour migrants. If a country wants to be successful in winning foreign talent, it must focus on managing legal labour mobility and proactive cooperation with potential countries of origins.

An important aspect in this respect is to understand the varied interests of individual stakeholders – the government, employers, trade unions, job agencies – both

in countries of origins and in countries of destination. Diversity and structure of incoming foreign workforce need also be taken into account.⁶⁴ Each group of foreign workers pursues different interests and affects country of destination's labour market in a different way.⁶⁵ Foreigners may benefit from a simple access to the labour market and career opportunities that match their skills. They are also interested in the possibility of changing a temporary residence into a permanent one, of reuniting with their families, and in the protection of their rights both during recruitment and employment. (for more details see the chapter Incentive Measures to Attract Foreign Workers to Slovakia).

The country of destination may benefit from labour mobility in multiple ways. Foreign workers considerably contribute to the increase in the workforce and working-age population and fill important niches both in fast-growing and declining or weakened sectors of the receiving country's economy, which need to fill in vacant positions not taken by the domestic workforce. They also contribute more in taxes and social contributions than they receive in benefits.⁶⁶ The qualification-based approach to management of labour migration has currently developed at all levels, shifting away from the model of unilateral migration schemes for foreign workers towards partnerships based on the migration of human capital and skills that are more closely connected with labour market needs in both countries involved, and which engage all relevant partners.⁶⁷ International labour migration, circular migration in particular, may be beneficial for the countries of destination as well as for the countries of origin, while preserving the highest standards of protection of the rights of migrant workers.^{68, 69}

⁶⁰ Piore in Theories of International Migration: A Review and Appraisal, Massey and Coll., 1993

⁶¹ The IOM defines bilateral agreements on labour mobility and skills as arrangements between two states that are legally binding and primarily relate to the cooperation on labour migration between the two states.

⁶² These agreements have a developmental and socio-economic impact on the country of origin – e.g., local workforce skills development, strengthening of local institutions, creation of job opportunities in the country of origin, etc.

⁶³ Source: https://www.ilo.org/asia/areas/labour-migration/WCMS_226300/lang--en/index.htm (consulted on 1.4.2021)

⁶⁴ Newson Michael, IOM Vienna: Presentation at a webinar on the countries of origin organised under the project Technical Support for the Development of a Labour Mobility Scheme for Slovakia, (consulted on 1.3.2021)

⁶⁵ Ibidem

⁶⁶ Is migration good for the economy?, OECD, available at: <https://www.oecd.org/migration/OECD%20Migration%20Policy%20Debates%20Numero%202.pdf>, Domonkos, T.: Fiškálne efekty migrácie v SR, Výskumný zborník Schémy pracovnej mobility pre SR [Fiscal effects of migration in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

⁶⁷ Ibidem

⁶⁸ Skills based migration and partnerships: Elements and Essential Prerequisites, IOM Standing Committee on Programmes and Finance, Session 25

⁶⁹ World Social Report 2020, Chapter 5: International migration: a force for equality, under the right conditions, dostupné na: http://documents.worldbank.org/curated/en/507301468142196936/841401968_200510319015644/additional/343200GEP02006.pdf

RECOMMENDATIONS FOR BILATERAL LABOUR MOBILITY AGREEMENTS

One way of arranging relationships and managing foreign labour mobility is through bilateral labour migration agreements, focusing primarily on skills mobility partnerships.^{70, 71}

Bilateral labour migration agreements and skills mobility partnerships are an excellent opportunity for countries of destination, countries of origin, as well as for foreign workers themselves.

Slovakia has so far entered into only one agreement on the employment of non-EU citizens – with the Russian Federation, which, however, is not currently performed. Slovakia is rather passive when it comes to bilateral co-operation on labour migration. It concentrates mainly on supporting youth working holiday programmes, using formal instruments of bilateral agreements but also less formal memoranda of understanding. Slovakia has entered into agreements on working holiday programmes with several countries, including Canada, New Zealand, and Australia. These agreements mainly benefit Slovak citizens; the citizens of the other contracting states show almost no interest.⁷²

It is important to seek and find shared interests and understanding of both countries involved, engaging various key stakeholders (trade unions, employers, etc.) as early as possible in the process of preparation of a bilateral agreement.⁷³ The ILO experience shows that many countries underestimate the initial phase of the cycle in the drawing up and preparation of these agreements. Therefore, attention should be paid to the following considerations in order to prepare successful bilateral agreements that will actually be implemented⁷⁴:

- **detailed preparation, research into the labour market and its needs (both in the country of origin and destination), collection of information about the educational structure of the country of origin's population;**

- **monitoring and reviewing the implementation of the agreement to identify irregularities/issues in its implementation, and to address them;**
- **international human rights standards (ethical recruitment⁷⁵, social dialogue, access to complaint mechanisms, gender (non)discrimination, salary safeguards, recognition of skills and qualification, social security, and access to healthcare, etc.), political will, countries' administrative capacities (consulates, embassies, etc.), capacities for qualification and skills recognition, etc.;**
- **the entire migration cycle – identifying the labour market demand and job vacancies in a country of destination, recruitment, preparation of relocation, pre-arrival measures and training, work process, as well as return to a country of origin;**
- **skills mobility partnerships which have to be progressive and take into account the development on the labour market and the future of employment, digitalisation and automation, labour market globalisation, as well as demographic changes⁷⁶;**
- **a targeted campaign in the countries of origin, focused on a particular sector, which informs about work opportunities in a country of destination and about the process and benefits that the relocation to that country entails;**
- **supporting training to boost existing and acquire new skills for foreign workers already in the country of their origin, including, for example, with the help of the private sector in the country of destination.**

⁷⁰ See also: <https://eea.iom.int/sites/eea/files/publication/document/Skills-Mobility-Partnerships-Infosheet.pdf>

⁷¹ Skills Mobility Partnerships mean agreements between states that bring them closer together in a specific field, such as labour, employment, education and mobility/migration, through intensive cooperation between all stakeholders (referred to as multi-stakeholder approach), including governments of both states, employers, trade unions and civic society, in order to develop skills and mutually benefit from the migration of human capital, while preserving the highest protection of workers' rights.

⁷² Drozd, P., Paulenová, P.: Právna analýza, Výskumný zborník Schémy pracovnej mobility pre SR [Legislative Analysis, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

⁷³ Newson Michael, IOM Vienna: Presentation at a webinar on the countries of origin organised under the project Technical Support for the Development of a Labour Mobility Scheme for Slovakia, (consulted on 1.3.2021)

⁷⁴ Natalia Popova, ILO Geneva: Presentation at a webinar on the countries of origin organised under the project Technical Support for the Development of a Labour Mobility Scheme for Slovakia, (consulted on 1.3.2021)

⁷⁵ See also IRIS – The International Recruitment Integrity System, available at: <https://iris.iom.int/global-policy-network-recruitment>

⁷⁶ Vassilyi Yuzhanin, IOM Geneva: Presentation at a webinar on the countries of origin organised under the project Technical Support for the Development of a Labour Mobility Scheme for Slovakia, (consulted on 1.3.2021)



THE IRIS INITIATIVE – THE INTERNATIONAL RECRUITMENT INTEGRITY SYSTEM

is a global initiative of the International Organization for Migration (IOM) established in cooperation between the IOM and governments, civil society and the private sector in response to an extremely large number of victims of modern slavery, exploitation and forced labour. Its objective is to fight these practices not only in employee-employer relations, but it also focuses on the roots of the problem that starts already at a recruitment stage (e.g., high commissions paid by foreign workers, non-payment of wages, or employers/job agencies retaining workers' passports and other personal documents, etc.). IRIS has defined the standards for ethical recruitment and set up an IRIS certification process for ethical recruitment agencies for which they may voluntarily apply.

Ethical recruitment means a labour recruitment process carried out in compliance with the law in a fair and transparent manner, which respects the dignity and human rights of foreign workers. The IRIS certification is available to all private recruitment agencies who work with foreign workers. In order to become a „certified IRIS labour recruiter”, the applicants must meet the requirements set out in the IRIS standards.

IRIS certified agencies are included on an international list of certified agencies, designed to help employers and foreign workers in deciding which agencies they wish to cooperate with. An important component of the IRIS certification is a follow-up monitoring system used to verify whether the agencies respect the principles they have committed themselves to comply with.



EXAMPLE OF SUCCESSFUL BILATERAL COOPERATION – GERMANY AND PHILIPPINES

A bilateral agreement on medical workers between Germany and Philippines was signed in March 2013.

It simplifies the admission of Philippine medical nurses to the German healthcare system by means of a government-backed employment scheme. Among its key characteristics are ethical recruitment of Philippine workers, equal treatment of foreign medical workers, and cooperation on human resources training and development for the benefit of both countries. The preparation of the scheme was supported by German employers that also provided funding for coordination, language courses and specialists training in the country of origin, and covered the travel expenses and costs of recognition of qualification in Germany. The implementation of the scheme is continuously monitored by a joint committee of the two countries.

Source: Natalia Popova, ILO Geneva: Webinar on countries of origin, (1.3.2021)

PROSPECTIVE REGIONS IN COUNTRIES OF ORIGIN OF FOREIGN WORKERS FOR SLOVAKIA

Relevant labour mobility partners for Slovakia to cover the needs of its labour market may involve various regions and countries. The IOM does not prefer or recommend any particular countries in this respect, just points out, based on analyses, factors that should be considered when selecting a concrete country/region.

The **Eastern Partnership** countries (Ukraine, Moldova, Belarus, Georgia, Azerbaijan, Armenia) all share a relative geographic proximity and lower related costs of workforce recruitment, higher wage differences, limited competition with other countries of origin, and a strong political commitment to enter into this type of international agreements. The lack of experience with concluding bilateral agreements in this area or difficulties concerning the recognition of qualification or education may be seen as a disadvantage. This region may represent mainly a source of seasonal and long-term low-qualified workforce, as well as a source of long-term highly qualified workers in certain sectors.⁷⁷

The **Western Balkans** countries (Albania, Bosnia and Herzegovina, Montenegro, Kosovo⁷⁸, North Macedonia, and Serbia) have extensive experience with the organisation of workforce recruitment programmes, good training capacities and geographical proximity. This may

⁷⁷ Newson Michael, IOM Vienna: Presentation at a webinar on the countries of origin organised under the project Technical Support for the Development of a Labour Mobility Scheme for Slovakia, (1.3.2021)

⁷⁸ This name is without prejudice to status and in line with UN Security Council Resolution No. 1244/1999 and with the opinion of the International Court of Justice on the declaration of Kosovo's independence.

reflect in a weaker political will to enter into this type of agreements, largely owing to a demographic decline and human capital flight (or “brain drain”), smaller wage gaps, and strong competition from other EU countries. Labour mobility from these countries may be an opportunity for Slovakia to attract both long-term low-qualified and long-term high-skilled workforce.⁷⁹

Central Asia (Uzbekistan, Turkmenistan, Tajikistan, Kazakhstan, Kyrgyzstan) have experience with organising labour recruitment campaigns and with international migration (e.g., to Russia), as well as a strong political will driven by the young population, pressure on domestic labour markets, unemployment and large wage differences, and low competition from other countries of destination, including those in the EU. On the other hand, there are such aspects as high recruitment costs and a long distance from Slovakia that may affect seasonal migration, in particular. Some problems may arise with respect to the recognition of qualification or due to Slovakia’s limited consular capacities in these countries. The Central Asian countries may be a source of long-term low-skilled labour migration for Slovakia.⁸⁰

Recent years have seen an increase in the number of temporary residence permits for the purposes of employment and in the number of information cards⁸¹ granted to workers coming from Central Asia, witnessing their growing interest in working in Slovakia. The number of labour migrants from Kyrgyzstan nearly doubled in 2020 against the 2018 figures⁸², while the number of foreigner workers arriving from Kazakhstan rose 62% for the same period.⁸³

Other regions – **Southeast Asia** (Laos, Myanmar, Cambodia, Vietnam, Thailand, etc.), **West Africa** (Ghana, Nigeria, Senegal, etc.) and **others**: their advantages include young population⁸⁴, labour market pressures, unemployment, and large wage differences. Drawbacks may include the lack of experience with recruiting workers in occupations that are important and in-demand on the Slovak labour market, administrative complications, strong competition for skilled workforce, insufficient training capacities, and a long geographic distance.



Project MATCH, funded by the EU, is an example of bilateral partnerships with the Africa region. The project brings together employers from **Belgium, Italy, the Netherland, and Luxembourg** which are unable to satisfy their demand for qualified and skilled workforce on the EU labour market, and connects them with qualified talent (e.g., from the IT sector, etc.) from **Senegal and Nigeria**. Employers bear no costs of search and recruitment of talent. In addition to the job placements, the project also focuses on such complementary activities as skills training and development, institutional capacity building in the countries of origin, and the exchange of good practices between the participating countries.

(Find out more at: <https://belgium.iom.int/match>)



TALENT BEYOND BOUNDARIES (TBB) is an interesting example of good practice in labour migration governance. The TBB has offices in Canada, Australia, the US, and the UK. It connects employers in search for talent with refugees living in refugee camps across **Jordan and Lebanon** who have the necessary skills but no opportunity to realise their potential due to the harsh social and economic conditions in their countries of origin. The organisation provides full remote recruitment services, from identifying suitable candidates, arranging video calls and validating their skills, through to assisting with the relocation of selected talent, securing visas and establishing residence in a country of destination. The TBB operates an online system in the English and Arabic language, so-called Talent Catalog, which contains comprehensive data on the professional backgrounds of thousands of refugees from which potential employers may choose.

(Find out more at: <https://www.talentbeyondboundaries.org/talentcatalog>)

⁷⁹ Newson Michael, IOM Vienna: Presentation at a webinar on the countries of origin organised under the project Technical Support for the Development of a Labour Mobility Scheme for Slovakia, (1.3.2021)

⁸⁰ Ibidem

⁸¹ The information card on the establishment of a work contract or on the secondment of a foreign worker to the territory of Slovakia is a document an employer sends to a Labour Office when employing a foreigner with a different permission to stay in the territory of Slovakia, allowing the foreigner to work there, than a temporary residence permit for the purpose of work or a Blue Card.

⁸² A total of 99 work permits and information card were issued to Kyrgyzstan’s citizens in 2018, 181 in 2020. Source: COLSAF, Statistics on foreign employees in Slovakia

⁸³ A total of 91 work permits and information card were issued to Kazakhstan’s citizens in 2018, 148 in 2020. Source: COLSAF, Statistics on foreign employees in Slovakia

⁸⁴ In terms of the labour migration policy and its positive effects (e.g., fiscal), it is also necessary to analyse the age structure of foreign workers and strive to adjust it, if possible, so that it contributes to an overall population rejuvenation in a receiving country to the greatest extent possible. It is therefore advisable to focus attention under bilateral cooperation on the countries of origin that show a high percentage of young population.

3

INCENTIVE MEASURES TO ATTRACT FOREIGN WORKERS TO SLOVAKIA

In 2020, the number foreign workers from non-EU/EEA countries was nearly seven times higher (24,216) than in 2016 (3,485). However, the labour market demand is not sufficiently saturated. In order for Slovakia to succeed in the competition for international talent and workforce that is in demand, it has to actively engage in attracting foreign workers to job positions that need to be filled, both in short and long term. Without measures that will make the country stand out and promote its strengths, covering, at the same time, all aspects and services that foreigners working and residing in another country seek and use, it is impossible to attract those groups of foreign workers that are most in-demand across Europe. The legislative measures proposed under the Scheme are essential to attracting foreign workers. However, incentive measures are equally necessary, yet Slovakia has no such measures in place so far.

When choosing a country of destination, foreign workers consider many factors depending on their financial possibilities, qualification, country of origin, available information, or a particular area/domain that is attractive for them in the country of destination, as well as possible family or social links they may have in the country of destination.

High-skilled workers are more interested in non-economic factors, such as the quality of life, quality of education or health care, career opportunities, and how soon they may be granted permanent residence. Even though obtaining the permanent residence does not have to be the primary reason for their arrival, it increases chances that they will stay in Slovakia for a longer time, eventually changing their mind in future. Extra financial incentives, such tax breaks or possibilities offered under bilateral agreements on the recognition of education and qualification, are strong pull factors for high-skilled workers as well.⁸⁵

The presence of an expatriate community in the country of destination is important for less qualified workers. It is exactly the broader expatriate community that attracts less qualified individuals, as it has a direct impact on the size of costs spent on migration.⁸⁶

The aim of incentive measures is to:

- promote Slovakia as a good place for living in terms of safety and security, geographical location, economic stability, support for families, upbringing of children, and career development for all.

- create an attractive environment for foreign workers through the functioning infrastructure consisting of a uniform online information platform/portal in multiple languages, quick entry to the labour market, legal certainty, good conditions for life and possible return to the country of origin.
- address persistent and serious workforce shortages on the Slovak labour market, especially with respect to the current (and long-lasting) problems with availability of highly qualified workforce, as well as with respect to the shortage of low-skilled workers in certain occupations.

SYSTEM OF INCENTIVE MEASURES

The incentive system consists of measures targeted generally on all categories of foreigners, as well as those specifically targeted on special categories of foreign workers. The system of proposed incentive measures preferentially focuses on a group of experts and high-skilled workers that are in the highest demand in Slovakia also under the current Recovery and Resilience Plan.

The Scheme presents in this part measures that, both in short and long term, may push Slovakia among the countries with a sufficient inflow of foreign labour migrants but, mainly, with a desired structure. It also gives an overview of tools, instruments and options applied in other countries, and inspires by giving examples of good practice.

INSTRUMENTS TO ATTRACT FOREIGN WORKFORCE

By their nature, the measures are divided into three groups: **structural, economic and personal integration measures**. Individual incentive measures also contain recommendations in the form of specific activities designed to meet the purpose of the particular measure. A summary of proposed measures is included in **Table No. 9** attached at the end of the document.

Structural measures are mostly passive measures the implementation of which should situate Slovakia in the position of a more attractive country for labour mobility and promote this image internationally. They are mostly measures that benefit all foreign workers irrespective of

⁸⁵ Czaika, M., Parsons, Ch., M.: The Gravity of High-Skilled Migration Policies, March 2016, available at: https://www.knomad.org/sites/default/files/2017-04/KNOMAD%20Working%20Paper%202013%20HighSkilledMigration_0.pdf

⁸⁶ Ibidem.

their country of origin or qualification, but some of them may be targeted directly on those categories of foreign workers which Slovakia defines as in demand.

Economic measures directly affect a particular foreign worker, his/her decision to choose Slovakia as a country with good conditions for life and work. They are designed to motivate foreign workers through benefits in the area of social security and health insurance, protection of the rights of employees, and contain several measures providing economic benefits. In contrast to structural measures, economic measures are more specifically targeted. Some measures are specifically designed for high-skilled

workers who tend to respond to financial incentives, e.g., in the form of tax exemptions, to a greater extent.⁸⁷

Personal integration measures are aimed at supporting family life, education and housing in Slovakia. Unlike the two previous categories that mainly focus on attracting foreign workers to Slovakia, the primary objective of the personal integration measures is to create attractive conditions to retain foreigner workforce in the country. They benefit a majority population of foreigners, but some measures may solely target the in-demand categories of foreign workers.

Table No. 8: *Proposed incentive measures*

STRUCTURAL MEASURES

AREA	MEASURE
1. INFORMATION	<ul style="list-style-type: none"> • Improved access to information • PR campaigns • Shaping the public narrative
2. SLOVAK FOREIGN SERVICE OFFICES ABROAD	<ul style="list-style-type: none"> • Network of foreign service offices
3. ENTRY TO SLOVAKIA	<ul style="list-style-type: none"> • Temporary residence permits • Granting of national visas
4. RESIDENCE IN SLOVAKIA	<ul style="list-style-type: none"> • Retaining temporary residence • Permanent residence permits • Considering differences between temporary/permanent residence of foreigners vs temporary/permanent residence of Slovak citizens in policy-making
5. ADMINISTRATIVE BURDEN	<ul style="list-style-type: none"> • Reducing administrative burden
6. INTEGRATION SERVICES FOR FOREIGN WORKERS	<ul style="list-style-type: none"> • Institutional capacities
7. FUNDING OF INTEGRATION MEASURES	<ul style="list-style-type: none"> • Reallocation of revenues from personal income taxes taking into account foreigners with temporary residence • Use of European Union funds (ESIF: ESF+ and AMF)

⁸⁷ Ibidem.

ECONOMIC MEASURES

AREA	MEASURE
1. ATTRACTIVE TAX ENVIRONMENT	<ul style="list-style-type: none"> • Tax reliefs • Agreements on the prevention of double taxation
2. ATTRACTIVE WORKING ENVIRONMENT	<ul style="list-style-type: none"> • Wage guarantees under work contract • Ensuring compliance with the requirements of legal employment • Change of employer
3. SOCIAL SECURITY AND HEALTH INSURANCE	<ul style="list-style-type: none"> • Access to social benefits/allowances • Social security agreements • Access to health insurance

PERSONAL INTEGRATION MEASURES

AREA	MEASURE
1. EDUCATION	<ul style="list-style-type: none"> • Language education • Recognition of education and professional qualification • Requalification
2. CULTURE AND COMMUNITY	<ul style="list-style-type: none"> • Socio-cultural aspects
3. FAMILY REUNIFICATION	<ul style="list-style-type: none"> • Entry to the labour market for family members
4. HOUSING	<ul style="list-style-type: none"> • Commercial housing for foreign workers • Temporary accommodation facilities for foreign workers
5. HEALTH CARE	<ul style="list-style-type: none"> • Access to healthcare services

STRUCTURAL MEASURES

INFORMATION

High quality information about the country of destination (e.g., conditions for entry and life in the country of destination) is important for foreign workers deciding about accepting a job offer. The availability and quality of up-to-date official information that targets their needs are decisive in this process. Expatriate communities living in the country of destination, sharing both positive and negative experience, have a considerable impact on their decisions, too.

1 Improved access to information

The availability of up-to-date, clear and sufficient information in various languages has a crucial effect on the motivation of foreign workers to arrive in a selected country of destination. Slovakia currently has no single platform where foreigners could obtain comprehensive and updated information in a language they understand in one place, the accuracy of which would be guaranteed by official public authorities.

There is no information on the job vacancies available in Slovakia, job portals, such as istp.sk, are not promoted abroad. The portal is not offered in foreign languages and provides no options to filter job offers which could be suit prospective foreign workers. They must therefore rely on the services provided by job intermediaries and recruitment agencies, which is, however, paid.



EXAMPLES OF PROVIDING INFORMATION TO FOREIGNERS

As part of the pre-departure measures, the Slovak labour ministry's website provides information to foreign workers from Serbia, Ukraine, Vietnam, North Macedonia, and Bosnia and Herzegovina on practical issues related to entry, stay, work and social security in Slovakia in the English language, as well as through brochures. Basic information on the types of residence and formal requirements of residence permit applications are available in English on the Slovak interior ministry's website under the Information for Foreigners section. The only source of regularly updated comprehensive information provided in the Slovak and several foreign languages is now the website of the **MIC IOM** (<https://www.mic.iom.sk/en/>).

WHAT IS NEEDED?

- The www.slovensko.sk website needs to be translated into English and its content customised for foreigners, too, including a list of links divided by various categories of foreigners (foreign workers, students, entrepreneurs, etc.).
- **It is necessary to develop a targeted uniform online information platform/portal that will provide foreign workers with comprehensive updated official legal, social and residence-related information and information about the structure of individual migration and integration authorities and agencies in Slovakia (and will also help them “navigate“ through the system of competent institutions).** The website should be administered by an authority responsible for the integration of foreign nationals in Slovakia in cooperation with authorities in charge of the residence-related agenda. In addition, it should include a link to a governmental portal with job offers from which foreigners may simply filter out offers that are also suitable for foreign job seekers. The platform should also provide information covering important aspects of living in Slovakia, such as information about the possibilities of arriving in the country (information about residence and visas), information on how to seek employment, on recognition of qualification, on the protection of workers' rights, an overview of applicable labour legislation, an overview of average wages and prices in Slovakia, housing and accommodation-related information, information about language education and social and cultural aspects of living in Slovakia, social security, health care, a list of schools, etc. The platform could also serve for the promotion of integration measures and contain a link to language education options, lists of schools and pre-schools, list of medical doctors, etc. The portal must be visibly hyperlinked from the websites of all relevant institutions, from Slovak foreign service offices abroad through to municipal websites. The information should be provided in the form of short video tutorials, well-structured and easy-to-read information materials in a pdf. format, and contact details of institutions that provide services to foreign nationals (e.g., MIC IOM).

- **Regions and municipalities with a higher share (e.g. 3%⁸⁸) of foreign nationals from non-EU/EEA countries should attempt at making information on their official websites available in English and in the languages most spoken by the foreigners living in their territory.**⁸⁹ Such information should include general information about the municipality/region, including average housing costs and average rents, possibilities to place children in pre-schools and elementary schools, and information about medical doctors in the region who speak foreign languages. The websites should further contain links to important public institutions and to the main information platform for foreigners, as well as to the MIC IOM and non-profit organisations. Important updates on the websites should also be provided in the English language in order to bring the information to as many residents as possible.

2 PR campaigns

A visible increase in incoming migration indicates a growing interest among foreign nationals in living in Slovakia. However, the increase is not directly related to the managed cross-border labour mobility; therefore, the size and structure of the incoming workforce is incapable of saturating the demand on the Slovak labour market at a sufficient rate. It is therefore important in this respect to conduct an in-depth analysis of reasons for arrival by individual categories of foreigners and, subsequently, adjust the measures to attract foreign workers in shortage occupations instead of hoping they will flow in naturally.

The motivation of foreign workers to come and work in Slovakia was, to a degree, addressed in a questionnaire-based survey among foreign workers residing in Slovakia, conducted during the preparation of the Scheme.⁹⁰ More than a half of the respondents who work/have worked in Slovakia in the past two years (57,4%) said Slovakia had not been the country of their first choice

when they had considered leaving their home country. The most frequent reasons for choosing Slovakia they gave include: *Slovakia is part of the EU; Slovak language and culture are close to me; Slovakia is a safe country to live in; Slovakia is geographically close/accessible; but also the possibility to come to Slovakia came to me by chance* (e.g., an agency/employer did a recruitment campaign in my town, etc.). These findings serve as valued inputs to be used in the setting of Slovakia's promotion activities abroad.⁹¹

It is clear from these responses that the reputation of the country of destination has a considerable influence on the decisions of foreign workers who plan to relocate abroad. Even though workers from the nearby countries (such as Ukraine, Serbia, etc.) may primarily be attracted by simple and easy accessibility and language proximity, Slovakia is not often the country of their first choice⁹². If Slovakia wants to attract international talent and experts, it must focus its activities and spread country-related information in geographically more remote regions, too, especially those with a sufficient supply of the necessary skilled workforce.

WHAT IS NEEDED?

- **In order for Slovakia to draw attention to its assets and strengths and promote them internationally, it is essential to prepare a PR campaign that will advertise Slovakia as a first-choice country of destination for foreign workers.**⁹³ This may be further enhanced by promoting job opportunities available in Slovakia at relevant foreign universities, embassies, international job fairs, and conferences. The factors that are helping put Slovakia on the labour migration map include its EU membership, strategic location, positive security situation, stable single European currency, free public education or access to healthcare services.
- Slovakia's demand for foreign workers in shortage occupations (medical doctors, nurses, IT specialists, R&D experts, etc.) should be **promoted through**

⁸⁸ The model threshold has been proposed based on an analysis of the statistical data on the residence of foreign nationals provided by the Border and Aliens Police Office of the Presidium of the Police Corps in comparison to the available demographic statistics of the Slovak Statistical Office on the size of population in selected locations and, in the implementation of the measure, should be subject to an agreement between the local government officials and their partners.

⁸⁹ A good example of support to removing the language barriers and facilitating foreigners' access to basic information on the functioning of society is the Bratislava Self-governing Region with its Concept on Social Inclusion; more information available at: <https://bratislavskykraj.sk/koncepcia-socialnej-inkluzie/cudzinci/>

⁹⁰ Results of the IOM questionnaire for foreign workers. In: Tabosa, C.: Prieskum pracovnej mobility a moderovaná diskusia – zahraniční pracovníci na Slovensku, Výskumný zborník Schémy pracovnej mobility pre SR [Labour Mobility Survey and Moderated Discussion – Foreign Workers in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

⁹¹ Ibidem.

⁹² Ibidem.

⁹³ See also Communication Strategy on Labour Mobility Scheme for Slovakia, IOM, 2021.

a thematic campaign that will target specific professions. The campaign may be advertised by economic diplomats, Slovak institutions, including the so-called “Slovak houses” abroad, Slovak academia and business representatives, chambers of commerce and the media, as well as through bilateral agreements on labour mobility and skills.

ATTRACTING EXPERTS TO DENMARK AND GERMANY

DENMARK has set up a career portal (“**Work-life-stay Southern Denmark**”) to increase awareness and attract foreign experts. The aim is to develop a single information point of entry with all necessary information about career opportunities and the quality of life in southern Denmark. The platform connects companies from this region with foreign talent. The portal mainly posts job offers in key economic sectors, such as design and innovation, health care, energy and energy security, and IT and technology services.¹

GERMANY has developed a sectoral solution to attract, recruit and stabilize medical staff, ensuring increased employee protection and employer support. To simplify international recruitment, the German Agency for Foreign Health Professionals (DeFa) was established in 2019 as part of a comprehensive KAP - Konzertierten Aktion Pflege program aimed at developing and maintaining the health care and nursing sector. The program was created by the Ministry of Health in cooperation with the Ministry of Labour and the Ministry of Social Affairs and Family and includes specific steps aimed at recruiting nurses from abroad. The Agency's tasks include supporting employers looking for staff abroad (hospitals, social services homes, medical facilities and recruitment agencies) in recruiting candidates, with assistance consisting in checking applications, assisting in the recognition of qualifications and ensuring compliance with international ethical recruitment standards.

Pilot projects have been launched in the Philippines, Mexico and Brazil, but support is also possible in other countries.³

¹ Rilla, N., Deschryvere, M., Oksanen, J., Raunio, M., van der Have, R.: *Immigrants in the Innovation Economy - Lessons from Austria, Canada, Denmark and the Netherlands*, 2018

² <https://www.defa-agentur.de/en/background/>

³ 23-02-2021_health_and_longterm_care_workforce_online.pdf (europa.eu)

3 Shaping the public narrative

Originally neutral, the term “migrant” has acquired a somewhat negative connotation in the recent years and is often associated with security threats. In addition to its previous connotations (an individual of different culture, foreigner)⁹⁴, it acquired a new meaning associated with a threat to an autochthonous society or negatively perceived competition on the labour market.⁹⁵

According to Eurobarometer 88.2 of 2017, as much as 54.2% of the Slovak respondents see immigration as a problem, while only as little as 6.9% see it as an opportunity for Slovakia. Up to 75% of the respondents said they had very little information about this issue and only a fraction of them said they regularly interacted with immigrants. More than a half of the respondents think immigrants constitute around 16%⁹⁶ of the total population in Slovakia, while the real figure in 2020 was mere 2.7%.

WHAT IS NEEDED?

- **In order to change how the society perceives migration and to raise public awareness of its positive impacts on the country and its economy, it is essential that the media, political parties and experts use real facts and statistics, fight stereotypes and hoaxes, and present migration as a complex consisting of three domains: immigration, asylum seeking, and integration.**

For the purposes of communicating the foreign labour mobility and the Labour Mobility Scheme, a **Communication Strategy** was drawn up as a separate complement to the Scheme.

⁹⁴ Štefančík, R.; Lenč, J.: *Mladí migranti v slovenskej spoločnosti. Medzinárodná migrácia, moslimovia, štát a verejná mienka*. Brno: Tribun EU, 2012. [Young migrants in Slovak society. International migration, Muslims, the state, and public opinion. Brno: Tribun EU.]

⁹⁵ Štefančík, R.; Dulobová, I.: *Jazyk a politika, Jazyk politiky v konfliktnéj štruktúre spoločnosti* [Language and politics, Language of politics in a conflict societal structure], available at: https://faj.euba.sk/www_write/files/stefancikdulebova.pdf

⁹⁶ Bozogaňová, M.: *The opinions of the Slovak population on immigrants based on Eurobarometer data*, SAV, 2020. available at: https://www.researchgate.net/publication/341000863_The_opinions_of_the_Slovak_population_on_immigrants_based_on_Eurobarometer_data



RAISING AWARENESS ON MIGRATION IN CANADA

Canada, as a traditional country of destination for immigrants, has profound experience with public awareness-raising activities related to migration and with education and training of immigration officers and people working with international talent. Examples of such activities include, for instance, the Canadian Immigration Summit, held annually, or the publication of the Canadian Immigrant magazine. Through web-based promotion of success stories of international talent and companies that employ international experts and specialists, the public is regularly informed about talented and skilled foreign workers who contribute to the country's development.¹

¹ Rilla, N., Deschryvere, M., Oksanen, J., Raunio, M., van der Have, R.: *Immigrants in the Innovation Economy - Lessons from Austria, Canada, Denmark and the Netherlands*, 2018

SLOVAK FOREIGN SERVICE OFFICES ABROAD

4 Network of foreign service offices

Slovakia's foreign service offices abroad, by virtue of their roles and competence, have an important position in the process of labour mobility. However, their network is not large: Slovakia only had 43 foreign service offices in non-EU countries in 2020. This makes access to Slovak consular services quite difficult in certain regions of the world. An even more complicated situation is in the case of foreigners who need a visa already for the entry to a country in which a Slovak foreign service office accredited for their home country is located. A simple entry to the country is crucial to attracting foreign workers. The active engagement of Slovak foreign service offices in the implementation of pro-active measures (campaigns) to attract foreign workers, either in general, or specifically targeting individual labour market sectors, is equally important.

WHAT IS NEEDED?

- It is important to complete the network of Slovak foreign service offices in those countries which Slovakia identifies as suitable sources of a sufficient supply of workforce having relevant skills and education willing to migrate, and which have a good potential for more intensive cooperation at the bilateral level (see the chapter

Bilateral Cooperation with the Countries of Origin of Foreign Workers). It is equally advisable to strengthen the existing foreign service capacities in selected countries by consular officers and economic and cultural diplomacy officials.

- At the same time, it is recommended to reinforce and expand the activities of Slovak institutions (so-called "Slovak houses") in the countries that are attractive for Slovakia in terms of labour mobility, and to establish synergies and cooperation with foreign service offices, consular officers, and economic and cultural diplomacy officials in this area.

ENTRY TO SLOVAKIA

Creating functioning channels for the entry of foreign workers to Slovakia is a very effective supporting measure to attract them. An analysis of the Slovak labour market indicates that its specific aspect is the shortage of workforce across a large number of segments regardless of workers' skills and qualification. Therefore, it is advisable to adopt more universal measures and set up sufficiently attractive entry channels for all foreign workers in in-demand occupations.

5 Temporary residence permits

Foreign nationals wishing to work in Slovakia usually apply for a single permit for residence and work (single permit). High-skilled workers have an option to apply for an EU Blue Card, which, however, they do not do now (see Legislative Measures, Measure 7). Both the single permit and the EU Blue Card allow foreigners to live and work in Slovakia for a certain time, and bring their families with them. In order to make these standard forms of temporary residence effective, the Scheme proposes to adopt legislative measures to enhance their flexible and more transparent application, resulting in an accelerated entry to the labour market (see Legislative Measures, Measure 2, 6 and 7).

- An APD will grant a single permit based on the consent to filling the job vacancy obtained by an employer from a Labour Office in advance.
- The conditions for obtaining an EU Blue Card need to be amended in line with the applicable Directive in order to make it an attractive entry channel for high-qualified foreign nationals.

6 Granting of national visas

Member States are also entitled to apply various national mechanisms to manage foreign labour mobility. Work visas represent an effective instrument Slovakia may apply to ensure a simple and accelerated entry to the country and its labour market for those groups of foreign workers it considers to be in-demand. Slovakia currently uses national visas for foreign workers to a very limited extent only, even though the flexibility in the setting of this particular instrument is its great advantage. The proposed measures to introduce the following types of national visas are described in Legislative Measures, Measure 8, 9 and 10.

- **National visas for job seekers**
- **National visas for seasonal works**
- **National visas for circular employment**
- **National visas for in-demand occupations**

RESIDENCE IN SLOVAKIA

Simple and clear rules governing the residence of foreign nationals in a country are an important factor that may influence their choice of the country of destination. However, not all foreign workers are looking for a country where they could establish permanently and an easy and fast procedure to obtain a permanent residence permit does not always have to be a key pull factor. It is therefore necessary that the rules for the granting and renewal of short-term residence permits, too, provide sufficient guarantees of predictability and stability. Having their stable resident status guaranteed greatly affects whether foreigner workers feel socially accepted in.

No less important is that the foreigners' resident status has as little impact as possible on their access to public services local authorities provide to their residents.

7 Retaining temporary residence

The temporary residence for work is firmly linked to the performance of an occupation in Slovakia. If the purpose for which residence has been granted is not met, an APD will revoke it. Female workers whose temporary residence expires while they are on a maternity leave cannot apply for its renewal. Even if they have a work contract concluded for an indefinite period of time, the contract is terminated upon the expiry of the period for which their residence permit was granted. These rules may be extremely discouraging for this group of workers.

WHAT IS NEEDED?

- **It is therefore important that foreign nationals who do not have a spouse in Slovakia whom they could join for a temporary residence for the purpose of family reunification do not lose their resident status during the maternity leave. Legislation should allow foreign workers with work contracts concluded for an indefinite period of time to apply for the renewal of temporary residence for work purposes during a maternity leave, as well, based on a proof of receiving maternity benefits (provided they are entitled to a maternity benefit). Their residence will be extended for the duration of their maternity leave.**

8 Permanent residence permits

The most stable form of residence is permanent (long-term) residence; foreign workers become entitled to apply for this type of residence after five years of continued stay in Slovakia. The conditions for obtaining permanent residence are regulated by the Directive.⁹⁷ A new EU Blue Card directive shortens said period for this category of foreign workers from five to three years.

The national legislative arrangements on permanent residence allow foreign workers to obtain a five-year long-term (permanent) residence without having to meet the obligation of previous residence in Slovakia only if it is "in Slovakia's interest". After four years, holders of this type of residence permits may apply for unlimited permanent residence.

WHAT IS NEEDED?

- **A quick road to a permanent resident status is a major incentive factor, especially for high-skilled foreign workers. It is therefore advisable to link the national programmes for attracting the most highly qualified foreign employees with the possibility to obtain permanent residence under national rules ("in Slovakia's interest") faster.**

⁹⁷ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents

9 Considering differences between temporary/permanent residence of foreigners vs temporary/permanent residence of Slovak citizens in policy-making

Act No. 253/1998 Coll. on the reporting of residency of the citizens of the Slovak Republic and on the population register of the Slovak Republic states that “every citizen is obliged to report his/her permanent residence, unless he/she is permanently residing abroad, by providing the information specified in §11(a) through (c), (e) through (i) and (k) of the Municipality Act (zákon o obecnom zriadení). It means it is a registration obligation of a public authority that will **register** the residence after the citizen submits the necessary documents. A similar procedure is applied to the reporting of a temporary residence outside the place of citizen’s permanent residence; that is, the place where he/she resides temporarily, especially where such temporary residence exceeds 90 days. Citizens report in a municipal office in the place of temporary residence, providing the address and expected duration of temporary residence, and present the necessary documents. In both cases, the competent public authority registers the citizens’ residence if all conditions are met.

In the case of a foreigner applying for (not notifying/reporting) temporary/permanent residence, the residence is granted by an APD after considering all aspects, i.e., the APD **permits** the foreigner to stay legally in the territory of Slovakia. Also, unless they are in a family relationship with a Slovak citizen, foreign nationals arriving in Slovakia may only apply for temporary residence. It means that foreign nationals (unlike the Slovak citizens) cannot choose between a temporary and permanent residence – they are granted that type of residence the criteria of which they currently meet, and for which they have applied and submitted the necessary documents.

While the rules, rights and obligations are basically the same for Slovak citizens and foreign nationals with respect to permanent residence, in the event of “temporary residence”, the Slovak law strictly differentiates between temporary residence of a Slovak citizen and that of a foreign national. While in the former case, temporary residence refers to a situation when a Slovak citizen stays outside the place of his/her permanent residence for a period of more than 90 days, and is obliged to report it, in the case of a foreign national, it refers to a permit to stay in the territory of Slovakia for a certain period of time at a specific address stated in his/her residence card, which serves as his/her “permanent” address in Slovakia. If a foreigner plans to stay temporarily outside

this permanent address for more than 30 days, he/she is obliged to report it to a competent APD.

Foreign nationals with temporary residence are obliged to stay in the territory of Slovakia for more than half of the time for which the temporary residence permit is granted in a calendar year; it practically means that foreign temporary residents also become tax payers with an unlimited tax liability in Slovakia.

There is no parallel between temporary residence of a Slovak citizen and temporary residence of a foreign national. The temporality of residence of foreigner nationals has to only be perceived through the prism of the state having the option not to renew it, or to revoke it, but not from the perspective of temporality of a specific address, as it is the case with temporary residence of Slovak citizens.

Foreigners with temporary residence are also residents of the municipality in which they live and pay income taxes. In spite of that, they are often not seen as members of that municipal community.

WHAT IS NEEDED?

- **Policy-making, both at the state and local level, covering specific rights and obligations for individual categories of Slovak citizens, which makes access to such specific rights and obligations conditional on the citizen’s resident status must always reflect the fact that unlike with the permanent residence, the legal status of a Slovak citizen with temporary residence differs from the legal status of a foreign national with temporary residence. It is therefore necessary to consistently distinguish between these two target groups and adjust the scope of the rights granted to foreigners’ with temporary residence so as to prevent their unreasonable discrimination (e.g., with respect to residential parking, etc.).**

ADMINISTRATIVE BURDEN

Administrative obligations in applying for temporary residence and permission to work are rather difficult. Because, in attracting foreign workers, Slovakia is not able to compete with most of the EU Member States in terms of the offered social and economic security, it is necessary to focus the effort on reducing this competitive disadvantage in other areas.

10 Reducing the administrative burden

Low administrative burden in obtaining residence and in entry to the labour market has a positive impact on the will to migrate in all categories of foreign workers. Even though certain progress has been seen in this area, there is still room for simplifying administrative procedures and reducing the number required documents. The measures proposed in this area are described in more detail in the chapter Legislative Measures.⁹⁸

INTEGRATION SERVICES FOR FOREIGN WORKERS

11 Institutional capacities for integration services and cooperation

For a successful implementation of measures in this area, it is first of all necessary to harmonise the existing successful initiatives and projects both at national and regional level and create an institutional competence framework comprehensible for all actors. A competent authority which is familiar with activities undertaken by local governments and, at the same time, provides them with the necessary support (be it a new or an existing authority with modified competences) forms a basis for a system management of the migration and integration agenda and sharing of information. System management includes horizontal integration between the relevant ministries (MEC SR, MI SR, MLSAF SR, MESRS SR), vertical integration across individual administrative levels (national, regional and local), as well as organised cooperation between the public and private sectors.

a) Coordination and national cooperation (ministries)

In creating an attractive environment for the entry of foreign experts and for the retention of foreign workers working in shortage occupations, it would be advisable for the MLSAF SR, MI SR, MFEA SR, MESRS SR, MEC SR and MH SR to share all available data and information. A functioning infrastructure of integration services

creates a positive image for any country and increases its attractiveness in particular for those foreign workers who are planning to stay in the country in the long term.

WHAT IS NEEDED?

- **In order to create a functioning infrastructure of integration services, it is necessary to define the competences and mandate of a government authority with national coverage for providing methodological guidelines, data collection, technical designs, cooperation with individual actors, sources of funding and for overseeing the entire implementation of integration activities and compliance with objectives in this area. Such authority should possess in particular coordination competences and be responsible for the topic involving the integration of foreigners in the Slovak Republic.**
- **Integration policies should be interlinked with social policies (e.g. social inclusion policies) and thus ensure the integration of foreign workers into Slovak society. This may have a positive impact on such workers staying in the Slovak Republic and, ultimately, on the sustainability of measures of the Scheme in the long term.**
- **By means of diversified and complementary financing between the state and project funding (for instance, through ESF+⁹⁹), it is necessary to ensure the continuity of successful integration-oriented concepts, as well as to enlarge the target group and intensify regional presence of services.**
- **It is necessary to support good practice and use synergies for their mainstreaming into other services that are provided by municipalities to the local population. In this form, it is also possible to support gradual creation of local support centres for the integration of foreigners in synergy with the existing services (MIC IOM) that have already proven successful.**

⁹⁸ This specifically involves: • The introduction of a uniform identifier for foreigners since the first contact with a government authority, thus relieving foreigners from visiting government institutions repeatedly and from notifying changes in data. • Strict separation of the granting of consent to the employer from the granting of a residence permit to the foreigner, thus making the process of granting a temporary residence permit predictable and more efficient • Changes in the system of cooperation between government authorities in the decision-making process for granting a temporary residence permit will simplify the entire process and enable foreigners to enter the labour market quickly. • The introduction of new types of working visas will allow foreigners more flexibility in choosing the most appropriate program. • Simplification of how proof of qualifications and of clean criminal record is provided in the case of Blue Card applicants.

⁹⁹ ESF+ is the EU's main instrument for supporting employment and social inclusion whose long-term objective is not only to create jobs, but also build an inclusive society.



EXAMPLE OF A SUCCESSFUL PROJECT IN INTEGRATION OF FOREIGNERS IN SLOVAKIA – MIGRATION INFORMATION CENTRE OF THE IOM

The **Migration Information Centre of the International Organization for Migration (MIC IOM)**, co-financed from the EU funds since its establishment in 2006, is an example of good practice in the Slovak Republic. It is the first and, to date, the only information consultancy centre with national coverage in Slovakia, providing free-of-charge comprehensive services to foreigners in the area of legal, social and labour consultancy (in person, by phone or e-mail, as well as online), including assistance in finding a job, retraining and learning the Slovak language.

The MIC IOM also provides regularly updated and comprehensive information through its website www.mic.iom.sk. MIC IOM's web app **Visa Check** offers information to foreigners from any country in the world who want to arrive in Slovakia, in order to verify whether they need visa to enter the Slovak Republic.

Since 2012 it has been organising the so-called **One-Stop Shops** – specialised consultancy days for foreigners who can get comprehensive and free-of-charge advice from members of the APD, employees of the LO, health insurance companies and consultants of the MIC IOM all in one place.

The MIC IOM also cooperates with **cultural mediators** – representatives of associations and communities of foreigners in the Slovak Republic who, with the MIC IOM's support, organise events, promote the social life of the community and encourage mutual acquaintance between the communities and the majority society.

the integration of foreigners where they live with their families thus remains untapped.



CITY OF VIENNA AND SUPPORT FOR ATTRACTING TALENT AND INTEGRATION OF FOREIGNERS

Vienna provides a positive example of a city which, through its own initiatives, is creating an attractive environment for foreigners, facilitating their integration and promoting diversity as a building block for innovation and economic potential. Together with the **Vienna Science and Technology Fund**, it attracts the promising young researchers with PhD from abroad and provides them financial support in building up their own research groups with a long-term perspective. The maximum funding sum available per research group is currently EUR 1.6 million for a period of six to eight years.

The Integration and Diversity division of the City of Vienna implements services for all new foreigners called Start Wien which includes providing information, coaching and the provision of language vouchers.

The **Vienna Economic Chamber** promotes and supports diversity in the private sector by granting the DiversCity Prize in three categories (micro, small and medium sized, as well as large companies), thus incorporating the ideas of open an diverse society into the business environment.¹

¹ Rilla, N., Deschryvere, M., Oksanen, J., Raunio, M., van der Have, R.: *Immigrants in the Innovation Economy – Lessons from Austria, Canada, Denmark and the Netherlands*, 2018

b) Regional cooperation (self-governing regions, cities, municipalities) – Centres for the integration of foreigners at the level of local government

Local governments play a key role in creating and implementing integration tools. The existing local government competences in the area of migration into Slovakia are limited. They cannot influence the scope and structure of migration and, in many cases, they do not have sufficient information about its composition. In Slovakia, the significant potential of local governments in facilitating

As clearly implied by research undertaken in the preparation phase of the Scheme, cities and municipalities are interested in the issue of integration of foreigners, but they do not have their own trained personnel, as well as available funds. Efficient mutual coordination of the government, local governments and non-governmental organisations supported by transparent and systemic funding available in the long term will facilitate a strategic and continuous approach to integration of foreigners at local level also during potential staff turnovers among elected representatives or the personnel in offices.

WHAT IS NEEDED?

- **Municipalities with a higher percentage of nationals from non-EU/EEA countries in proportion to the municipality's overall population (e.g., 3%)** are advised to **set up a contact point for foreigners in the municipality** that would be responsible for **regular communication with foreigners and with involved agencies, the preparation of information meetings, for mapping the needs of foreigners in the municipality and for preparing welcome packages** that would provide all contacts and practical information necessary for newly arriving foreigners/foreign workers, including information about language courses and how they can use their language vouchers. The contact point should be responsible for **ensuring that information in foreign languages is kept up-to-date on the municipality's website**. In addition to consultancy, the contact point could also provide socio-cultural orientation courses, language courses and should also assist in promoting the courses of other entities or services for foreign workers, as well as provide help in community activities.
- **Self-governing regions are also advised to consider setting up a regional support centre for the integration of foreigners** in cooperation with the MIC IOM and/or relevant NGOs operating in the field of integration. The centre would be responsible for networking the contact points in municipalities with a higher percentage of foreigners (see previous paragraph), regular communication with contact points and involved authorities, preparation of information meetings, training for contact points and for organising the socio-cultural orientation courses for foreigners in the region. The centre could also provide – in addition to basic consultancy and information – the socio-cultural orientation courses, unless such courses are not provided by municipalities with a higher percentage of foreigners, as well as language courses, and assist in promoting the courses of other entities or services for foreign workers.
- It is advisable to engage in cooperation with the MIC IOM and other locally operating NGOs as well as to share “know-how” for the purposes of **training the local government staff familiar with the local situation, based on building innovative partnerships**. For the local governments, such organisations could provide community activities and the very essential and absolutely necessary socio-cultural orientation course for foreigners. This would also contribute to mapping the foreigners' needs for local governments

which, in turn, would be able to carry out targeted integration activities.

- **Support for local cooperation and sharing of information can also be ensured through the „Information Forum” – a local platform** – as inspired by the “breakfast with employers” successfully organised by labour offices. This would involve regular working meetings of various stakeholders – employers in the municipality/district, local governments, labour offices, Aliens Police Department, tax authorities, the Social Insurance Agency and health insurance companies, organisations carrying out activities relating to the integration of foreign workers and ad hoc partners where necessary and relevant for the topic – including foreigners. Such platform could be organised under the auspices of the local government in cooperation with labour offices. At these meetings, employers could be sharing their experience in the area of integration services which they provide to their foreign employees within their company (such as “buddy” programs, relocation bonuses, etc.).
- c) **Cooperation between involved entities and the private sector (NGOs, universities, scientific institutes, professional chambers, companies)**

In addition to involving the NGOs dealing with the topic of integration of foreigners, **cooperation with experts from scientific institutions** possessing the required expertise to support policy-making based on research and data, as well as **cooperation with the private sphere** (employers' associations, chambers of commerce, corporate foundations, recruitment agencies) is equally important. Intensive cooperation between the involved authorities, the private sphere and scientific organisations contributes to increasing the quality of adopted integration policies and to swiftly aligning the provided services with the changing needs of foreigners. Involvement of the private sector comes at several levels – such as sharing the needs and ideas from the business environment, participation in national and regional initiatives, the financing of integration activities.

WHAT IS NEEDED?

- In order to overcome the problems frequently caused by insufficient sharing of information and to create comprehensive integration services, the **so-called innovative partnerships**¹⁰⁰ and mutual sharing of information among the actors, for instance, on the basis of memoranda of understanding,

¹⁰⁰ European cities on the Front Line: New and emerging governance models for migrant inclusion, MPI, IOM, 2020, dostupné na: <https://admin4all.eu/publications/european-cities-on-the-front-line-new-and-emerging-governance-models-for-migrant-inclusion/>

are of key importance.¹⁰¹ **Partnerships involving the government, organisations active in this area and the private sector, which can facilitate access to services necessary for communities**¹⁰², can serve as an example. Cooperation with companies also opens up new ways of maintaining and funding the services through alternative financing models and may potentially help in tapping the specific expertise which the private sector has at its disposal.¹⁰³ **It is advisable to support such cooperation and partnerships by building the capacities of local governments and government authorities**, e.g., in partnership with the MIC IOM and organisations operating the area of integration of foreigners which have experience in working with local governments.¹⁰⁴

INVOLVING VARIOUS STAKEHOLDERS IN THE PROCESS OF INTEGRATION OF FOREIGNERS – EXAMPLE OF DENMARK, THE NETHERLANDS AND AUSTRIA

In **Denmark**, the Confederation of Danish Industries has played an active role in advocating co-creation of practices such as mentoring and networking for a better integration of foreign talent. In the **Netherlands**, specific attention has been paid to the integration of foreign graduates through an action plan involving all relevant institutions and organisations. In **Austria**, the Federal Economic Chamber is centrally involved in the implementation of a mentoring programme for migrants.¹

At national level and in cooperation with the Integration Fund, the Federal Economic Chamber and labour offices, **Austria** created a mentoring programme for qualified foreigners living in Austria for less than 10 years, through which applicants will be assigned for traineeship to specific mentors in various companies.

This type of activity promotes internationalisation of Austrian companies and integration of foreigners into the labour market.²

¹ Rilla, N., Deschryvere, M., Oksanen, J., Raunio, M., van der Have, R: *Immigrants in the Innovation Economy - Lessons from Austria, Canada, Denmark and the Netherlands*, 2018

² *Mentoring für MigrantInnen*, dostupné na: <https://www.wko.at/site/Mentoring/mentoring.html>

FUNDING OF INTEGRATION MEASURES

12 Reallocation of revenues from personal income taxes taking into account foreigners with temporary residence

Transparent and systemic financing for the integration measures at the local level, available in the long-term, is inevitable for an effective and efficient integration of foreigners. In their strategic planning and policy formulation, the cities and municipalities need to know the availability, amount and duration of financing to cover the contemplated Integration measures. Any responsibilities and competences vested in local governments through various strategic documents and policies must therefore be adequately backed in terms of methodology and financing.

In calculating the share of self-governing regions, as well as cities and municipalities in the revenue from personal income tax, the legislation takes into account only persons having permanent residence in the territory of the Slovak Republic. While permanent residents working in a different municipality/city or self-governing region are included in the calculation through the place of their permanent residence, foreigners not having permanent residence are not reflected in this calculation at all. The system that has been set up in this manner will allocate the tax revenue in a ratio of 70% for cities and municipalities and 30% for self-governing regions. Other factors

¹⁰¹ Ibidem

¹⁰² Tabosa, C., Prieskum pracovnej mobility a moderovaná diskusia – zahraniční pracovníci na Slovensku, Výskumný zborník Schémy pracovnej mobility pre SR [Labour Mobility Survey and Moderated Discussion – Foreign Workers in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

¹⁰³ Integration and Inclusion of Migrants and People with a Migrant Background, IOM Contribution to EU Public Consultation, 2020

¹⁰⁴ Tabosa, C., Prieskum pracovnej mobility a moderovaná diskusia – zahraniční pracovníci na Slovensku, Výskumný zborník Schémy pracovnej mobility pre SR [Labour Mobility Survey and Moderated Discussion – Foreign Workers in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

entering the personal income tax reallocation formula are determined by government regulation No. 668/2004 Coll. on income tax allocations to local governments.¹⁰⁵

Foreigners with temporary residence account for more than 78%¹⁰⁶ of all foreigners from non-EU countries. Even though they are payers of personal income tax, their presence in cities and municipalities is unaccounted for financially – they are completely disregarded in the calculations.

WHAT IS NEEDED?

- **Adjustment of the allocation key to account for foreigners with temporary residence in the reallocation of funds to local governments would be a suitable source for financing the integration measures at local level.**¹⁰⁷ The proposed adjustment contributes to a fairer reallocation of the personal income tax revenues to local governments and reflects the needs of cities/municipalities and self-governing regions which have (and will continue to have) a higher share of foreigners in proportion to the overall population of the city/municipality/self-governing region. The cities and municipalities with high populations of foreign workers may incur additional costs related to the provision of integration services, training or accommodation for foreigners and this form of funding will help them cope with the situation.¹⁰⁸
- If the allocation formula is adjusted without any changes in other parameters of the system, some of the local governments with higher populations of foreigners in their territory would be entitled to a higher share of revenue from personal income tax in comparison with the existing situation, while others would receive less. However, this reduction would only be temporary and its duration would be only 3 to 4 years.¹⁰⁹
- The affected cities and municipalities could be compensated for by the government up to the level of their original share in the tax revenue which they would have without this change. Such compensation would therefore soften the transitional period towards the new system. The compensations might be constant or gradually decreasing over the transitional period. During this period, local governments would have time to adapt to the new conditions.¹¹⁰

- **The spending of funds (by which the budgets of local governments with higher populations of foreigners in their territory would increase against the previous years) would be subject to committing at least 60% of this amount to creating targeted integration measures and services supporting the integration of foreigners.**
- **In using the resources from personal income tax revenue following the adjustment of the allocation key and, generally, in setting up their policies, the local governments should be applying participative methods which will include analysing the target group and mapping its needs, setting the strategies and appropriate measures, cooperation and coordination among all stakeholders at the level of local governments and, at the same time, setting up the assessment and measurable indicators, along with regular evaluation of the results achieved and the follow-up changes and modifications in strategies and measures.** Policy-making should be realistically set up to reflect the presence of all population groups, including foreign workers.

13 Use of European Union funds (ESIF: ESF+ and AMF)

At the time of preparation of the Scheme, the negotiations concerning the EU's Multiannual Financial Framework (2021–2027) had been ongoing in the European Parliament. The EC allows the so-called multi-fund approach to the integration of non-EU/EEA nationals.

Integration measures provided to nationals of non-EU/EEA countries in the early stages of their arrival should continue to be covered from the AMF sources. These measures should include consultancy and assistance provided to nationals from non-EU countries in such areas as housing, support for remunerated activity, administrative and legal consultancy, psychological care and health, also by means of the contact centres for integration.

¹⁰⁵ Domonkos, T.: Fiškálne efekty migrácie v SR, Výskumný zborník Schémy pracovnej mobility pre SR, IOM, 2021. [Fiscal effects of migration in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

¹⁰⁶ Statistical overview of legal and illegal migration in the Slovak Republic for 2019, BBFP PPF, 2019. Available at: <https://www.minv.sk/?rok-2019-1>
Domonkos, T.: Fiškálne efekty migrácie v SR, Výskumný zborník Schémy pracovnej mobility pre SR, IOM, 2021. [Fiscal effects of migration in Slovakia, Labour Mobility Scheme for Slovakia Research Reports Compendium], IOM, 2021.

¹⁰⁷ Ibidem

¹⁰⁸ Ibidem

¹⁰⁹ Ibidem

¹¹⁰ Ibidem

ESF+ for 2021–2027 should cover generating new opportunities, combating poverty, improving the skills necessary for digital and green transition and support for social inclusion, thus having a positive impact on the long-term integration of foreigners.¹¹¹

In its 2020 report, the European Committee of Social Rights of the Council of Europe warns that, in Slovakia's case, it has not been established that "equal treatment with respect to access to training and retraining for the long-term unemployed persons is guaranteed to nationals of other States Parties".¹¹²

ESF has not been sufficiently used, neither in Slovakia nor in many other EU Member States, for support to activities related to the integration of foreigners. The sources from ESF+ may indeed be used for training and retraining activities, acquiring hard skills as well as soft skills and for up-skilling foreign workers who are in the Slovak Republic (a later stage of integration).

The complementarity between the AMF and ESF+ funds should be ensured by harmonising and simplifying their rules and by monitoring their performance and impact. The use of common performance indicators connected with the national strategies for integration and the EU's renewed Action Plan on the Integration and Inclusion for 2021–2027 would further improve the complementarity of the AMF and ESF+ funds.

WHAT IS NEEDED?

- **It is necessary to ensure that integration policies and national strategies reflect the complementarity of these two funds and their use in compliance with the priorities of the EU Action Plan on the Integration and Inclusion for 2021–2027.** In ensuring coordination between the funds, which should be initiated already at the programming phase, it is advisable to find inspiration in good practice from other countries (such as Finland, Italy, etc.). Synergies can also be achieved through effective coordination mechanisms based on collecting the most recent data (not only at the level of monitoring commissions) which can be further used at a later stage, thus supporting *evidence-based* policy-making in this manner.
- In preparing the relevant national calls for projects to be submitted under the ESF+, **foreigners from non-EU/EEA countries should also be included**

as a target group in line with the Commission's recommendations.

- In preparing the relevant national calls for projects to be submitted under the ESF+, **eligible applicants should also include cities, municipalities, self-governing regions, international organisations, and other relevant organisations operating in the field of integration of foreigners in the Slovak Republic.**

AN EXAMPLE OF SUCCESSFUL AND EFFECTIVE MANAGEMENT OF THE USE OF ESF – FINLAND

Finland has created (as an efficient coordination mechanism) an online centralised mapping tool, a centralised website and synchronised calls under AMIF and ESF.¹

¹ Marangozov, R.: *How the ESF can advance migrant integration: key learning from the ESF Thematic Network on Migrants, 2019*

ECONOMIC MEASURES

Measures having a positive impact on the economic situation of foreign worker are appealing for all categories of foreigners. Low-income foreign workers are more attracted by, for instance, social security contributions, while the highly qualified workers with higher income respond more positively to tax reliefs. Most of the EU Member States target the economic advantages at highly-skilled foreign workers (doctors, scientists) and other shortage occupations (nurses, carers) who are actively attracted to the labour market with the use of various instruments.

ATTRACTIVE TAX ENVIRONMENT

1 Tax reliefs

The system of tax reliefs is a frequently used incentive of the government to motivate the tax payers to performance or a certain activity. Tax reliefs in various forms are also applied in the Slovak Republic (tax credit for children, tax relief for spouse), but they are not specifically targeted at foreign workers. In the area of research, Slovakia introduced a tax relief for entrepreneurs with expenses in carrying out research, by means of the so-called *super*-deduction. Another form is the so-called Patent Box which is aimed at

¹¹¹ See also: <https://ec.europa.eu/esf/main.jsp?catId=62&langId=en>

¹¹² See also: <https://www.aktuality.sk/clanok/876649/rada-euro-py-upozornila-slovensko-na-niektore-nedostatky-v-oblasti-zamestnanosti/>

supporting successful results of research and development effort by income tax breaks for the revenue related to the sale of products using patents or utility models or for the revenue from the sale of software licenses.¹¹³ Slovakia can build upon this also in designing other tax benefits.

WHAT IS NEEDED?

- **Tax reliefs during the first years of activity can incentivise foreign workers to arrive in Slovakia.** Ultimately, they can reduce **the high costs of relocation** and may send out a signal indicating that Slovakia is willing to contribute to foreign workers' costs of moving in this form.
- **Tax reliefs can also be targeted at employers of foreign workers.** Employers providing **above-standard conditions** for the desired groups of foreign workers (company doctor, kindergarten or accommodation allowance) could be able to lower the income tax in proportion to such benefit.



TAX RELIEFS TO ATTRACT OR RETAIN HIGHLY QUALIFIED WORKERS IN OECD COUNTRIES

Tax reliefs are provided by many OECD countries. **Italy** provides a 90% exemption from income tax for researchers, **Belgium** and **Canada** 75%. **Poland** provides a 50% deduction of income from artistic, scientific, sporting or professional activities. The **Netherlands** is also attracting researchers and highly-skilled workers in this manner as well. For a period of five years, highly-skilled foreign workers will receive a tax relief from their income tax amounting to 30%, if their annual salary reaches the minimum threshold. This benefit is intended as compensation for the extra costs that international employees can incur when moving to a new country, finding new housing and other expenses. The tax relief is claimed by the employer, if the foreign worker meets the following conditions: he/she has been transferred or comes from abroad; both the employer and employee have to agree in writing that the tax relief is applicable; the foreign worker has skills or expertise that is scarce in the job market; the employee must meet a salary threshold that is indexed annually.¹

¹ More information can be found at: <https://www.iamsterdam.com/en/living/take-care-of-official-matters/highly-skilled-migrants/thirty-percent-ruling>

2 Double taxation agreements

The risk of double taxation occurs in a situation where two countries are allowed to tax the income of a foreign worker, for instance, when he/she is a resident in one country but works in another country, or he/she has been seconded abroad or is a retired person in one country, but receives the pension from another country. Even though a foreign worker is subject to the tax legislation of his/her country of residence, the liability to pay taxes in the other country may apply as well. In order to prevent double taxation, countries enter into double taxation agreements. To date, Slovakia has signed 40 bilateral agreements with non-EU countries, including those where most foreign workers are coming from (Ukraine, Serbia, Vietnam, USA, India, Iran, etc.).¹¹⁴

WHAT IS NEEDED?

- **It is necessary to sign double taxation agreements with those countries which will be identified as having sufficient workforce with migration potential and which will be targeted by Slovakia's labour mobility policy.**

ATTRACTIVE WORKING ENVIRONMENT

Like attractive tax environment, the working environment has an essential impact on the will to migrate as well. Even though Slovak legislation protects foreign employees against discrimination on grounds of nationality and guarantees equal working conditions, it is necessary to be sensitive to the vulnerable position of foreign workers characterised by the nature of their stay in the country, their weakened position vis-à-vis their employer or recruitment agency because of not being familiar with the local legislation, or because their residence depends on the existence of a work contract. Therefore, special legal guarantees for foreign workers have a significant impact on the attractiveness of the working environment.

3 Wage guarantees under a work contract

The introduction of a salary threshold and the verification of the paid out wage on the basis of data provided by the Social Insurance Agency, labour offices and labour inspectorates will create an environment where the wages paid

¹¹³ Podpora investícií [Promoting Investment], Deloitte, available at: <https://www2.deloitte.com/sk/sk/pages/podpora-investicii/solutions/danove-ulavy.html>

¹¹⁴ More information can be found at: <https://www.mfsr.sk/sk/dane-cla-uctovnictvo/priame-dane/dane-z-prijmu/zmluvy-zamedzeni-dvojiteho-zdania/zmluvy-zamedzeni-dvojiteho-zdania/zoznam-platnych-ucinnych-zmluv-zamedzeni-dvojiteho-zdania/>

out will correspond to the amounts promised by employers to foreign workers in the job vacancy notification. For foreign workers whose right of residence may expire soon, it would be very complicated to seek the enforcement of the adequate and declared wage. The verification of wages actually paid out and the introduction of the corresponding sanction mechanisms will prevent employers from misleading their employees. More details concerning the measures can be found in the chapter *Legislative Measures*.

WHAT IS NEEDED?

- **Cooperation of the Social Insurance Agency in providing data on wage amounts to the labour offices and labour inspectorates that will be verifying the amounts of wages paid out, including the interconnection of information systems, are important.**

4 Ensuring compliance with the requirements of legal employment

Restricting the employer's right to employ foreigners is a strong incentivising, as well as enforcement measure in a situation where statutory obligations have been breached. An employer intending to hire a foreigner may not have breached, during a period of five years before submitting an application for temporary residence, the prohibition of illegal employment. Currently, the COLSAF will revoke the temporary employment agency's authorisations if it has breached the prohibition of illegal employment. The agency may again apply for new authorisations only after three years. The fine for illegal employment is another form of imposing sanctions on employers.

WHAT IS NEEDED?

- **The labour office and labour Inspectorates should be carrying out frequent and regular inspections regarding compliance with the conditions of employment, thus protecting the rights of foreign employees.**

5 Change of employer

In the context of the foreign workers' rights, the 'change of employer' concept is an important element in the labour mobility system. The legislation permits the change of employer without any obligation to work for a certain number of months for an employer with whom the worker had signed a contract before arriving in Slovakia. Allowing the change of employer has a positive impact

on the position of foreign workers and the protection of their rights in the labour market. Preventing the foreign workers from changing their employer would establish an even more dominant position for the employer vis-à-vis its employees and would be conducive to exploitation, discrimination or certain forms of forced labour.

WHAT IS NEEDED?

- **It is crucial to allow all foreigners who have been granted temporary residence permit, as well as holders of the "working visa", to change their employer.**

SOCIAL SECURITY AND HEALTH INSURANCE

The social security system is affecting all groups of foreign workers. In the cases of circular migration and short-term stays, it is necessary to place an emphasis on bilateral cooperation with the countries of origin of such foreign workers and to ensure that social insurance received in the Slovak Republic is counted towards their domestic schemes. On the other hand, for foreign workers planning to stay in Slovakia for a long time, the overall setup of the system and guarantees of access to individual benefits are more appealing.

6 Access to social benefits/allowances

Sickness insurance, old age insurance and unemployment insurance is essentially available for all employees (regardless of their stay) and for all natural persons above 16 years of age having a permanent or temporary residence in the territory of the Slovak Republic.

The **payment of sickness insurance** benefits (sickness benefit, nursing benefit, maternity benefit, compensation benefit) does not depend on the length of stay in the Slovak Republic. Where a foreign worker meets the statutory requirements for receiving the benefit, it can be paid as from the first day of entry into the scheme. As regards maternity benefit, as well as sickness and nursing benefits for voluntarily insured persons, the entitlement is conditional upon the duration of sickness insurance of at least 270 days during the two years preceding the occurrence of the event triggering the entitlement to the relevant benefit. This requirement applies equally to the nationals of the Slovak Republic.

For **old age insurance**, the entitlement to the benefits (old age benefit or pre-retirement benefit) is granted only

when the requirement of 15 years of participation in the old age insurance scheme is met, without the possibility of receiving a partial benefit where a sufficient period of insurance has not been reached. Furthermore, the Slovak legislation does not allow foreigners not reaching a sufficient period of insurance to apply for the redemption of the accrued capital sum upon terminating their stay in the Slovak Republic, nor can they choose not to enter the old age insurance scheme at all, or to participate in the scheme on a voluntary basis only, if a foreign worker is not planning to work in Slovakia in the long term.

For foreigners, the payment of the **accident insurance benefits** is neither conditional upon the length of participation in the scheme, nor upon the length of their stay in the Slovak Republic; foreign workers are equally entitled to these benefits as nationals of the Slovak Republic. If, however, employment of such a person is no longer in the economic interest of his/her employer, the work contract is terminated ex lege upon the expiry of such person's work permit or of the period for which temporary residence has been granted. Therefore, foreign workers are practically no longer able to apply for these benefits.

Despite the fact that entitlement to **unemployment benefit** should be available to every participant in the scheme who has reached a minimum insurance period of two years during the four years preceding his/her registration as a job seeker, this is not the case with a majority of foreigners. In fact, the primary requirement is that the former employee has been registered as a job seeker, but the Slovak legislation allows such registration only for persons with a long-term residence permit. Even though a Blue Card holder can remain unemployed for three months, he/she is not entitled to being registered as a jobseeker.

WHAT IS NEEDED?

- **The Blue Card tool can be made more attractive by a legislative amendment where Blue Card holders would be included among the categories of foreigners who can be registered as jobseekers and receive unemployment benefits for a period of three months.**

7 Social security treaties

The main purpose of social security treaties is to prevent a situation where employers and employees are subject to social security legislation of both States Parties when an employee has one job only. The treaties should also ensure that social insurance period could be taken into

account in the other State Party if the applicant does not meet the condition of the minimum insurance period required to apply for the benefit. The rules allowing the export of benefits abroad, the possibility to communicate with authorities responsible for social security in the other State Party through domestic authorities in the national language, exemption from administrative fees, if any, on the basis of reciprocity, or exemption from further certification of documents are considered important provisions of these treaties.

Slovakia has already entered into 14 social security treaties with non-EU/EEA countries, of which six are with the states whose citizens are among the top 10 countries in terms of the number of granted permits for residence in Slovakia in 2020 (Ukraine, Serbia, Russia, North Macedonia, USA, Republic of Korea).

WHAT IS NEEDED?

- **It is important to enter into bilateral social security treaties primarily with those countries that have sufficient migration potential available in professions identified as shortage and in-demand occupations for Slovakia's labour market.**

8 Access to health insurance

The public health insurance scheme covers all workers from non-EU countries. The only requirement for entering the scheme is income reaching at least the minimum wage level. Those workers whose wage from a single employer is below the minimum wage level (working on a part time jobs, or several part time jobs with several employers) are required to take out individual health insurance policy with a commercial health insurer guaranteeing the payment of medical expenses during their entire stay in the Slovak Republic.

Where a worker has any dependent children who have been granted temporary residence in the Slovak Republic, they are covered by the public health insurance scheme only up to 18 years of age, while a worker's spouse who is not employed or self-employed is not entitled to public health insurance.

WHAT IS NEEDED?

- **It is necessary to improve access to health care through public health insurance by extending the public health insurance scheme to:**
 - **foreign workers' dependent children studying at a university, except for part-time students**

(extending the period to at least the minimum length of education at a university);

- spouse of a worker who has been granted a Blue Card.

PERSONAL INTEGRATION MEASURES

The factors contributing to a foreign worker's satisfying life and successful integration into society include good conditions for life, access to education, access to health care, opportunities for career development, security, suitable housing conditions and the possibilities for family life. If all of these are present, the country's attractiveness will increase in particular for those who plan to settle there for a long time.

In Slovakia, integration is still perceived only marginally. But experience in other countries has shown that unpreparedness to the need for integration of foreign workers in society, unwillingness or insufficient investment in integration services can have an impact on marginalisation and segregation of the groups and communities of migrants (migrants moving to poorer areas) who will not want/be able to return to their countries of origin and on the ensuing social problems in society which will require much more resources and effort to resolve.¹¹⁵

Integration consists of several components, in particular falling under **economic, social, cultural, language, education, religion, residence, civic, legal, political and human rights areas**.¹¹⁶ It is therefore necessary to take into account the complexity of the topic, the diversity of communities and their needs, as well as the needs of the receiving society.

EDUCATION

From the perspective of foreign workers, access to education can be seen from several angles depending on job title and family situation. Speaking the language of the receiving country is essential for the socio-cultural adaptation of a foreign worker.

1 Language education

Language education of foreigners is not institutionalised in Slovakia and there is also no up-to-date language-education concept focusing on adult citizens from non-EU/EEA countries. The language barrier causes problems to foreigners in terms of communication with authorities, availability of information, integration into the labour market or society, inclusion of their children with their peers in schools, etc. Language education is left to be handled by foreign workers themselves, while the courses offered by private language schools are mostly attended by those who can be considered as higher skilled.¹¹⁷ As implied by available research¹¹⁸, migrants coming for economic reasons are more motivated to learn the language and tend to achieve better knowledge of the local language than other categories of immigrants. For many foreign workers, however, language education is financially and logistically difficult and inaccessible, as well as time-consuming. Poor awareness of foreigners about education and training opportunities either online or by means of free-of-charge courses has been identified as a frequent problem.

WHAT IS NEEDED?

- **It is necessary to prepare a language-education concept focusing on adult citizens from non-EU/EEA countries.** Slovakia can follow the example of such countries as Sweden or Norway (as shown below). In addition to enacting the framework rules for the operation of such courses, the solution would also require local governments to assume responsibility for their organising. Another suitable model seems to be that of the City of Vienna which shows how courses for foreigners can be financed with a minimum bureaucratic burden and without the need to create new concepts, new language courses and projects or without having to increase the administrative capacities.
- **Public language schools should mandatorily include Slovak language courses for foreigners in their portfolio of language courses.**
- **At the same time, it is necessary to prepare a methodology for teaching Slovak as a foreign language which will be tailored to the needs of**

¹¹⁵ Kadlečíková, J., Gallo Kriglerová, E., Gažovičová, T.: Integrácia migrantov na lokálnej úrovni [Integration of migrants at local level], Centre for the Research of Ethnicity and Culture, 2011, available at: <http://cvek.sk/wp-content/uploads/2015/11/2011-05-integracia-migrantov.pdf>

¹¹⁶ Ibidem

¹¹⁷ Ibidem

¹¹⁸ Isphording I., E.: What drives the language proficiency of immigrants? IZA, World of Labour, 2015

foreigners while taking into account the practical use of the language so that language instruction is standardised across Slovakia; this should be done in cooperation with the MESRS SR.

- Those foreigners who have been in Slovakia for six months at least and are interested in staying here for a longer time should be offered a language voucher that would partially compensate the tuition fees with at least 80% attendance at classes (example from the City of Vienna).



PROMOTING LANGUAGE LEARNING

The **City of Vienna** supports foreigners in learning the language by providing them **vouchers for language courses**. The vouchers form part of the education booklet which they receive during their start coaching appointment with a staff member of the municipal department in a language they understand. The booklet contains basic important information about the city and the possibilities it offers to foreigners, and a voucher for a language course worth EUR 300 or EUR 150 which they can use in educational institutions certified by the city. The voucher is valid for 30 months and must bear the stamp of an authorised partner. Foreigners will get the stamp when they attend an information module of a course. The voucher can be used for a language course upon submitting a specific identification document.

The **Norwegian local governments** provide foreigners with 300 hours of Norwegian language courses as a compulsory part of the integration programme which must be attended by foreigners following their arrival to Norway. The basic scope and framework definition of the course contents is prescribed by law, while the particular specifics and detailed contents are determined by local governments based on the needs of the target group.

In **Sweden**, language training is a compulsory part of the start plan for foreigners. It is coordinated by public employment services. The implementation of “Swedish for foreigners” falls under the authority of the local governments, therefore its quality and the manner in which language courses are operated varies between the regions.

Some of them provide very developed and almost tailor-made language training, elsewhere the offer is more limited. Foreigners are structured by education and language level and their ambitions in terms of language. The courses are provided by schools falling under the local governments, or external service providers can be contracted for this purpose.

- **Successful completion of the state examination (after amending Act No. 40/1993 Coll. on Citizenship of the Slovak Republic) will substitute language examination for the purposes of granting citizenship.** This will ensure a **unified procedure for completing the state examination under expert supervision** and the government would be relieved from this duty.
- For learning the language in a less formal manner, low-threshold **language courses modelled after the MIC IOM have also proved useful in Slovakia for those foreign workers who are not able to attend a course in a language school for financial or time reasons or who arrive in Slovakia as part of an instrument oriented at circular migration. In this context, cooperation of local governments (self-governing regions, cities and municipalities) will be welcome.**¹¹⁹
- **To compensate for financial and logistical inaccessibility of language courses and to facilitate language education for foreign workers** in particular at the initial stage, it is advisable to ensure **systematic and methodological support of popular e-learning platforms for learning Slovak as a foreign language and promote them among foreign workers.** This solution would be more affordable than procuring, designing and creating new online web tools. At the same time, it would build

¹¹⁹ The Bratislava Self-governing region and its Social Inclusion Concept is an example of such cooperation in terms of removing the language barrier for foreigners and facilitating their access to basic information on the functioning of society; more information can be found at: <https://bratislavsky-kraj.sk/koncepcia-socialnej-inkluzie/cudzinci/>

upon the previous functionality of the tools and their popularity, thus making their promotion easier while increasing traffic.¹²⁰

2 Recognition of education and professional qualifications

The strategic documents and the situation on the labour market are pointing to an increased demand for highly-skilled workers also in those occupations which require formal recognition of education and professional qualifications attained in a non-EU country. Based on an analysis of the labour market, the top priority for Slovakia in this area should include the recognition of professional qualifications of foreign doctors and nurses due to their scarcity as indicated by the MH SR. The procedure concerning the recognition of qualifications is too lengthy and difficult for foreign doctors and nurses, which is also one of the reasons why there are not many foreign health professionals working in Slovak hospitals. In this area, it is necessary to lay the groundwork for better preparation for supplementary examination and to allow, for instance, the physicians to undergo supervised medical practice in the form of internship.

WHAT IS NEEDED?

- **The MH SR should prepare, in cooperation with medical faculties, sufficiently intensive and standardised introduction courses for supplementary examination which will navigate the applicant through examination requirements.** The examination at the individual medical faculties must also comply with the same standards. The fee for attending the introduction course must be affordable and those physicians who have completed the required number of hours of temporary professional traineeship should receive a subsidy for attending the course.
- **The concept of temporary professional traineeship is a way to allow foreign physicians with recognised evidence of education to pursue medical practice under the supervision of another physician.** This possibility is allowed by legislation only during the crisis situation associated with the Covid-19 pandemic. It is necessary to extend the application of temporary professional traineeship and motivate hospitals to bring in foreigners as interns.

- **Specialised language preparation focusing on medical jargon in the Slovak language is necessary for a successful completion of the supplementary examination and temporary professional traineeship.** The methodology of instruction should be prepared by the MH SR in cooperation with the MESRS SR and contracts should be signed with language schools to provide this category of courses in the regions of the western, central and eastern Slovakia.

3 Retraining

Access to retraining courses and supplementary training is another indicator and prerequisite for a successful educational integration of foreigners in the country. In practice, it is not uncommon to encounter the so-called “*brain waste*” phenomenon, i.e., underestimating the qualifications of migrants, or situations when migrants are even willing to accept jobs that are not adequate to their qualifications (i.e. jobs requiring lower qualification) or work in jobs falling under an absolutely different domain. In Slovakia, there is no retraining system that would allow foreigners to supplement their education and qualifications at various levels, thus building upon their attained education and previous professional experience.¹²¹ The existing REPAS scheme of the COLSAF is used for the purposes of retraining job seekers to be able to succeed on the labour market with a view to gaining knowledge, abilities and skills during the training (retraining) course. Foreigners can become job seekers only after they have been granted a permanent residence permit, and only through a quite complicated procedure (REPAS does not take into account the specific situation of foreigners – e.g. the language barrier); therefore, foreign workers are not a target group for REPAS.

WHAT IS NEEDED?

- **The support for up-skilling and re-skilling opportunities for foreign workers with the use of funds from the national budget for their long-term functioning, in complementarity with the active use of resources from ESF+ for pilot projects in the area of retraining.**

¹²⁰ Examples of such platforms include: www.slova.sk; www.e-slovak.sk; e-learningová platform „Učíme (sa) slovenčinu“ [Learning Slovak] (<https://www.ucimesaslovenčinu.sk/>); Hovoríme po slovensky!“ [Speaking Slovak] – comic-strip format www.pixcom.online; mobile language apps: Learn English - 50 Languages“, Naučte sa slovenčinu - 5 000 fráz [Learn Slovak – 5000 Idioms], Learn English Vocabulary Free, Naučte sa po slovensky [Learn Slovak], etc.

¹²¹ Bargerová Z., Divinský B.: Integrácia migrantov v Slovenskej republike, Výzvy a odporúčania pre tvorcov politik [Integration of Migrants in the Slovak Republic, Challenges and Recommendations for Policy-makers, IOM, 2008, available at: https://www.iom.sk/en/publications/migrant-integration.html?download=134:mic/integracny_vyskum_iom.pdf

CULTURE AND SOCIETY

4 Socio-cultural orientation

One of the forms of simplifying foreigners' integration into society involves the provision of information about life in the country and its functioning, as well as about the political situation, **in the form of socio-cultural orientation courses**, or integration courses. In many countries, these courses tend to be a mandatory component of the integration process and are implemented immediately after the arrival of a foreign worker to the country of destination. This form of informing the foreigners is mutually beneficial for foreign workers who can thus navigate more easily through practical issues of living in a new country, issues related to residence, employment, healthcare and social security system, housing, education for themselves and members of their family, or culture and leisure-time activities. At the same time, the existence of such courses can contribute to better coexistence of the majority population and new communities because the majority population has a positive view of foreign workers who are familiar with the local conditions, culture and values of the host country and therefore know what they can expect from society and, vice-versa, what is expected from them.

WHAT IS NEEDED?

- **It is necessary to develop and implement socio-cultural orientation courses, building upon many years of experience gained by the MIC IOM and NGOs in cooperation with local governments** which can provide the premises for operating the courses and act as intermediaries. The materials and syllabus for courses should be prepared, for instance, at working group meetings in cooperation with the MESRS SR with the participation of experts and the civil sector in order to ensure the standardisation and uniformity of information provided. After a few years of successful operation and with sufficient regional coverage, it would be possible to require their mandatory completion by every foreigner.
- **If Slovakia creates programmes focused on group recruitment of foreign workers in selected professions in the countries of origin, it would be advisable to implement the socio-cultural orientation courses already as part of pre-departure training of foreign workers.** These courses could then serve as the basis of other pre-departure measures (in cooperation with the MEC SR and the MFEA SR).

COMPULSORY SOCIO-CULTURAL ORIENTATION COURSES IN THE CZECH REPUBLIC

Since 2021, the **Czech Republic** has been requiring foreigners' compulsory participation in adaptation-integration courses which are officially organised by the Centres for Support and Integration of Foreigners (CSIF) and are implemented in the form of regular courses/meetings in various cities and regions of the Czech Republic. During these courses, a short documentary movie "*Vítejte v České republice*" (*Welcome in the Czech Republic*) is shown in various languages. (<https://www.vitejtevcr.cz/en/vitejte-v-cr>). Foreigners will receive an extensive multi-language brochure containing practical information. The courses are given by certified tutors who are specifically trained to provide information in a simple manner so that it is easy to remember.

For foreigners living in the country for a long time, the Czech Republic provides the social-orientation courses through employers, municipalities or regions, the CSIF and non-profit organisations. The courses contain information for long-term residents, in particular about financial literacy, social system and insurance, health insurance, acquisition of citizenship, facts about the Czech Republic, as well as preparation for the Czech language examination. As advertised, the benefits of these courses also include facilitating the prevention of isolation, in particular as regards women.

FAMILY REUNIFICATION

5 The labour market entry for family members

Being able to bring a family member to the country of residence through a simple procedure is a decisive factor that influences the foreign workers' willingness to become a long-term resident in the country. In Slovakia, the scope of family reunification allowed for foreign workers in the territory of the Slovak Republic covers a relative wide range of persons and is not subject to meeting any special conditions (the sponsor's length of stay in the Slovak Republic, the existence of family in the country of

origin, knowledge of the national language, etc.). Family reunification with an unmarried or registered partner, or same-sex partner is an exception.

The possibility to become employed is not guaranteed to family members of foreign workers under the same conditions, but it depends on the residence status of the sponsor. Typically, a family member of a worker with a single residence and work permit is allowed access to the labour market one year after the granting of temporary residence or he/she must apply for a work permit. Therefore, family members who want to start working immediately rather tend to apply for temporary residence permits for the purposes of employment which involves, in many cases, a faster procedure. Other types of the sponsor's residence, such as the Blue Card or temporary residence for the purposes of research and development, allow the family members to become employed immediately.

WHAT IS NEEDED?

- **Allowing family members with temporary residence for the purposes of family reunification to work without any additional permits** is a significant advancement towards attracting foreigners and their economic stabilisation and contribution. In addition to foreigners, the existing state of play may also dissuade potential employers of family members from undergoing the procedure required for granting the work permit, as well as family members from pursuing an economic activity through employment.

HOUSING

Access to housing in Slovakia is a major challenge both for the native population and foreigners. This is due to insufficient availability of rental and social housing in Slovakia, as well as generally low offer of affordable housing particularly in those areas of the Slovak Republic where most of foreign workers arrive. Foreigners are encountering discriminatory practices on the real estate market, unwillingness of property owners to sign a rental contract with an officially authenticated signature and owners' concerns with regard to notifying the place of residence to the Aliens Police, insufficient knowledge about the rights and obligations of foreigners and general prejudice towards foreigners.

Another problem area which also manifested during the COVID19 pandemic involves the accommodation of foreign workers in collective accommodation facilities

which also had an impact on an increased risk of spreading the virus.

Concentrating low-skilled seasonal workers in one place without their families poses a risk due to marginalisation which in many cases leads to social inequalities.

6 Commercial housing for foreign workers

WHAT IS NEEDED?

- **Creating a list/platform of ethical landlords from the entire Slovakia who are willing to rent their property, under certain conditions that will be agreed in advance and published, to various marginalised groups** (of foreigners, families/lone parents with children etc.) could be a good solution. The platform could also be supported by the government which would motivate landlords by providing incentives as it may see fit.



AN EXAMPLE FROM GREECE concerning improved access to housing for selected groups of foreigners *dzincov*

As part of implementing the Helios project, Greece also operates a portal offering accommodation for foreigners and persons who have been granted international protection – <https://www.heliospiti.com/>. The project creates a platform where foreigners can find accommodation in Greece from credible landlords at reasonable prices. The project is implemented by the IOM Office in Greece in cooperation with local NGOs.

- The list of ethical landlords can be published at a dedicated website showing the most recent offers from verified landlords or displaying the model rental contracts in the English language, or in languages of the most frequently appearing groups of foreigners based on statistics. The website could also provide legal information for accommodation providers with regard to housing for foreigners as a specific group (e.g. obligations related to notifying the foreigner's residence in the real estate property, as well as assuring the landlords that notification of the place of residence in their real estate property does not give rise to any legal claim for the foreigner with regard to such real estate). This would also remove the problem of insufficient flow of updated information. Landlords would know what they can expect, and foreigners would gain legal certainty.

A link to this website could be displayed on the online information platform/portal for foreigners so that it would be easily accessible in a foreign language as well.

7 Temporary accommodation facilities for foreign workers

Due to the language barrier and lack of knowledge about how the system works, there is a risk that foreign workers could end up in low-standard accommodation despite the statutory obligation to provide, when applying for residence permit, a proof of accommodation which is meeting certain standards. Because of being in a vulnerable position, they easily fall victim to the imbalance in relationships not only in terms of employment, but also housing.

Some employers place their foreign workers in accommodation facilities on the cities' outskirts or in small municipalities with insufficient social amenities and infrastructure, in particular to reduce costs. However, this may give rise to intercultural and societal pressure, thus preventing effective integration in the country and, last but not least, unpopular political decisions for local governments that often trigger petitions signed by local population. Systemic planning of the accommodation process, regular inspections of the quality of accommodation and transparent communication with the local population are key to success.

WHAT IS NEEDED?

- Accommodation of foreign workers in accommodation facilities is generally considered an unfavourable and temporary solution. Nonetheless, if the employer decides to accommodate foreign workers in accommodation facilities, it is necessary to **communicate with the local government and the local population in a transparent manner** with a view to preventing potential problems.
- Already before the arrival of foreign workers, the local government should **create a communication platform/working group focusing on, inter alia, the topic of accommodation for potential workers** and share information with the public regularly, in a transparent manner on an up-to-date basis **in the form of participative communication**.

- If an employer prefers concentrated accommodation of employees in accommodation facilities located within the compound of its company or if such facilities are far from the city or its centre, it is necessary to **ensure for employees**, either from own resources or in cooperation with other organisations, **the availability of basic services (such as food, pharmacies, drug stores, etc.) and leisure-time and educational activities** to prevent marginalisation (e.g., sports amenities, social amenities, access to TV, library, etc.). It is advisable to also cooperate with NGOs active in this area, cultural intermediaries, compatriot associations or volunteers from among the local population who can help with organising cultural activities.
- It is necessary to **ensure that foreign workers are informed about their rights and obligation in a language they understand (including the internal rules of the accommodation facility)** along with the contacts of organisations they can turn to if there are any problems.

EXAMPLES OF SOLUTIONS FOR ADOPTING APPROACHES TO HOUSING FOR FOREIGNERS

Financial allowances for housing for employees living in various locations represent a more sustainable solution that is not disrupting the structure of individual cities. This is how a certain housing standard of housing can be supported while avoiding concentration of foreigners in one location. At the same time, this approach prevents segregation, which is one of the key priorities of the EU's new Action Plan on the Integration and Inclusion of Migrants for 2021–2027. In this direction, the cooperation with local governments in finding accommodation is welcome.

HEALTH CARE

In Slovakia, health care is provided by health workers in public and private healthcare facilities based on health insurance. In case a foreigner has not taken out a health insurance policy yet, only emergency medical care will be provided.¹²²

¹²² Pursuant to §2(3) of Act No. 576/2004 Coll. on healthcare and on services related to the health care provision, emergency healthcare is defined as healthcare provided to a person in case of a sudden change of health condition directly endangering life or one of the vital body functions, potentially seriously endangering his/her health if not provided fast, causing a sudden and intolerable pain or provoking sudden changes of behaviour and action under influence of which the person directly endangers themselves or surroundings. Emergency care is also healthcare provided in the case of birth. Emergency care also means medical examination of a person identified as the potential source of a rapidly spreading and life threatening infection, diagnosis and treatment of a person with a rapidly spreading and life threatening infection. Emergency care includes emergency transportation of a person to a health care facility.

The provider is then entitled to recover the costs of the provision of emergency care from the foreigner.

8 Access to healthcare services

As revealed by a questionnaire-based survey undertaken in the preparation phase of the Scheme, of all aspects evaluated by foreign workers in terms of practical adaptation in the Slovak Republic, finding a physician is considered to be the most challenging one.¹²³ This fact is also confirmed by the experience of the MIC IOM. Many physicians are refusing to treat a foreigner because of complex paperwork associated with the process. Also challenging is unawareness about the rights or procedures applicable in the healthcare sector, the language barrier (in particular in smaller towns), or unclear identification of foreign insured persons in electronic systems.

WHAT IS NEEDED?

- In cooperation with health insurers, the government should **raise the awareness of general practitioners in Slovakia about the provision of health care to foreigners, for instance by means of a targeted information campaign.**
- Upon the arrival of a larger number of foreign workers recruited by one or more employers, it is advisable that, in the absence of a company doctor, a health care provision agreement with several general practitioners in the region who preferably speak foreign languages as well is arranged in advance by the local government (self-governing region) in cooperation with the employer.
- The digitisation and use of e-systems for managing healthcare services offers many benefits including faster procedures, time and cost efficiency, better data management and storage, etc. Through digitisation, the language barrier often faced by foreigners can be removed more easily, if these systems are available in English or in other language versions. **It is advisable to create a list of physicians directly on the online information platform/ portal for foreigners or to use an existing website** (where information would also be available in English) **containing a list of physicians¹²⁴ while indicating the available languages spoken by individual physicians on the list** in the same way as health insurance companies with which physicians have individually entered into contracts are displayed along with the physician's name. The web-

site/list should be promoted among the foreigners, for instance as part of the welcome packages at the level of local governments, or directly through the Aliens Police of insurance companies with which foreigners take out an insurance policy.

- **Introducing a system for timely introduction of a single identifier** (see Chapter 1, Measure 1 for more details) **will make it possible to prevent complications associated with ambiguous identification of foreigners by health insurance companies and avoid problems with refunding the costs of health care services which, ultimately, can allay the doctors' fears regarding the capitation of foreigners.**

¹²³ Other aspects subject to evaluation included, for instance, the services of BBFP, temporary employment agencies, interpreters, access to kindergartens/elementary schools for children, etc.

¹²⁴ E.g., www.tvojtekar.sk, <https://www.lekari.sk/lekari>, www.navstevalekara.sk/lekari.html, www.topdoktor.sk etc.

4

DATA COLLECTION FOR THE PURPOSES OF SETTING UP AND EVALUATING THE LABOUR MOBILITY MEASURES

The adoption of an *evidence-based* labour mobility policy and evaluation of its measures requires correct, comprehensive, detailed and regularly updated data on foreigners living in Slovakia. In Slovakia, the collection of data on foreigners falls under the responsibility and competences of various authorities. Without such data, it is not possible to correctly set up, evaluate and modify the labour mobility measures.

ENTITIES PROCESSING DATA ON FOREIGN LABOUR MOBILITY

The collection and statistical processing of data on foreigners living and working in the Slovak Republic falls under the competence of several entities based on their scope of activity; currently, these entities do not sufficiently coordinate their actions in determining, for instance, which data and level of detail they need. The current state of play regarding available information about the situation in foreign labour mobility is therefore insufficient. During the qualitative interviews carried out as part of primary research when analysing the legal and institutional framework concerning the employment of foreigners, several government authorities identified the collection of data, its quality, sharing and scope as a problem.

In the area of foreign labour mobility, the following entities are collecting and processing data:

- The **Statistical Office of the Slovak Republic** – is a national contact point for the processing and provision of foreign migration statistics (legal migration) and collects the statistical data on foreign migration into Slovakia from all of the authorities referred to above.
- **MI SR** – is the administrator of the public administration information system **IS REGOB** which contains a dataset including, inter alia, the data on foreigners who applied for a residence permit in the territory of the Slovak Republic, as well as on foreigners who have been granted asylum in the territory of the Slovak Republic. If a foreigner has been granted residence, the personal number is automatically generated through the IS ECU.
- **COLSAF** - (MLSAF SR) collects, processes and distributes the statistics concerning foreign workers in the territory of the Slovak Republic.
- **BBFP PPF** – collects, processes and provides statistics concerning the prevention of unauthorised entry and residence (illegal migration), statistics on residence permits and on residence of EU and non-EU nationals, as well as the statistics on returns. The BBFP PPF is

also responsible for and administers the data in the information systems of the office (e.g. IS ECU, IS VIS – along with the MFEA SR, IS MIGRA, CLC).

- **Social Insurance Agency** – provides to the COLSAF, inter alia, the data regarding the unemployment benefits received.
- **Labour Inspectorate** – provides to the COLSAF a report on identified undeclared work and illegal employment cases, as well as a report concerning all identified natural persons carrying out undeclared work.

STATE OF PLAY AND IMPORTANCE OF THE COLLECTION OF DATA ON FOREIGN LABOUR MOBILITY

Registration of foreigners and statistical surveys are inevitable for evaluating migration developments in the Slovak Republic, as well as for monitoring how successful the foreign labour mobility policies are. Several information systems are obsolete, and the collection of data is not comprehensive and sufficient. It is necessary to continue improving the current registration of data in the Slovak Republic, modernise the systems and promote cooperation and coordination of the competent authorities. Correctness, comprehensiveness and level of detail of the relevant data are the basic prerequisites for correctly setting up labour mobility policies also in the context of the present and future labour market needs.

- Generally available statistics cover foreigners only marginally. The data is available only for a limited number of periods which significantly complicates a systematic analysis of labour mobility and its impact on the Slovak economy.
- In the generally available labour force sample surveys (LFSS), the population of foreigners is represented by a small size (e.g. EU SILC) or information on the origin is lacking (HBS). Therefore, it is necessary to adopt such changes that will allow analysing the migration systematically.
- The Social Insurance Agency is not currently collecting data on the numerical code of occupation (SK-ISCO) which can significantly simplify analytical and control tasks of the labour offices, labour inspectorates and the COLSAF.
- Information about the structure and change in employment is acquired through LFSS. The LFSS is carried quarterly on a representative sample of the Slovak population. The LFSS allows breaking up the data up to the level of the 4-digit SK-ISCO code or the 3-digit SK-ISCO code in individual regions.
- The databases of providers of public employment services in the Slovak Republic, as well as in other

EU countries, offer a better coverage of the segment of lower-skilled occupations. When the list of shortage occupations is created based on data from this database, the less complex occupations (SK-ISCO 8, 9) become more strongly represented while highly skilled occupations are definitely having a smaller share. The reason is that the methodology is only based on two indicators (the number of registered job vacancies and job seekers) which are obtained from the same source (the databases of the COLSAF). As a result, foreign workers predominantly end up in professions which require lower skills. Even though Slovakia is interested, according to strategic documents, in highly skilled labour workforce, the inflow of foreign workers from non-EU countries in higher-qualified jobs remains low with the methodology being set in this manner.

- The collection of data is also important for the purposes of setting up and monitoring the integration measures. The research undertaken in the preparation phase of the Scheme shows that municipalities have insufficient information about foreigners in their territory and they also apply very individual approaches towards collecting /requesting data about foreigners. During interviews some of them stated that they would “welcome access to databases on the movement of migrants, official and high-quality data, so that they could have better control of the situation”. Several cities also said they do not keep or collect any statistics.

RECOMMENDATIONS TO IMPROVE THE SCOPE AND AVAILABILITY OF DATA ON FOREIGN LABOUR MOBILITY

- Setting up a single system for the registration of foreigners, the so-called new ECU (see Measure 5 under the chapter *Legislative Measures* for more details). This comprehensive information system administered by the MI SR will be collecting and subsequently making available detailed data on foreigners living in Slovakia to all relevant institutions.
- Every government institution should be collecting at least a minimum set of data on foreigners, such as the place of birth, nationality, and the length of stay. If entities are not collecting data in the same scope, data processing becomes complicated, and the data is difficult to use. Collecting the data in the same scope will make it possible to correctly and effectively evaluate the adopted measures both in the short-term and long-term horizons.
- It is inevitable that a foreigner is given, already during his/her first contact with a government authority,

a uniform identifier for identification in all databases and information systems during his/her stay in the territory of the Slovak Republic.

- Extending the scope of indicators used, such as the LFSS indicators (number of employed or unemployed persons and change over time), as well as using the data on job vacancies from commercial providers of job advertising (such as Profesia, Kariéra) with which the COLSAF has signed a cooperation agreement, will contribute to making the list of occupations with a shortage of workforce, prepared by COLSAF, more representative. See Measure 4 under Chapter 1 *Legislative Measures*, and the Research Reports Compendium. As a result, the list will be more representative.
- It is useful to segregate the demographic data and forecasts by country of origin as well. Every official institution that collects data on foreigners should be able to exactly identify the foreigners' country of origin. The methodology of reporting such data should also be harmonised among such relevant institutions.
- The COLSAF's and labour offices' access to information about the SK-ISCO code of occupation is essential for setting the measures related to labour market surveys, determining the salary threshold, and creating the list of occupations with a shortage of workforce. With this information, the COLSAF will be able to perform the labour market analyses and inspections as to whether a foreigner actually started working in a job declared by the work contract in a more effective and detailed manner. At the same time, the data from the LFSS currently covering only a representative sample of the population would thus become more robust and the individual indicators necessary for the analysis of labour market needs would be quantified with more precision.
- The SK-ISCO information cannot be accessed at present because the Social Insurance Agency is not collecting it. The amendment to the Act on social insurance will become effective as of 1 January 2023, whereby the Social Insurance Agency will be keeping records of important analytical data including the numerical code of the place of work based on the statistical code-book of regions, the statistical code-book of districts and the statistical code-book of municipalities; the agreed scope of hours worked; the number of hours corresponding to the income accounted for in the monthly salary and the numerical code of the agreed type of work performed (SK-ISCO).

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ANNEX

Table No. 9: Overview of incentive measures under the Scheme by domain

LEGEND

- * moderate implementation difficulty
- ** implementation requires more legislative amendments
- *** implementation requires more complicated preparation and legislative amendments
- *✓ part of the measure has already been implemented, requires completion with moderate difficulty
- ✓ measure is being implemented

GROUP OF MEASURES: STRUCTURAL

AREA	MEASURES	ACTIVITY/INSTRUMENT	TARGET GROUP	IMPLEMENTATION	PRACTICABILITY*
AWARENESS	1. Improved access to information	Translation of www.slovensko.sk	All	MIRDI SR	**
		Online information platform	All	MIRDI SR	**
		Websites of local governments in English	All	Self-governing regions	**
	2. PR campaigns	PR campaign for promoting Slovakia	All	MFEA SR	*
		Campaign for occupations	Physicians, nurses	MFEA SR, MH SR	*
	3. Shaping the public narrative	Communication based on facts and data	All	MLSAF SR, MI SR, Media	*
SLOVAK FOREIGN SERVICE OFFICES ABROAD	4. Network of Slovak foreign service offices	Increasing the number of Slovak foreign service offices abroad and strengthening personnel capacities	All	MFEA SR	**

AREA	MEASURES	ACTIVITY/INSTRUMENT	TARGET GROUP	IMPLEMENTATION	PRACTICABILITY*
ENTRY TO SLOVAKIA	5. Temporary residence permits	Single residence and work permit	All	MLSAF SR, MI SR	* ✓
		EU Blue Card	Highly qualified	MLSAF SR, MI SR	* ✓
	6. Granting of national visas	Job seekers visa	Talented persons and experts	MI SR	*
		Visas for seasonal works	Workers in seasonal industries	MLSAF SR, MI SR	* ✓
		Visas for circular employment	Employees under SK-ISCO 8,9	MLSAF SR, MI SR	*
		Visas for in-demand occupations	Employees under specific SK-ISCO	MI SR, BBFP PPF	*
RESIDENCE IN SLOVAKIA	7. Retaining temporary residence	Temporary residence during a maternity leave	Women	MI SR, BBFP PPF	*
	8. Permanent residence permits	Permanent residence in Slovakia's interest	Physicians, scientists	MI SR, BBFP PPF	*
	9. Considering differences between temporary/permanent residence of foreigners vs temporary/permanent residence of Slovak citizens in policy-making	Adjusting the scope of the rights granted to foreigners with temporary residence	All	MI SR	*

AREA	MEASURES	ACTIVITY/INSTRUMENT	TARGET GROUP	IMPLEMENTATION	PRACTICABILITY*
LOW ADMINISTRATIVE BURDEN	10. Reducing the administrative burden	Introduction of a single identifier	All	MI SR	**
		Strict separation of the granting of consent to the employer from the granting of a residence permit to the foreigner	All	MLSAF SR	**
		Changes in the system of cooperation between government authorities in employing foreigners	All	MLSAF SR	**
		Introduction of new types of working visas	Foreigners based on qualification and SK-ISCO	MI SR MFEA SR MLSAF SR	*
		Simplification of how proof of qualifications and of clean criminal record is provided	Blue Card applicants	MV SR	*
INTEGRATION SERVICES FOR FOREIGN WORKERS	11. Institutional capacities	Authority with national coverage	All	MI SR	**
		Centres for the integration of foreigners at the level of government	All	MI SR MLSAF SR	**
		Continuity and extension of the Migration Information Centre IOM (MIC) services	All	MI SR MLSAF SR	*
		Contact point for foreigners at the municipal office	All	Local governments	**
		Regional centres for the integration of foreigners	All	Self-governing region	**
		Training of local governments personnel	All	MI SR MLSAF SR	*
		Integration forum	All	MI SR MLSAF SR	*
		Building partnerships with the private sector	All	MI SR MLSAF SR	*

AREA	MEASURES	ACTIVITY/INSTRUMENT	TARGET GROUP	IMPLEMENTATION	PRACTICABILITY*
FUNDING OF INTEGRATION MEASURES	12. Reallocation of revenues from personal income taxes taking into account foreigners with temporary residence	Adjustment of the reallocation key	All	MF SR MI SR	**
		Binding resources to integration measures	All	MF SR MI SR	*
		Participative methods	All	Self-governing regions	**
	13. Use of European Union funds (ESIF: ESF+ and AMF)	Ensuring effective coordination mechanisms	All	MF SR MI SR	**
		Inclusion of the target group of foreigners in the preparation of calls under ESF+	All	MLSAF SR	*
		Inclusion of international organisations, local governments and other relevant organisations among eligible applicants for the calls	Relevant organisations and local governments	MLSAF SR	*

GROUP OF MEASURES: ECONOMIC

AREA	MEASURES	ACTIVITY/INSTRUMENT	TARGET GROUP	IMPLEMENTATION	PRACTICABILITY*
ATTRACTIVE TAX ENVIRONMENT	1. Tax reliefs	Tax reliefs for foreigners for relocation purposes	Scientists and highly qualified foreign workers or foreign workers in in-demand occupations	MF SR	***
		Tax reliefs for employer	All	MF SR	***
	2. Double taxation agreements	Signing new agreements	All	MF SR	***
ATTRACTIVE WORKING ENVIRONMENT	3. Wage guarantees under work contract	Cooperation of the Social Insurance Agency in data provision	All	MLSAF SR, Social Insurance Agency	*
	4. Ensuring compliance with the requirements of legal employment	Regular inspections	All	MLSAF SR, MI SR	✓*
	5. Change of employer	Allowing foreigners with residence and visas to change employer	All	MLSAF SR	✓
SOCIAL SECURITY AND HEALTH INSURANCE	6. Access to social benefits	Registration as job seekers	Blue Card holders All	MLSAF SR	*
	7. Social security treaties	Signing of new treaties	All	MLSAF SR	***
	8. Access to health insurance	Health insurance for spouse with temporary residence for family reunification purposes	Spouse of the Blue Card holder	MLSAF SR	*
		Health insurance for dependent children up to 24 years of age for university students	All	MLSAF SR	*✓

GROUP OF MEASURES: PERSONAL

AREA	MEASURES	ACTIVITY/INSTRUMENT	TARGET GROUP	IMPLEMENTATION	PRACTICALITY*
EDUCATION	1. Language education	Slovak language courses	All	MESRS SR	**✓
		Methodology of instruction	All	MESRS SR	**
		Language voucher	Foreigners with a residence permit	MESRS SR, MI SR	*
		Low-threshold courses	All	MLSAF SR, MESRS SR	**✓
		Sustainability of e-learning platforms	All	MESRS SR	*✓
	2. Recognition of education and professional qualifications	Introduction courses for supplementary examination	physicians	MESRS SR, MH SR	*✓
		Temporary professional traineeship	physicians	MH SR	*✓
		Specialised language courses	physicians	MESRS SR, MH SR	*
3. Retraining	Support for up-skilling and re-skilling of foreign workers with financing from the national budget in complementary with ESF+ for pilot projects	Foreign workers, in accordance with ESF+	MLSAF SR	*	
CULTURE AND COMMUNITY	4. Socio-cultural orientation	Socio-cultural orientation courses	All	MLSAF SR, MI SR	*
		Pre-departure training	All	MFEA SR	*
FAMILY REUNIFICATION	5. Labour market entry for family members	Free entry to the labour market for a person with a residence permit for the purposes of family reunification	All	MLSAF SR	*

AREA	MEASURES	ACTIVITY/INSTRUMENT	TARGET GROUP	IMPLEMENTATION	PRACTICABILITY*
HOUSING	6. Commercial housing for foreign workers	Platform of ethical landlords	All	Self-governing regions	**
	7. Temporary accommodation facilities for foreign workers	Transparent communication with the local governments	All	Self-governing regions	*
		Availability of services if accommodation facilities are located outside municipalities	All	Self-governing regions	**
		Awareness of foreigners	All	Self-governing regions	*
HEALTH CARE	8. Access to healthcare services	Awareness of physicians	All	MH SR	*
		Physician-employer agreement prior to the arrival of foreign workers	All	Employers	*
		List of physicians speaking a foreign language	All	Self-governing regions	*
		Single identifier	All	MH SR	**