



•ALERT•

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Changes to the EU Blue Card work permit

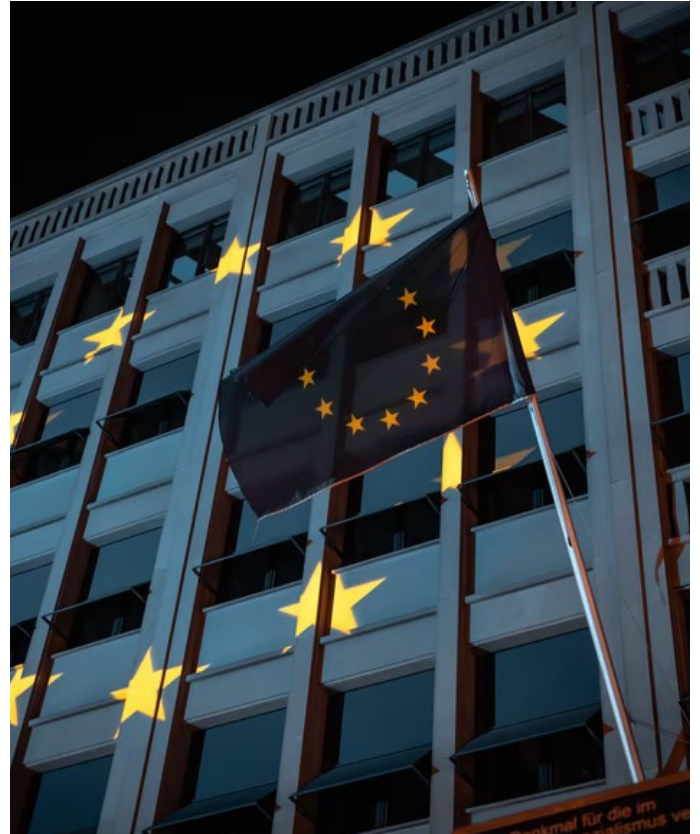
Between September and October 2021, both the European Parliament and the European Council approved the reform of the CE Directive 50/2009, in force of which the EU Blue Card work permit came to existence and became available for highly qualified third-country nationals aiming at moving and working in the territory of European Union member States.

After more than a decade since the EU Blue Card Directive was adopted, this innovative work permit does not seem to have met the expectations that led to its adoption back in 2009 – with less than 37,000 EU Blue Cards issued in the whole European Union in 2019 – and has proven unsuccessful in facilitating the employment of highly qualified non-EU nationals and thus helping alleviate labor shortages in key sectors.

Said poor results, along with the need to attract more highly qualified workers in the territory of the European Union, have led the European legislator to take action, revise and update the CE Directive 50/2009, introducing less stringent criteria and requirements for both third-country applicants and EU employers.

In particular, under the revised rules, the most relevant amendments to the applicable legislation can be summarized as follows:

- applicants will be entitled to apply for and obtain an EU Blue Card by submitting a binding job offer or employment agreement with at least a 6-month duration while, as of today's date, a 12-month employment agreement or job offer is expressly required;



- for specific sectors and industries, such as information and communication technology, applicants will be entitled to prove the possession of the necessary professional qualifications by provide evidence of relevant work experience in such fields while, according to the scheme currently in force, a university degree is always a key requirement for the issuance of the EU Blue Card;
- the salary thresholds to be eligible for the EU Blue Card will be reduced to at least 100% and up to 160% of the average gross annual salary of a given member State, while said thresholds are currently set at a minimum of 180% of the average gross annual salary and no upper limits are provided for;
- beneficiaries of international protection – such as refugees and asylum seekers – will also be entitled to apply for and obtain an EU Blue Card not only in the member State in which they were granted asylum or another status but in other EU members states as well;

- holders of EU Blue Cards will be entitled to move to and work in the territory of another member State after an **initial period of only 12 months** (currently 18 months) in the country that first issued the work permit, by means of simplified mobility procedures and rules, and will also benefit from faster procedures in order to reunite with third-country family members.

EU member states will now have a two-year period from the entrance into force of the changes (which will occur 20 days after the publication in the official EU Gazette) to intervene on their national legislations and fully incorporate and enforce the updated European regulation.

LCA Corporate Immigration team will keep you posted on these changes and the implementation by the Italian Government of the new rules governing the EU Blue Card work permit.

CONTACTS

Alessia Ajelli

alessia.ajelli@lcalex.it

Francesco Salvetti

francesco.salvetti@lcalex.it

