

The right to look for a job in another Member State

Any national of a Member State has the right to look for a job in another Member State. He or she will receive from the national employment offices the same assistance as nationals of the host Member State.

According to the European Court of Justice, the jobseeker may stay in the host Member State for a period "sufficient to enable him to appraise himself of offers of employment and to take the necessary steps to be engaged". After expiry of such period, he cannot be expelled if he proves that he is continuing to seek employment and that he has genuine chances of being engaged.

If you want to look for a job in another Member State, you will find useful information on job opportunities and living and working conditions in the European Economic Area at the [European Employment Services \(EURES\)](http://europa.eu/eures/home.jsp?lang=en) – <http://europa.eu/eures/home.jsp?lang=en>

At the time of writing (March 2009) **874 047** jobs!

The right of residence

The right of residence goes hand in hand with the right to work in another Member State.

Based on the new Directive on residence rights for EU citizens ([Directive 2004/38/EC](#)), migrant workers will no longer need to obtain a residence permit in the Member State of employment: simple registration with the competent authorities will suffice, and even this will only be required if it is deemed necessary by the host Member State.

The formalities that workers must complete depend on the length of employment:

- If it is expected to last less than three months, no residence formalities are required. However, national authorities may request you to report his presence on their territory;
- If the employment is expected to last more than three months, the host Member State may require you to register with the competent authority. The deadline for registration may not be less than three months from the date of arrival. In this case, a registration certificate should be issued immediately upon production of a valid identity card or passport and a confirmation of engagement from the employer or a certificate of employment. No other documents (payslips, electricity bills, tax statements, etc.) may be required for that purpose.

If you fail to comply with these formalities, you could be liable to proportionate and non-discriminatory sanctions.

It is important to note that you can start working before being registered.

Equal treatment

a) Access to employment

Any EU citizen has the right to take up an activity in another Member State under the same conditions as apply to its own nationals. No work permit may be required.

The recruitment of Community nationals may not be restricted in number or percentage nor depend on criteria that are discriminatory by comparison with those applied to nationals. An exception applies for linguistic knowledge: a certain level of language may be required for a job, provided that it is reasonable and necessary for the job in question. While employers (whether private or public) can require a job applicant to have a certain level of linguistic ability, they cannot demand only a specific qualification as proof. Also, the Commission's position is that employers may not subject recruitment of candidates to a 'mother tongue' requirement.

b) Working conditions

An EU national working in another Member State must be treated in exactly the same way as his colleagues who are nationals of that State as regards working conditions (for example, pay, dismissal and reinstatement). He or she will also benefit from equal treatment in access to training.

c) Social and tax advantages

A migrant worker has the right to the same social and tax advantages as national workers.

Social advantages have been defined by the European Court of Justice as covering all the advantages which, whether or not linked to a contract, are generally granted to national workers.

How to enforce your rights

If you feel that your rights as a migrant worker are not respected by the national authorities of the Member State where you work, you can:

- seek redress before the national authorities
- address a complaint to the [European Commission](http://ec.europa.eu/) <http://ec.europa.eu/>
- seek assistance through the [SOLVIT system](http://europa.eu/solvit/site/index_en.htm) http://europa.eu/solvit/site/index_en.htm
- seek assistance through the [Citizens Signpost service](http://ec.europa.eu/citizensrights/front_end/index_en.htm) http://ec.europa.eu/citizensrights/front_end/index_en.htm

What are the advantages of moving to another country?

There are many things to be gained from a period of study or work abroad: a real change of environment, new personal horizons, daily contact with a different culture, the ideal opportunity to learn a new language, the chance to enjoy working or studying alongside people from different backgrounds, exchanging ideas and comparing experiences.

Summary

The European Union's principle of free movement of workers means that you can get a job in any country of the European Union, as well as in Norway, Iceland and Liechtenstein (also known as the EEA countries) and Switzerland.

Only around 2% of European citizens live and work in a different Member State from their country of origin. Yet, the benefits of working abroad are multiple, because you can...

- ✓ gain new professional and personal skills, that is, develop your competencies, self-confidence and communication ability
- ✓ get new insights and different perspectives, that is, expand your cultural background and learn or improve a foreign language
- ✓ choose the most convenient job for you, that is, find a permanent, a temporary or a seasonal job

Good luck!

A European Colleague ...



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Individuals are advised to carry out their own research, and seek legal advice where appropriate.

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