

Mobility: Immigration alert

December 2023



Switzerland

Updated vacancy reporting requirement for employers

Executive summary

On 30 November 2023, the Swiss Federal Department of Economic Affairs, Education and Research published an updated list of professions where, in case of any vacancy, employers must report it to local unemployment offices prior to advertising it. The updated list will go into effect on 1 January 2024.

Background

Based on the Foreign Nationals and Integration Act, in general, Swiss employers must report vacancies in occupations with an unemployment rate of 5% or more to the regional unemployment office at least five working days prior to publishing them on job portals. During these five days, the regional unemployment office will communicate all suitable candidates registered with any unemployment office to the employer. The employer may hire other individuals only if no referred candidate is deemed suitable for the vacancy, and they may employ foreign nationals only if they are unable to find suitable "domestic employees" (i.e., Swiss nationals, holders of settlement permits or work and residence authorization, temporarily admitted individuals, holders of temporary protection status who are authorized to work) or nationals of countries with which Switzerland has an agreement on free movement of workers. Certain employers are exempt from this reporting requirement.

Key developments

Several occupations have now been removed from the list for 2023, and the list for 2024 includes a total of 17 occupation types, down from 25 in 2023. The new list still includes the occupations of conference and event managers; hotel

receptionists; communication specialists and call center agents. The full list can be found [here](#).

Employers that do not comply with the vacancy reporting requirements may be subject to fines of up to CHF 40,000 (approx. USD 45,750) in case of major violations and up to CHF 20,000 (approx. USD 22,875) in case of minor violations.

Impact on employers

Employers may consult the new list prior to hiring foreign nationals in 2024 and amend their internal policies as required to ensure compliance.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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