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Congratulations, you've got the job.
Sorry, your partner can't work here

The EU must relax its employment laws for expat spouses unless it wants to lose out to the US in recruiting new talent, a new business campaign group is warning. Anthea Gerrie reports

The EU is missing out on recruiting business high-flyers because of the red tape many member states put in the way of expatriate spouses who want to work, warns a new international lobbying organisation. Wives - and an increasing number of husbands - hoping to pursue their own careers when their spouses are hired in France, Germany, Belgium and many other EU countries can find their way blocked by months of protectionist national legislation which the Union is either unable or unwilling to overrule.

And with a shortage of 400,000 information technicians, among other skilled workers, the EU now faces tough competition from the US, which is about to relax its labour laws for expat spouses. "The USA will be a powerful example to the rest of the world," says Kathleen van der Wilk-Carlton, board member of the Permits Foundation, an initiative launched by several multinationals and government organisations. Its aim is to raise awareness of how 'ease of spouse employment' can directly affect economic development because it plays a key role in determining where sought-after executives choose to relocate. "Several surveys show that spouse career issues are among the main reasons why staff turn down expatriate assignments.

As companies strive for more diversity - more women and more nationalities - in their staff, the issue has become more visible and requires a proactive effort to remove the barriers to mobility."

While some member states, notably the UK, Sweden and the Netherlands, are already doing that, countries with more restrictive legislation, such as Germany, are feeling the pinch.

Van der Wilk-Carlton refers to recent comments by an SDP spokesman in the German business newspaper Handelsblatt, saying: "If we want to compete against other countries and attract the best people, we must not make our position more difficult by imposing restrictive regulations. If a highly-qualified specialist comes to this country with his spouse, the spouse must be granted immediate permission to work."

Magdelene Koryczi, who lives in Brussels, is one spouse who says she would have asked her husband to rethink taking a job in Belgium if she had known what lay ahead. "We are Poles who went to Canada, where the process was much easier for me to work, and where I also improved my skills by studying business and accounting. I

thought I would have good employment prospects in Brussels when my husband was hired by a small Belgian company to work as a computer programmer.

I moved to join him 18 months ago, but it took me until March to get a residence permit - and I couldn't get a work permit, even though I had been offered a part-time job by a non-profit organisation, until I hired a lawyer to help me and paid BEF30,000 [745 euro] for the privilege. "It was extremely time-consuming, unbelievable in a country where I was living legally. Although I enjoy living in Belgium, it is not very easy for strangers. "The US would look extremely attractive for a future position abroad if the employment situation eased there for spouses."

John Russell, managing director of Weber Shandwick Public Affairs in Brussels, has been a strong campaigner for better treatment of non-EU nationals. He believes it is a poor excuse for the Union to simply throw up its hands saying that it cannot override the laws of member states on employment and immigration for outsiders. "The EU has already been taken to the Court of Human Rights about the lack of coverage in social security and health care for expat workers, because non-EU nationals are not covered. The court agreed it was an example of discrimination against the fundamental rights established by the UN - but any legislation to change things just gets blocked in Council. "You can't free up the labour market without recognising that most people come as a two-wage-earner team these days. And in countries such as Belgium, where many expats can't even drive on an international licence, the quality of life for families from overseas can be very poor."

The EU Committee of AMCHAM, the American Chamber of Commerce in the Belgian capital, has also identified the loss of spousal income - and its impact on the career progression of the trailing partner - as a major obstacle to employee mobility in Europe, pointing out that teenage children are also deprived of the chance of earning pocket money by taking a part-time job.

Now the Permits Foundation, whose supporters include Siemens, Shell, Schlumberger, Unilever, Heineken and other Union companies that depend strongly on importing talent, will lobby CEOs of multinationals at the Stockholm meeting in October of the Transatlantic Business Dialogue.

The organisation has recognised the increasingly thorny issue of spouse employment as a major hurdle to staff mobility.

Sabine Metzner, spokeswoman for Siemens, says the German company is sponsoring the foundation because of its belief in the vital importance of being able to hire talented staff - including non-EU nationals - from around the world. "We are committed to this concept, and do not feel the spouses such staff bring with them should be a barrier to mobility," she said. "This is becoming an even greater issue now that so many more women are working at executive level and have spouses with an established income level who naturally wish to stay on their career path when following wives embracing a career opportunity abroad."

The foundation will also seek support from governments world-wide, expressing the hope that some countries, hopefully in Europe, will be ready to accommodate change more quickly than others.

Automatic employment rights for spouses of expat workers already exist in the UK, Sweden, Australia and Venezuela.

In the Netherlands, where special concessions were introduced in 1998, Canada, Chile, Japan and Abu Dhabi, the work-permit process for spouses takes a maximum of six weeks from time residence is approved.

In the rest of the world, the procedures can take several months, often involving quotas and requiring evidence of special skills, and they deter most companies from offering employment to spouses, says the Permits Foundation.

Most EU countries require a job to be advertised within the Community for several months before it can be offered to a non-EU national.

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