



TABC Recommendations on EU Labor Mobility Issues for the T-TIP Negotiations

- Establish a fast track approach for expeditious processing of visa/work permit applications.
 - Have an expedited and simplified process for all types of visa/work permit applications for groups of US undertakings active in the EU and recognized for that purpose (accredited companies)
 - Recognize “degree equivalency” for accredited US universities
 - Exempt US employees from prevailing wage standards for all visa types since they are already presumably being compensated at commensurate levels.
- In any instances where local labor market or volume quotas tests exist, such tests will not be applied to intra-corporate transferees and US employees of accredited companies.
- In the context of intra-corporate transferees, a simple notification should be required prior to beginning work in the EU for US nationals rather than submission of a visa application for prior approval (based upon for instance listing of trusted companies).
- In the context of intra-corporate transferees, the benefits of the provisions of a TTIP agreement should apply to employees of US enterprises regardless of the nationality of the individual concerned.
 - There should be no home residency or seniority requirements
 - Make the work visas be valid for at least 3 years initially but NOT subject to a cap, as in the TN context.
- Harmonize and widen the scope of “allowable activities” under business visitor status amongst the EU Member States (every EU Member State currently has its own definition on the duration and type of activities that can be performed on its territory under work authorisation waiver) and have more flexible treatment for duration of stay under short term business visas.
 - The agreement should authorize in-country work visa applications, if needed.
 - A flexible visa system for frequent business travellers (from visa-waiver countries) that exceed the 90 days stay in a 6 month period in the EU (as they do not settle in one of the EU Member States, they are not eligible for the long term visa D).
- Intra-EU mobility not limited to ICT within the framework of the draft EU Directive but to all employees of accredited companies that have a single permit according to the EU Directive 2011/98 or the Blue Card Directive 2009/50
- More liberal family reunification rights should be accorded in order to accommodate non-married spouses, children above the age of 18 as well as parents. Integration should be encouraged through provisions providing access to the host country job market for spouses and working age dependents.
 - Spouses should be able to work incident to status without an Employment Authorization Document.
 - Children of work-eligible age should be allowed to work incident to status.
 - Domestic partners should be issued derivative visas and periods of stay coterminous with that of the principal, as well as the ability to legally study and to work incident to status.
 - Children of domestic partners should be issued derivative visas and periods of stay coterminous with that of the principal, as well as the ability to legally study and to work incident to status if of work age.
 - Children over the age of majority eligible for derivative status should be accorded

derivative status if still dependent on the principal and that status should be considered “dual intent”.

- Dependent visa or visa for family reunification should be processed along with the main applicant's visa.
- Current rights available under Mode 4 in the GATS agreement should be expanded to include additional skilled job categories such as researchers and technicians.
- A stand still clause should be imposed with respect to any new potential restrictive migration measures.
- Harmonizes the provisions of bilateral social security tantalization agreements between individual EU member states and the US.
- Global Entry: For frequent travelers from the US to the EU the setup of the European Registered Traveler Programme would be very helpful to reduce waiting times at the point of entering the respective country. The system should be expanded to also include non-immigrant visa holders and also frequent travelers from visa waiver countries.