

European (& the GCC) Employment Law Update

Jurisdiction: **Switzerland**

Date: April 2017

Impact date	Development	Impact
Date unknown	Implementation of the mass immigration initiative	<p>On February 9, 2014, the Swiss public narrowly accepted a popular initiative (the mass immigration initiative) which should bring in some form limits on immigration. The acceptance of the initiative jeopardizes Switzerland's agreement with the EU on the free movement principle. After almost three years of uncertainty and debate, on December 16, 2016, the Swiss parliament decided on an implementation solution, agreeing rules that will see unemployed domestic workers given preference over foreigners for jobs in Switzerland. For example, in professions, job sectors or regions where unemployment is above average, employers will be obliged to advertise vacant positions to Swiss job centres and invite selected Swiss job seekers for interview.</p> <p>On December 28, 2016, a popular initiative to challenge the government's proposed implementation was launched by a private citizen. In early 2017, three citizens joined his initiative to challenge the implementation proposal, which they see as not compatible with the 2014 mass immigration initiative.</p> <p>The committee is currently collecting the required 50,000 signatures to put the implementation proposal to the vote of the Swiss public. The deadline expires on April 7, 2017. If the committee fails to deliver required signatures, which appears to be likely, the implementation proposal will enter into force and the Swiss Federal Council will have to</p>

		draft and adopt a decree that arranges the details of the parliament's implementation proposal.
January 1, 2017	Free movement of persons for Croatian nationals	On July 1, 2013, Croatia joined the European Union. The application of the Agreement on the free movement to Croatian nationals was negotiated in a new Protocol III. Protocol III entered into force on 1 January 2017. Since that date, Croatian nationals have benefited from the free movement of persons principle. For Croatian nationals wishing to take up employment in Switzerland, transitional provisions apply. For the first period from January 1, 2017 to December 31, 2017, the quotas provided for in Protocol III for Croatian nationals shall be 543 short-term residence permits L EU / EFTA and 54 residence permits 8 EU / EFTA.