

RESIDENCE AND WORK PERMITS

Any dependent or independent activity which normally procures earnings, even if exercised free of charge or on a part-time basis, is considered lucrative activity.

A residence and work permit is obligatory if the activity lasts longer than eight days over a period of 90 days.

A person coming to Switzerland as a *TOURIST* does not have the right to be employed at the EPFL.

PH.D. STUDENT/ASSISTANTS

The Ph.D. student/assistant occupies a post of assistant on a part-time or full-time basis at the same time as preparing his thesis. In the case of part-time employment, lucrative activity may be authorised outside the EPFL providing that, in principle, it is in the same domain as the thesis. If this is not the case, the aforementioned activity must not exceed 15 hours per week so that it does not hinder thesis work.

- a) *The EPFL applies for a residence and work permit to the competent authorities three months prior to the anticipated date of the start of employment. Following this, the afore-mentioned authorities issue a permit in due form. Without this prior authorisation, the taking up of any employment is legally strictly forbidden.*
- b) *The foreign national is obliged to announce his arrival, within 8 days, at the Contrôle des habitants of his commune in order to determine his conditions of residence.*
- c) *A **B** permit of a strictly temporary nature (**not part of quota**) is subsequently issued by the authorities. The entire length of this stay will not be taken into account in the time period necessary for entitlement to a permanent residence permit (**C permit**).*

PH.D. STUDENTS

Unlike the Ph.D. student/assistant, the Ph.D. student does not occupy a post of assistant whilst preparing his thesis.

*The conditions and rules enumerated under "Ph.D. student/assistants" concerning points **a)**, **b)** & **c)** are also applicable.*

POSTDOCTORAL RESEARCHERS

The postdoctoral researcher is a scientist who has obtained a Ph.D. in Switzerland or abroad and wishes to continue his research in the field of his studies and previous work. This activity may be supplemented by teaching activity (assistantship).

*The conditions and rules enumerated under "Ph.D. student/assistants" concerning points **a)**, **b)** & **c)** are also applicable.*

SCHOLARSHIP HOLDERS

The holder of a university degree or diploma from an institute of higher technical education who has obtained a scholarship from a Swiss, foreign or international body, with the aim of specialising or continuing his research work is considered a scholarship holder. He is entitled to this status for the duration of the scholarship.

*The conditions and rules enumerated under "Ph.D. student/assistants" concerning points **a)**, **b)** & **c)** are also applicable.*

ACADEMIC GUESTS AND VISITING PROFESSORS

The academic guest and visiting professor are taking advantage of a year's sabbatical to participate temporarily in the EPFL's scientific activities.

According to the instructions of the Vice President for Academic Affairs, the length of stay must not exceed 9 months and an age limit of 65 has been established.

These instructions may be consulted on the site :

http://collaborateurs.epfl.ch/webdav/site/collaborateurs/shared/Dir_prof_inv.pdf.

The conditions and rules enumerated under "Ph.D. student/assistants" concerning points a), b) & c) are also applicable.

TRAINEES

The trainee, who may have a university degree or not, is undergoing a practical training period at the EPFL within the framework of a training programme.

The length of this period may not under any circumstances exceed a total of 4 months during any calendar year (art. 13 point d of the Ordinance on the Limitation of the Number of Aliens (OLE)).

The conditions and rules enumerated under "Ph.D. student/assistants" concerning points a) & b) are also applicable. The person concerned will obtain a short-term residence permit (L permit), the duration of which will not be taken into account in the time period necessary for entitlement to a permanent residence permit.

FULL , ASSOCIATE AND ASSISTANT PROFESSORS APPOINTED BY THE EPF BOARD

The conditions and rules enumerated under "Ph.D. student/assistants" concerning points a) & b) are also applicable. The person concerned will obtain a permanent residence permit.

STAFF MEMBERS WITH A B PERMIT (ISSUED AS PART OF QUOTA)

This type of permit mainly concerns highly-qualified persons with important responsibilities.

There are two quite separate categories of yearly work permits depending on the nationality of the person concerned, namely :

I. nationals of a Non-Member State (outside the EU/EFTA)

obtain a **B** permit renewable yearly which is then converted into a **C** permit (permanent residence permit) after ten years of uninterrupted presence in Switzerland

exception : United States and Canadian nationals obtain the C permit after five years.

II. EU/EFTA nationals (European Union/European Free Trade Association)

obtain a **B** permit directly for five years (work contract of specified duration of at least 12 months or more or undetermined) which, upon expiry, entitles the holder to a **C** permit.

SUBSEQUENT FAMILY IMMIGRATION

Subsequent family immigration is possible for all the above-mentioned categories subject to the agreement of the competent authorities.

The right to subsequent family immigration for a national of a Non-Member State is restricted to spouse and dependent unmarried children of under 18 years of age.

For an EU/EFTA national, holder of a **B** permit, subsequent family immigration is possible for spouse and descendants: children or grandchildren of under 21 years of age or dependent, and ascendants: dependent parents and grandparent.

For an EU/EFTA national, holder of a **B** permit of a strictly temporary nature (Ph.D. student/assistant, Ph.D. student, postdoctoral researcher, scholarship holder, academic guest and visiting professor), subsequent family immigration is restricted to spouse and dependent unmarried children of under 21 years of age.

VISA APPLICATION, FOR NATIONALS OF NON-MEMBER STATES ONLY (EXCEPT JAPAN & NEW ZEALAND)

For all above-mentioned types of residence permits, an entry VISA is obligatory for taking up employment in Switzerland.

The foreign national must apply for a visa to the competent Swiss representation abroad for his place of domicile, using the form "Visa application for Switzerland " This form is also available on the site : <http://www.bfm.admin.ch/index.php?id=309&L=1>.

BORDER COMMUTERS

During the period 01.06.2002 to 31.05.2007, referred to as "transition period", after the coming into force on 1st June 2002 of the ALCP (Bilateral agreement on the free movement of persons), border commuters are obliged to live and work in border zones; after the end of this period, this obligation no longer applies.

Below are the new measures applicable after the ALCP comes into force:

- ◆ six months' previous residence in a border zone no longer obligatory
- ◆ all EU/EFTA nationals may be border commuters, providing they take up residence in a border zone neighbouring Switzerland
- ◆ the obligation of the daily return is replaced by that of a weekly return. Border commuters wishing to acquire a secondary address on Swiss territory must inform their commune of residence
- ◆ a work contract of undetermined duration or valid for one year or more entitles the holder to an EU/EFTA border commuter permit for five years. A five-year extension is possible providing the necessary conditions are fulfilled

N.B The Ph.D. student/assistant, Ph.D. student, postdoctoral researcher, scholarship holder, academic guest and visiting professor who are entitled to this permit will obtain it for the duration of their mission or for a period of one year, renewable yearly, until the end of their training and providing they still fulfil the necessary conditions.



THE ALCP (BILATERAL AGREEMENT ON THE FREE MOVEMENT OF PERSONS)

A DOCUMENT SUMMARISING THE ALCP, WHICH CAME INTO FORCE ON 1ST JUNE 2002, IS ALSO AVAILABLE. FOR ADDITIONAL INFORMATION, PLEASE CONTACT HUMAN RESOURCES.

Source : Federal Office for Migration (FOM).

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