

# **Summary of Ad-Hoc Query 2023.36 Fast-track admission procedure for third country national lorry drivers**

Requested by the Czech Republic on 22 August 2023

## **1. BACKGROUND INFORMATION**

In connection with the settlement of comments on the new Act on the Residence of Foreign Nationals on the Territory of Czech Republic, the Ministry of Transport has requested a special programme enabling a fast-track admission procedure for third country national lorry drivers due to the shortage of workers in this field in the Czech Republic. Czech Republic therefore wants to know whether a similar procedure or programme exists in Member states and if so, in what form.

We would like to ask the following questions:

1. Does your Member State have a shortage of lorry drivers? Yes/No
2. If you answer YES to Q1, does your Member State have a fast-track admission procedure for third-country national lorry drivers? Yes/No
3. If you answer YES to Q2, can you please describe the procedure?

## **2. RESPONSES**

In total, 23 countries<sup>1</sup> have provided responses to the query.

Most countries, 18 in total, confirmed that they have a shortage of lorry drivers. The only countries that do not have this issue are Austria, Cyprus, Luxembourg, Portugal, and Sweden.

Among the 18 countries that have a shortage of lorry drivers, five have reported slight simplifications of the application process. For example, Poland has reported that lorry driver positions are exempted from labour market tests. Similarly, in Latvia, if a work visa is requested, it is not necessary to publish a vacancy in the State Employment Agency. In France, lorry drivers are included in the 'shortage positions' for 10 regions which implies the exemption of labour market test when applying for a work permit for such positions. Italy has reported that lorry drivers

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<sup>1</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, and Sweden.

are one of the categories that fall under a simplified digital procedure that allows employers to request a work permit for a third country national.<sup>2</sup>

In Belgium, certain types of lorry drivers are on the list of bottleneck professions (in all regions except for Brussels), which exempts them from labour market tests.<sup>3</sup> However, this fact does not necessarily shorten application processing times. Furthermore, lorry drivers must have a European driving license. In Belgium, the tests can only be taken in the national languages (Dutch, French, German) or with the help of an English language interpreter, posing a barrier for drivers that do not speak these languages.

Germany, Lithuania and Slovakia have fast-track admission procedures in place.

Germany considers lorry drivers as skilled workers, with a three-year training required. Individuals with the required three-year training, those who seek the recognition of the training requirements while being in Germany as well as those who wish to complete their training in Germany can make use of the "accelerated procedure for skilled workers". In this special procedure, the future employer, acting on behalf of the future employee, concludes an agreement with the local foreigners' authority. The presence of a concrete job offer and the authorisation by the third-country national being the preconditions, the (future) employer of the third-country national can apply for this procedure at a local foreigners' authority in Germany against payment of a fee of 411 euros. In this case, the local foreigners' authority is responsible for advising the employer on the entry requirements for the skilled worker as a whole, checking the legal requirements for foreigners and - if necessary - carrying out the recognition procedure for the foreign vocational training and obtaining the approval of the Federal Employment Agency. If all the requirements are met, the local foreigners' authority will issue a preliminary approval for the issue of a visa. After the skilled worker has submitted this approval, the German mission abroad will, within three weeks, offer an appointment for the visa application and will normally decide on the issuance of the visa within a further three weeks after the application has been submitted.

In Lithuania, there is a quota system in place. Persons applying for jobs that are listed as "shortage occupations" (lorry drivers included) are exempt from the labour market test and do not need a work permit until the quota is used up. International freight transport drivers are listed as a shortage occupation in the service section, for which the quota was 21,600 in 2023.

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<sup>2</sup> Only nationals of Albania, Algeria, the Philippines, Japan, Morocco, Moldova, the Republic of Korea, the Republic of North Macedonia, Tunisia, and Ukraine are included in this scheme.

<sup>3</sup> In the German Community, only third-country nationals with a long-term residence status in other EU Member States are eligible for the exemption.

Slovakia has reported two options of fast track admission procedures. First, lorry drivers can apply for national visa in the interest of the Slovak Republic<sup>4</sup>, with shorter processing times and less documentation needed for the application. The decision is to be taken within 30 days from the submission. The second option is applying for temporary residence for the purpose of employment.<sup>5</sup> The procedure can take about 40 days. The employee can start working immediately after submitting the full application for residence permit in a so called on the job training regime for 8 weeks without issued residence.

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<sup>4</sup> This option is available to nationals of Belarus, Serbia, North Macedonia, Bosnia and Herzegovina, Montenegro, Georgia, Armenia, Moldova, Ukraine, Kyrgyzstan, Kazakhstan, Azerbaijan, Turkmenistan, Tajikistan and Uzbekistan.

<sup>5</sup> This is due to the shortage of lorry drivers according to the published list of occupations. All professions on this list are eligible for the procedure.