

Swiss Posted Worker (Seconded Employee) Residence Permit

The Swiss Posted Worker Residence Permit (also known as the Seconded Employee Residence Permit or Swiss Posted Worker Visa) allows foreign companies to send employees to Switzerland on a temporary basis while they remain employed and remunerated abroad. The posted worker route is used for secondments where the employee works in Switzerland temporarily to deliver a specific project, service contract or market-entry strategy, typically as a manager, specialist or other qualified professional. The route is subject to strict immigration requirements, work permit quotas, minimum salary and social security rules.

Foreign employers must also navigate the distinction between short-term assignments that can, in some cases, be carried out under either the **Swiss notification procedure** (up to 90 days per calendar year), the quota free 4 month/120 day work permit and longer-term secondments that require a quota-based work and residence permit.

In this guide, we explain the Swiss Posted Worker (Seconded Employee) Scheme, the key eligibility requirements for foreign employers and employees, the distinction between short-term secondments under the 90-day online notification procedure, quota-free 4 month/120 day work permits and longer-term a quota-based work and residence permits, basic labour-law, tax and social security considerations, and how our Swiss immigration lawyers can assist employers in structuring and managing compliant secondments to Switzerland.

If you are planning to post an employee to Switzerland, contact our Swiss immigration lawyers for clear advice on the most suitable route and to learn how to secure a compliant Swiss Posted Worker Residence Permit.

Typical Uses of the Swiss Posted Worker Permit

The Swiss Posted Worker route is most commonly used in the following situations:

- **Business expansion and market entry:** Companies that are testing or expanding into the Swiss market may second a senior manager, director or other qualified employee to Switzerland to establish a branch, subsidiary or representative office. The seconded employee may be responsible for incorporating the entity, hiring initial local staff, putting in place systems and processes, and managing relationships with Swiss regulators, banks and customers.

- **Contractual and project-based work:** Foreign businesses that have won a contract with a Swiss client or with an international group based in Switzerland - for example, in engineering, IT, construction, consulting or professional services - may send project managers and technical specialists to Switzerland for the duration of a specific project. The employee remains on the overseas payroll and continues to be employed under foreign law. The foreign employing entity must comply with Swiss rules on pay and working conditions for the time its employees spend working in Switzerland.

Key Benefits of the Swiss Posted Worker Scheme

The Swiss Posted Worker framework offers a legal pathway for overseas businesses to place key staff in Switzerland on a temporary basis.

Because the seconded employee remains under contract with, and on the payroll of, the foreign employer, the company can maintain continuity of its home-country employment law, pension fund, social security coverage, HR policies and benefits.

At the same time, posting a trusted (senior) manager or specialist enables the foreign company to do business in Switzerland, deliver complex local or international projects and support clients without having to build a full local organisation on-site. Projects are inherently temporary and the posted worker legal pathway provides the necessary legal tool to second employees to Switzerland. If a more sustained presence becomes necessary, other legal pathways are available in Swiss immigration law.

Seconding employees to Switzerland enables companies to gain a local foothold while still leveraging their existing corporate structures abroad. This proximity is particularly valuable in situations where on-the-ground project delivery and decision-making, or close contact to Swiss clients, matters.

Who is the Swiss Posted Worker Permit Suitable For?

The Swiss Posted Worker (Seconded Employee) route is generally suitable for cross border service provision:

- **Senior managers or directors** sent to Switzerland to incorporate and operationalise a new branch or subsidiary, or to oversee a major expansion or restructuring project.

- **Project managers and technical specialists** seconded to Switzerland to deliver a defined services contract for a Swiss entity, such as IT implementation, engineering works, infrastructure, or consulting assignments, as well as installation, commissioning, training or troubleshooting work that cannot be performed remotely.
- **Key employees overseeing roll-outs or transitions**, for example, the rollout of a new product line, integration after a cross-border merger, or the transition of services into Switzerland.
- **Companies** needing temporary on-site presence at a client site in Switzerland to fulfil contractual obligations.

Early legal advice is essential to determine whether the posted worker framework or another Swiss residence route is more appropriate. For information on alternative work-based immigration routes, see our pages on **Swiss Short-Term Service Provision**, the **Swiss Employed Work Permit**, the **Swiss Cross-Border Commuter Permit** and the **Swiss Intra-Company Transfer Permit**.

Eligibility Requirements for a Swiss Posted Worker Permit

The precise eligibility requirements for a Swiss Posted Worker Permit depend on the duration of the assignment, the nationality of the secondee and whether the case falls under the notification system or the standard work-permit regime:

- **Foreign employer established outside Switzerland:** The employee must be employed by a non-Swiss company with genuine, ongoing business activity abroad. Shell or “letter-box” companies are unlikely to be accepted.
- **Genuine cross-border service:** The secondment must be linked to fulfilling a contract at the premises of a Swiss entity.
- **No cross-border staff leasing:** Cross-border staff leasing (labour hire) to Swiss clients is prohibited. Structures that in substance amount to the supply of manpower rather than the provision of services based on a genuine services contract cannot obtain Swiss work permits.
- **Compliance with the Posted Workers Act:** Employers posting workers to Switzerland must comply with Swiss minimum wage and working-condition standards in the relevant sector, as set out in the Swiss Posted Workers Act and its

ordinance. This includes rules on working time, holidays, health and safety, equal pay, assignment allowances and, where applicable, collective bargaining agreements.

- **Foreign employment contract:** The employee must be employed and paid by the foreign company throughout the secondment. In the case of non-EU nationals, it is generally expected that the employee has been employed by the foreign company for at least 12 months.
- **Qualifications in line with the role:** Swiss immigration law generally limits admission to qualified managers, specialists and other skilled professionals, typically with a university degree or equivalent and several years' relevant experience. However, technicians who have adequate technical skills and company-internal know-how to fulfill the role can also obtain a work authorisation, provided that the case is well presented.
- **Adequate salary and working conditions:** The employee's remuneration and working conditions must meet local Swiss standards in line with what a Swiss employee in the same role, of similar age with a similar educational and professional background earns in the sector concerned. On top of the salary, assignment allowances for housing, food and travel have to be paid. Where a collective agreement applies, the salary must comply with the salaries stipulated therein.
- **Health insurance and social security cover:** Usually, the employee must remain subject to their home social security affiliation outside Switzerland.
- **Defined purpose, location and duration:** The secondment must have a clear scope, location(s) and limited duration.
- **Availability of a work permit quota** for secondments of more than 4 months / 120 days.

Swiss Online Notification Procedure for Secondments of up to 90 days per Calendar Year

For short-term assignments, it is possible to deploy staff to Switzerland for up to 90 working days per calendar year under a **simplified online notification procedure**, without

obtaining a formal work and residence permit. The online notification is a proper work authorisation and once obtained, no further permit is required.

For up to eight working days per calendar year it is not necessary to obtain a Swiss work authorisation at all. However, in specific high-risk sectors - particularly construction and civil engineering, hospitality, industrial and private cleaning, security services, gardening and landscaping, itinerant trade and the sex industry - a work authorisation is required from the very first day of work. Employers must therefore check the type of activity, the sector and the expected duration of secondment before relying on the eight-day authorisation-free period.

The notification system applies to:

- Employers established in an EU/EFTA member state, and in the United Kingdom, (under the current Services Mobility Agreement between Switzerland and the United Kingdom, at present extended until 31 December 2029); and
- EU/EFTA employees or non-EU employees who have held a residence permit in an EU/EFTA state or the UK for at least 12 months.

Under this procedure:

- The employer submits an online notification to the Swiss authorities at least 8 days before work starts, via an official online portal.
- The notification covers the nature of the assignment, the location, the duration, the employee's details and the salary and working conditions.
- The employer and employee remain subject to Swiss labour-law inspections and compliance obligations with Swiss immigration, labour, tax and social security law.

The 90-day limit is assessed per calendar year and applies both to the individual worker and to the posting company as a whole. Careful tracking of days spent in Switzerland is therefore essential to avoid inadvertently triggering a non-compliance situation.

Work Permits for Longer-Term Secondments

Where:

- The assignment will exceed 90 working days in any calendar year; or

- The employer or employee does not meet the criteria for the notification system;

a Swiss work permit must be obtained.

In such cases, the employing entity submits a work permit application to the competent cantonal labour authority. The application must address some or all of the following points, depending on the particular case:

- The economic interest of the assignment;
- Explanations as to why the role must be filled by this specific foreign employee instead of a local employee from the domestic or EU/EFTA labour market;
- The employee's qualifications, experience and suitability for the role;
- Adequate salary and assignment allowances as well as working conditions in line with Swiss requirements;

For secondments that last longer than 4 months/120 days, a work permit quota must be available.

During the duration of the secondment, the employee will continue to be employed and paid by the foreign company. Authorities review applications to ensure that the arrangement is genuinely a temporary secondment and that Swiss immigration, labour law and social security requirements are met.

Permits are issued for the duration of the project, with the possibility of renewal where the underlying project or business needs continue.

If the work permits are valid for more than 4 months/120 days, the employees will be required to register with the local commune prior to starting to work in Switzerland.

The Swiss tax and social security position must be considered alongside the rules of the home state and any applicable double-taxation treaties or social security agreements, so coordinated advice in both jurisdictions is advisable.

Comparison: Posted Worker Permit vs Swiss Work Permit for Local Hires

| Feature | Posted Worker / Seconded Employee | Standard Swiss Work Permit (Local Employment) |
|--------------------------------------|---|--|
| Employment relationship | Employee remains under contract with foreign employer; salary usually paid abroad. | Employment contract with Swiss employer; salary paid in Switzerland. |
| Typical purpose | Temporary assignment for project delivery, cross-border services, set-up of a new entity etc. | Limited or Unlimited employment in a Swiss role within a Swiss organisation. |
| Local hiring requirement | No local hiring obligation, but necessity of secondment and temporary nature must be demonstrated. | Swiss employer must show business need and, for third-country nationals, that no suitable local/EU/EFTA candidate is available. |
| Work permit quota | Yes, for all foreign nationals who need to work in Switzerland for more than 4 months/120 days. | Only necessary for Non-EU/EFTA nationals. |
| Labour law and pay | Full Swiss labour-law regime + assignment conditions under the Posted Workers Act. | Full Swiss labour-law regime. |
| Social security affiliation | Must in principle remain affiliated abroad, subject to bilateral agreements and assignment structure. | Typically affiliated to Swiss social security and health/accident insurance; employer must register with social security institutions and pay the mandatory contributions. |
| Path to a C settlement permit | Possible after several years's residence and integration, but it is not the primary goal of a temporary assignment. | After several years' residence and integration, many employees may qualify for a C permit (varies by nationality and canton). |

Key Advantages and Challenges of the Swiss Posted Worker Route

Advantages of the Swiss Posted Worker Route

- **Cost and time efficient:** Employers are not required to undertake a costly and timely labour market search
- **Strategic flexibility for employers:** A Swiss Posted Worker Permit enables foreign businesses to deliver projects or establish an initial presence without immediate large-scale hiring in Switzerland.
- **Continuity of employment:** Employees remain within the home-country employment system, which can simplify HR and benefits and reduce disruption for key staff.
- **Short-term deployment options:** The 90-day notification procedure, where available, allows for relatively swift deployment of staff for limited periods of work without a full permit process, provided strict conditions and day-count limits are respected.
- **Stepping stone to more permanent solutions:** A successful secondment can provide the foundation for longer-term arrangements for **entrepreneurs** once the business case is proven.

Challenges and Common Pitfalls of the Swiss Posted Worker Route

- **Regular inspections:** Authorities actively monitor posted workers' wages and working conditions. Non-compliance with the Posted Workers Act and sectoral rules can lead to penalties, bans and reputational damage.
- **Assignment allowances:** Allowances must be paid on top of the salary, in line with the Posted Workers Act, which may render a secondment quite expensive.
- **Complex day-count management for the 90 day on-line notification :** Miscalculating the 90-day limit under the notification procedure, or failing to

aggregate days across Swiss cantons and projects, is a frequent compliance risk for employers

- **Work permit quotas:** a work permit quota applies to all foreign nationals including EU/EFTA nationals, who are seconded to Switzerland for longer than 4 months/120 days per calendar year.
- **Limited direct pathway to permanent residence:** Employees seeking a long-term future in Switzerland must understand that the posted worker route is a temporary solution and will often need to be followed by a change of status.
- **Tax and social security complexities:** Cross-border secondments raise challenging tax and social security questions for both employer and employee, particularly where bilateral social security agreements must be applied.

Family Members and Dependents of Posted Worker in Switzerland

Whether family members can accompany a seconded employee to Switzerland will depend on:

- The specific permit granted;
- The employee's salary and accommodation situation.

For short-term assignments, family accompaniment is usually not possible. For long-term secondments it is generally possible to apply for family reunification for a **spouse or registered partner** and **dependent children**, provided that income, housing and integration requirements are satisfied.

It is advisable to obtain legal advice before planning a move with family members.

Swiss Posted Worker Permits - FAQs

What is a Swiss Posted Worker (Seconded Employee) Work Permit?

A Swiss Posted Worker Permit, also called a Seconded Employee or Swiss Posted Worker Visa, allows employees of a foreign company to work temporarily in Switzerland while remaining employed and paid by the overseas employer for a defined project or business purpose.

Who can qualify for a Swiss Posted Worker Permit?

A Swiss Posted Worker Notification, Permit or Visa is generally available where there is a genuine foreign employer, an existing employment relationship, a clear business need in Switzerland (such as expansion or a services contract) and a (highly) qualified manager or specialist whose salary and conditions meet Swiss standards.

How long can a posted worker stay in Switzerland?

As long as the work authorisation allows it: a posted worker may work up to 90 working days per calendar year under the notification procedure if all conditions are met, or longer under a work and residence permit, which is typically granted for up to one year, with possible renewal while the project continues.

Do I need a work permit for a short-term assignment of under 90 days?

If the 90 day online notification procedure is available to the employer/employee, the on-line notification gives the employee the right to legally work in Switzerland. No additional work permit is required. If the on-line notification is not available to the employer or employee, a standard work permit is necessary.

Does time spent as a posted worker count towards a Swiss C Permit?

Although the purpose of a secondment is by definition limited in time and usually does not aim at long-term settlement, time spent in Switzerland as a posted worker may count towards a C settlement Permit, depending on the type of work authorisation obtained.

Can family members accompany a posted worker to Switzerland?

For short-term assignments it is usually not possible to obtain family reunion permits and family members may only accompany the secondees to Switzerland as tourists without a legal residence status. For longer-term secondments with an L or B residence permit it is in principle possible to apply for family reunification for a spouse or partner and dependent children if all legal conditions are met.

Why are Swiss Posted Worker applications refused?

Swiss Posted Worker applications are commonly refused where the business justification is weak, there is a lack of work permit quotas, the salary or assignment allowances do not meet Swiss benchmarks, the employee is not sufficiently qualified or labour-law and social security issues are not properly addressed.

How Richmond Chambers Switzerland Can Help

At Richmond Chambers Switzerland, we advise overseas businesses, entrepreneurs and high-net-worth individuals on structuring and implementing secondments to Switzerland, including Swiss Posted Worker and Seconded Employee arrangements. We combine detailed knowledge of Swiss immigration law with a clear understanding of commercial objectives, so that your secondments are both compliant and commercially workable.

- **Strategic route assessment:** We can analyse your business model, contractual obligations and employee profiles to determine whether the Swiss Posted Worker framework, a standard **Swiss work permit** or an alternative residence route (such as **entrepreneur** or **investor-based** option) is most appropriate. You will receive clear, comparative advice on your options, together with the key risks and advantages of each.
- **Structuring of assignments and compliance planning:** We can design assignment structures that align with Swiss immigration, labour-law, tax and social security requirements. This includes advising on notification versus permit, 90-day limits and day-counts, salary levels to meet Swiss benchmarks and ensuring that contracts and corporate documents support the chosen structure.
- **Preparation and filing of notifications and permit applications:** We can prepare and submit online notifications and residence/work permit applications to the competent cantonal and federal authorities. Our submissions will clearly explain the economic rationale, the employee's qualifications and the details of the assignment, helping to minimise queries, delay and the risk of refusal.
- **Support with Swiss labour-law, tax and social security obligations:** Working with specialist partners where appropriate, we can help you understand and comply with Swiss minimum pay and working-condition rules under the Swiss Posted Workers Act, as well as the tax and social security implications of your secondments. Our focus is on anticipating compliance issues and addressing them proactively.
- **Ongoing support and longer-term planning:** We can advise on extensions, changes of status and potential transitions from temporary secondments to longer-term residence options in Switzerland, including routes based on local employment, entrepreneurship or investment. Where relevant, we can also help you plan a structured pathway should you ultimately wish to establish a more permanent presence in Switzerland.

Whether you are planning a single secondment or a wider programme of postings to Switzerland, our Swiss immigration lawyers can guide you through each stage of the process and work with you to build a compliant, long-term strategy for your operations in Switzerland.

Contact Our Immigration Lawyers in Switzerland

For expert advice on whether the Swiss Posted Worker Residence Permit is suitable for your business, or to discuss a specific secondment or project in Switzerland, please contact our Swiss immigration lawyers.

You can call our Swiss immigration advisors on +41 21 588 07 70 or complete our online enquiry form. We will review your circumstances, explain your options clearly and help you plan and implement a compliant and effective secondment strategy for Switzerland.