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Ad-Hoc Query on 2023.46 Obligations for the employers to secure adequate accommodation for migrants with stay and work permits other than seasonal workers

Requested by Croatia on 27 October 2023

Compilation produced on 15 December 2023

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden (23 in Total)

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## 1. BACKGROUND INFORMATION

The Government of the Republic of Croatia is planning legislative amendments to the Aliens Act to prescribe legal obligations for the employers to secure adequate accommodation for migrant workers with stay and work permits, other than seasonal workers. This is made in the context of the transposition of the EU Blue Card Directive.

As you may know, the obligation to provide adequate accommodation is prescribed in the Seasonal Workers Directive (2014/36/EU) but only for seasonal workers. The planned amendments would also prescribe this obligation to those employers who have opted to provide accommodation to migrant workers by employment contracts. In that case, if the employer has a clause with the obligation to provide accommodation in employment contract with migrant worker he would have to provide adequate accommodation, similar to that for seasonal workers within the scope of the Seasonal Workers Directive. The amendments would also include provisions for inspection of accommodation and sanctions to employers or providers of accommodation. The Ministry of the Interior prepares the amendments and they would like to know whether there are such provisions in other Member States.

Seeing that Croatia will be late in the transposition of the directive, the co-chair of the ad-hoc query working group has authorised a shorter deadline of three weeks in order that the compilation will be timely used by the Ministry of Interior.

EMN Croatia thank you for your cooperation on this issue.

**We would like to ask the following questions:**

**1. Is there an obligation for the employer to secure the adequate accommodation for migrant workers, other than seasonal workers, in your Member State? YES/NO.**

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- 2. If you answered YES to Q1, please explain for which types of permits or categories of migrant workers is it prescribed?**
- 3. If you answered YES to Q1, do you have a definition of adequate accommodation and relevant criteria to determine adequate accommodation? YES/NO. If YES, please indicate definition and criteria.**
- 4. If you answered YES to Q1, is the proof of adequate accommodation a prerequisite for issuing stay and work permit? YES/NO. If YES, which authority is responsible for verifying the adequacy of the accommodation conditions?**
- 5. Are there any possible sanctions for the employers/labour workers in case that the verification shows that the housing facilities do not correspond to adequate housing? YES/NO. If yes, please indicate which type of sanctions.**

We would very much appreciate your responses by **17 November 2023**.

## 2. RESPONSES

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		<b>Wider Dissemination<sup>2</sup></b>	
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<sup>1</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

<sup>2</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and

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	<p><b>EMN NCP Austria</b></p>	<p><b>Yes</b></p>	<p>1. No, there is no such obligation for employers in Austria. However, Art. 11 para 2 subpara 2 Settlement and Residence Act provides that residence permits may only be issued if the foreign person proves, among other things, a legal entitlement to accommodation that is considered customary in the locality for a family of comparable size.</p> <p>2. N/a</p> <p>3. N/a</p> <p>4. N/a</p> <p>5. N/a</p>
	<p><b>EMN NCP Belgium</b></p>	<p><b>Yes</b></p>	<p>1. NO, such ex ante obligation does not exist. However, if accommodation is an integral part of the employment contract, the accommodation must comply with regional regulations and the obligation to provide 'decent' housing/accommodation. If the accommodation does not comply with these standards, the work permit may be revoked (for the Brussels region) on the basis of Article 35, 3° of the Royal Decree of 9 June 1999 (for the Flemish Region: on the basis of art. 12, §1, 3° Decision of the Flemish Government of 7 December 2018, for the Walloon Region: Article 13§1.4° of the <u>Walloon Gouvernement decision of 16 may 2019</u>) which prescribes that "when the employer fails to comply</p>

wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."



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			<p>with the legal and regulatory obligations concerning the employment of workers" the work permit may be revoked.</p> <p>2. /</p> <p>3. /</p> <p>4. /</p> <p>5. /</p>
	EMN NCP Bulgaria	Yes	<p>1. No</p> <p>According to the Bulgarian legislation (Art. 28 of the Law on Labour Migration and Labour Mobility), only seasonal workers have to be secured with an adequate accommodation by the employer.</p> <p>Art. 28. (1) The employer shall provide the seasonal worker or, assist with the provision of, a suitable housing that meets all safety and health requirements, until the expiry of the employment contract.</p> <p>(2) In case of a concluded contract for rent, the rental price of the housing under para. 1 must be in compliance with the remuneration received by the seasonal worker and with the quality of the dwelling, and shall not be deducted automatically from the remuneration of the seasonal worker.</p> <p>(3) Upon verification of the circumstances under para. 1, the Executive Agency "General Labour Inspectorate" has the right to access the dwelling of the seasonal worker with his/her consent.</p> <p>2. N/A</p> <p>3. N/A</p>


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			<p>4. N/A</p> <p>5. No</p>
	EMN NCP Croatia	<b>Yes</b>	<p>1. No</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>
	EMN NCP Cyprus	<b>Yes</b>	<p>1. Yes. One of the conditions for issuing, amending or renewing a single permit is that the third-country national has accommodation which is considered satisfactory, meets the general requirements of safety and hygiene and general security of decent living, or such accommodation is provided by the employer;</p> <p>2. For single permits</p> <p>3. NO</p>

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			<p>4. YES. There is no specific authority.</p> <p>5. The employer's permission to employ foreigners is evoked.</p>
	EMN NCP Czech Republic	<b>Yes</b>	<p>1. No. There is no obligation to provide accommodation, but if the employer does provide it, it must comply with the legal obligations as any other accommodation provider.</p> <p>2. It is not limited by the type of residence permits.</p> <p>3. The accommodation provider (employer) is obliged to provide the foreigner with accommodation that is not inadequate to the level of accommodation provided by other accommodation providers in facilities of similar purpose in the municipality, district or region, as the case may be. Comparison of the level of accommodation is made in particular by assessing the adequacy of the number of persons accommodated, taking into account the sanitary conditions provided and the floor area of the accommodation room, which must be at least a) 8 m<sup>2</sup> if one person is accommodated, b) 12.6 m<sup>2</sup> if two persons are accommodated; for each additional person accommodated, 5 m<sup>2</sup> shall be added to the floor area.</p> <p>4. Yes, the foreigner must provide proof of adequate accommodation with the application for residence permit. Verification of the accommodation is carried out by the Foreigners Police. The Ministry of the Interior decides on the application for residence permit.</p>

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			5. If it is found that the accommodation has been provided in violation of the legal conditions, a financial penalty of up to 50 thousand CZK may be imposed.
—	EMN NCP Estonia	<b>Yes</b>	1. No. 2. N/A 3. N/A 4. N/A 5. N/A
+	EMN NCP Finland	<b>Yes</b>	1. No. Such obligation for employers does not exist in Finland. Employers are required to secure adequate accommodation only for seasonal workers. 2. N/A 3. N/A 4. N/A 5. N/A



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	<p><b>EMN NCP France</b></p>	<p><b>Yes</b></p>	<p>1. In France, no legislative or regulatory provision provides an obligation for the employer to provide housing for workers other than seasonal workers whatever their nationality. However if the employer undertakes, through a contractual clause within the employment contract, to provide housing to the worker (whether French or foreign national), he/she will be obligated to provide appropriate housing, according to the principle of performance in good faith of the employment contract (Article L.1222-1 of the Labour Code).</p> <p>2. N/A</p> <p>3. If the employer undertakes, in the employment contract, to provide housing, it must meet the minimum standard of quality and comfort, and guarantee the health and safety of the employees. Therefore, article R.4228-27 of the Labour Code details the general characteristics of the provided housing :</p> <ul style="list-style-type: none"> <li>• The inhabitable surface area and volume shall not be inferior to 6m<sup>2</sup> and 15m<sup>3</sup> per person,</li> <li>• The housing must have windows or any other transparent surface opening on the outside,</li> <li>• The premises must be ventilated,</li> <li>• The worker must be able to close and freely access the housing.</li> </ul> <p>With regard to health and security requirements :</p> <ul style="list-style-type: none"> <li>• The premises must be heated (at least 18 degrees), and electrical installations in compliance with regulatory requirements (article R.4228-28 of the Labour Code),</li> <li>• The floors and walls of the housing must allow for efficient maintenance and be renewed whenever cleanliness is required (article R.4228-31 of the Labour Code), The premises must be kept in a constant state of cleanliness (article R.4228-32 of the Labour Code).</li> </ul> <p>With regard to sanitary facilities :</p>
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			<ul style="list-style-type: none"><li>• Water available in the housing must be drinkable and of adjustable temperature (article R.4228-33 of the Labour Code)</li><li>• The facilities must comprise at least one sink per 3 persons and one shower cabin per 6 persons (article R.4228-35 of the Labour Code)</li><li>• Toilet facilities must be available close to the housing and equipped with full doors that can be closed from the inside, with a flush toilet and hygienic paper, and that can be easily ventilated and cleaned at least once a day (article R.4228-34 of the Labour Code).</li></ul> <p>With regard to dormitories, according to article R.4228-30 of the Labour Code, these must be single-sex, with a maximum of 6 persons per room, without bunkbeds. Each person must have the furniture they need for their own exclusive use, and each couple must have their own room. In addition, the premises must comply with the provisions of the Construction and Housing Code with regard to fire safety requirements (article R.142-1 of this Code), and must be equipped with at least one smoke detector, in compliance with the decision of 5th February 2013.</p> <p>4. NO.</p> <p>Proof of appropriate housing is not a prerequisite for issuing a stay and/or work permit.</p> <p>Inspections carried out by the Work Inspectorate generally focus on the installations and interior layout of the housing that can be provided by the employer (article R.4228-37 of the Labour Code).</p> <p>5. If an inspection of the housing facilities would reveal non-compliance with the provisions on housing conditions as stated in Q.3, employers are liable to an administrative sanction of up to 4 000€ per infringement and per concerned employee, or 8 000 € in case of repetition of the offence within two years, and within the limit of 500 000€ in total.</p>
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			In addition, failure to comply with the provisions on housing conditions through a personal fault is also punishable by a fine of up to 10,000 € (article L.4741-1 of the Labour Code), and in case of repetition of the offence, a fine of up to 30,000 and one year of imprisonment.
	<b>EMN NCP Germany</b>	<b>Yes</b>	<p>1. NO. There is no such obligation for employers. However, one of the general prerequisites for granting residence titles is that the foreigner's subsistence is secure (Section 5 para. 1 No. 1 of the German Residence Act, in English available under <a href="https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0096">https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0096</a>). This includes enough money for appropriate housing. The proof of secured subsistence is in the responsibility of the foreigner. For a few residence titles (eg for the purpose family reunion), the availability of sufficient living space must be proven by the foreigner. The examination of these prerequisites is in the responsibility of the local foreigner's authority in Germany.</p> <p>2. n/a</p> <p>3. n/a</p> <p>4. n/a</p> <p>5. n/a</p>
	<b>EMN NCP Greece</b>	<b>Yes</b>	<p>1. No. However, in cases of third country nationals who enter and reside in the country for the purpose of a) voluntary service or b) training (according to national legislation and EU Directive 2016/801), a) the volunteer signs an agreement with the host entity, under which, the entity fully covers his/her accommodation costs, b) the trainee provides evidence (in the event he/she is</p>


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			<p>accommodated throughout his residence by the hosting entity), that the accommodation meets the conditions for decent living.</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p>
	EMN NCP Hungary	<b>Yes</b>	<p>1. No</p> <p>2. -</p> <p>3. -</p> <p>4. -</p> <p>5.</p> <p>For entry into the territory of Hungary and for stays in the territory of Hungary for an intended duration of more than ninety days within any one hundred eighty day period the entry conditions for third-country nationals shall be among others: they have a place of accommodation or residence in the territory of Hungary.</p> <p>The above mentioned requirement of accommodation is considered satisfied if:</p>

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			<p>a) the third-country national is the owner of the residential property registered in the real estate register as a detached house or a residential suite, or if entitled to use such property under any title, and b) the residential property has at least six square meters of living space per inhabitants.</p> <p>The issuance or extension of a residence permit shall be refused, or the residence permit shall be withdrawn, if the third-country national fails to comply with the above mentioned requirement, i.e that they have a place of accommodation or residence in the territory of Hungary.</p>
	<p><b>EMN NCP Italy</b></p>	<p><b>Yes</b></p>	<p>1. Yes, there is. To enter and stay in our national territory, a third-country national must provide accommodation that meets certain minimum (hygienic and sanitary) standards, as provided in Article 5 bis (letter b) of our Consolidated Immigration Act, whose compliance must be ascertained by the competent municipal offices by issuing a certificate of accommodation suitability. The accommodation can be obtained also through someone's hospitality or by renting or buying a house.</p> <p>2. The availability of accommodation for a third country national and his/her family members is an essential prerequisite for obtaining entry or a residency permit in the national territory. In the case of a migrant worker entering in Italy for subordinate work reasons, this requirement must be guaranteed by the employer at the time of the migrant worker's application (flows decree) and demonstrated, with specific and proven documentation, upon the migrant worker's arrival in Italy (loan/rental and building transfer contract and certificate of housing suitability). The availability of suitable accommodation is also necessary to apply for family reunification. This requirement must, on the other hand, be guaranteed and demonstrated by the third-country national,</p>

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			<p>in possession of a work residence permit. Third country nationals holding a permit for international protection (refugees art. 29 bis T.U.I.) are exempt from demonstrating this requirement.</p> <p>3. The designed accommodation must be provided with the requirements of habitability and hygienic-sanitary adequacy and comply with the minimum parameters set by the individual regional laws for public residential housing. Minimum parameters of housing suitability, uniform throughout the country, have been identified on the basis of the Ministerial Decree of Health July 5, 1975 (g.u. 18-7-1975, No. 190) in which the main hygienic and sanitary requirements of living quarters and the minimum requirements for the surface area of housing in relation to the expected number of occupants have been established. The different municipalities refer to these parameters, without prejudice to their autonomy, when issuing the certificate of housing suitability.</p> <p>4. Yes, proof of adequate housing is a prerequisite for the issuance of a residence and work permit. Proof of adequate housing is issued to non-EU nationals, or by their employer, by the competent municipal authority. In particular, the certification attesting the suitability of the accommodation must be requested from the Municipality's Technical Office or, alternatively, from the A.S.L. Public Hygiene Office. This certificate is necessary for the issue and renewal of the residency permit.</p> <p>5. The employer's commitment to guarantee the availability of suitable accommodation for the worker is considered a subsidiary guarantee, as this burden exists only if the migrant worker is unable to provide it before entering Italy.</p>
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			<p>The employer, when requesting the employment of the migrant worker (art. 22 of the Consolidated Immigration Act) must indicate in a special declaration, included in the application for employment of the new migrant worker, as well as in the proposed contract of stay, an accommodation that meets the requirements of habitability and hygienic and sanitary suitability, or that falls within the parameters provided by the Consolidated Act.</p> <p>Concerning the economic regime for the distribution of expenses, the law provides for the possibility of recourse on the part of employers who have sustained the expenses of providing the migrant with accommodation that meets the legal requirements, giving them the right to deduct from the employee's salary on a monthly basis, for the entire duration of the service, a maximum sum equal to one-third of the total monthly amount. This deduction must be expressly provided for in the residence contract proposal, which must determine the amount.</p> <p>The existence of the parameters of suitability can be self-certified at the time of the first entry for work, but the certificate must be produced when the residency permit is renewed. In fact, the renewal of a residency permit for employment reasons is conditional on the existence of a contract of residence for work purposes, as well as the delivery of a certificate attesting to the existence of accommodation that meets the parameters referred to in Article 5-bis, § 1, letter a) of the Consolidated Law on Immigration.</p> <p>The existence of the parameters of suitability can be self-certified at the time of the first entry for work, but the certificate must be produced when the residency permit is renewed. In fact, the renewal of a residency permit for employment reasons is conditional on the existence of a contract of residence for work purposes, as well as the delivery of a certificate attesting to the existence of accommodation that meets the parameters referred to in Article 5-bis, § 1, letter a) of the Consolidated Immigration Act.</p> <p>Once the municipality and the local health unit have verified and ascertained the unsuitability of the housing facility, the certificate of housing suitability is not issued, which is used to prove the housing</p>
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			requirement for the purposes of regularising one's administrative position with the competent Sportelli Unici.
	EMN NCP Latvia	<b>Yes</b>	<p>1. No, there is no such obligation for employers in Latvia. However, the residence permit may only be issued if the foreigner documentary proves a legal entitlement to accommodation. According to the national legislation, a foreigner must declare his place of residence within one month after receiving the residence permit.</p> <p>2. A requirement to declare a place of residence applies to all categories of foreigners.</p> <p>3. No.</p> <p>4. No, the only prerequisite for issuing a residence permit is a legal entitlement to accommodation, which becomes the actual place of residence after receiving the residence permit. A foreigner must be approachable in legal relations with the state and municipality.</p> <p>5. No.</p>
	EMN NCP Lithuania	<b>Yes</b>	<p>1. No</p> <p>2. N/A</p> <p>3. While there is no obligation for employers to secure adequate accommodation for migrant workers, other than seasonal workers, the provisions of the Law on the Legal Status of Foreigners contain a requirement for foreigners applying for a temporary residence permit to have "suitable</p>




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			<p>accommodation". According to Article 2.28<sup>1</sup> of the law, suitable accommodation is defined as an accommodation that complies with building, hygiene, and fire safety requirements. Moreover, according to Article 26.1.4 of the law, there must be at least 7 square meters of living space for each adult person declared to reside in a place of accommodation.</p> <p>4. No. As was mentioned earlier, the obligation to obtain adequate accommodation is not the employer's but the employee's responsibility. When applying for a temporary residence permit, the applicant <b>must pledge to declare</b> his/her place of residence in a suitable accommodation with at least 7 sq. m. of living space. The pledge, rather than the proof, is a prerequisite for issuing a temporary residence permit. In the case of seasonal workers, the Law on the Legal Status of Foreigners designates the State Labor Inspectorate as the authority to inspect whether the accommodation conditions are adequate. Where adequate accommodation is required as part of the residence permit application process, the Migration Department is the responsible authority.</p> <p>5. N/A</p>
	<p>EMN NCP Luxemb ourg</p>	<p><b>Yes</b></p>	<p>1. No. It is to the third-country national to secure adequate accommodation by himself/herself. In order to apply for the residence permit the applicant must provide proof of suitable housing (rental agreement, property deed, etc.).</p> <p>2. N/A.</p> <p>3. N/A. However, a dwelling or room is considered suitable if it meets health, hygiene, safety and habitability criteria defined by the Law of 20 December 2019 on health, hygiene, safety and</p>

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			<p>habitability criteria for dwellings and rooms let or made available for residential purposes and the Grand-Ducal Regulation of 20 December 2019 determining the minimum health, hygiene, safety and habitability criteria.</p> <p>The surface area of a room may not be less than 9 m<sup>2</sup> per occupant. No bedroom in a dwelling may be occupied by more than two adults. Every bedroom must be lit by a window measuring at least 0.85 x 1.1 metres or 0.95 x 0.95 metres gross surface area including frames. Each dwelling, room or communal area must have a heating system and a compliant electrical system. Each dwelling must be connected to the public water supply network and to the existing wastewater collection network.</p> <p>4. N/A.</p> <p>5. N/A.</p>
	<p>EMN NCP Netherlands</p>	<p><b>Yes</b></p>	<p>1. No. Several parties are involved in housing migrant workers, including employer and employment agencies. However, the municipality is responsible to secure adequate accommodation for migrant workers (other than seasonal workers).<sup>[1]</sup></p> <p><sup>[1]</sup> Volkshuisvesting Nederland, 'Handreiking helpt bij het realiseren van huisvesting voor arbeidsmigranten', <a href="https://www.volkshuisvestingnederland.nl/actueel/nieuws/2021/08/12/handreiking-helpt-bij-het-realiseren-van-huisvesting-voor-arbeidsmigranten#:~:text=In%20Nederland%20werken%20meer%20dan,gemeente%20verantwoordelijk%20voor%20de%20vergunningverlening">https://www.volkshuisvestingnederland.nl/actueel/nieuws/2021/08/12/handreiking-helpt-bij-het-realiseren-van-huisvesting-voor-arbeidsmigranten#:~:text=In%20Nederland%20werken%20meer%20dan,gemeente%20verantwoordelijk%20voor%20de%20vergunningverlening</a>, last accessed on 30 October 2023 (in Dutch).</p> <p>2. N/a.</p>



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			<p>3. N/a.</p> <p>4. N/a.</p> <p>5. N/a.</p>
	EMN NCP Poland	Yes	<p>1. NO Polish law imposes an obligation on employers entrusting work to foreigners to provide adequate accommodation only in the case of foreigners who are seasonal workers.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. NO The accommodation standards set out in Polish law apply to hotels, boarding houses, hostels, nursing homes. They do not regulate individual places of residence. Rules on sanitary and fire hazards are specified. In such cases, inspection by the relevant services takes place after irregularities are reported. At the same time, each owner and manager of a building is responsible for its condition in</p>

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			accordance with its intended use. This includes the supply of water and electricity and heating, disposal of sewage, rainwater and waste; These rules apply in the same way to Polish citizens and foreigners.
	EMN NCP Portugal	<b>Yes</b>	1. NO.  2.  3.  4.  5. YES. There is no obligation for the employer to secure accommodation for workers. However if the employer provides accommodation to the worker and the verification shows that the housing facilities do not correspond to adequate housing, the employer is subject to an administrative fine.
	EMN NCP Slovakia	<b>Yes</b>	1. Yes, in certain cases. See response to question 2.  2. According to the Act on Employment Services, the employer is obliged to provide accommodation that meets the minimum requirements under a special regulation, to a third-country national who will be employed for a specified period for the purpose of his/her training, for a maximum of eight consecutive weeks in a calendar year, if it concerns the performance of employment with a shortage of labour force in the region and who has submitted an application for temporary residence for the purpose of employment together with all the required documents for the same job.


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			<p>3. Based on the Decree of the Ministry of Health of the Slovak Republic on details of requirements for the indoor environment of buildings and minimum requirements for apartments of lower standard and for accommodation facilities, these are:</p> <p>Article 8 Minimum requirements for apartments of lower standard</p> <p>(1) The living area of a lower standard apartment must be at least 12 m<sup>2</sup> per user and 6 m<sup>2</sup> for each additional person living with him in the household. The usable area of an apartment of lower standard must be at least 15 m<sup>2</sup>.</p> <p>(2) The minimum requirements for equipping an apartment of a lower standard are:</p> <p>a) connection to the drinking water supply with the technical possibility of installing equipment for cooking, hot water preparation, the possibility of installing equipment for personal hygiene,</p> <p>b) drainage of waste water with the technical possibility of installing a flush lavatory,</p> <p>(c) the technical feasibility of installing heaters for local heating of living rooms.</p> <p>(3) The household equipment of buildings with apartments of a lower standard, which are locally heated by solid fuel, must include fuel storage areas.</p> <p>Article 9 of the same Decree sets out the requirements for accommodation establishments/facilities. These are, for example, access to running drinking and running hot water, clear height of the apartment, floor space, equipment, etc.</p> <p>4. No. Accommodation does not have to be provided only by the employer, but can also be secured by the third-country national himself/herself.</p> <p>5. Based on the Act on Employment Services, the employer may be fined up to €100,000 for breach of duty.</p>
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	<p><b>EMN NCP Slovenia</b></p>	<p><b>Yes</b></p>	<p>1. NO. Minimum living and hygiene standards laid down in the Rules on minimum standards for accommodation of foreigners employed and working in the Republic of Slovenia (Official Gazette of the Republic of Slovenia, No. 62/15) must be provided by the employer with whom the foreigner is employed, or by the client of work for which the foreigner performs work on the basis of a concluded civil law contract, in the event that an foreigner rents an accommodation space that he owns or rents, or is owned or rented by a natural or legal person capital connected to him.</p> <p>2. The applicant must attach a signed statement by the employer regarding the provision of accommodation for the foreigner to the application for a single permit, EU Blue Card, written approval to change jobs with the same employer, to change employers or to work for two or more employers, or seasonal work permit. The statement shall indicate whether the accommodation will be provided by the employer or whether the foreigner will seek accommodation himself. As mentioned above, accommodation to a migrant worker is considered to be provided by the employer if the foreigner is accommodated in premises owned or rented by the employer or owned or rented by the contracting authority or by a natural or legal person capital linked to him.</p> <p>3. YES. The employer or client is obliged to ensure minimum living and hygienic standards. Minimum living standards determine the equipment, maintenance, heating, and lighting of the premises, the maximum number of persons allowed to stay in one room and the minimum quadrature of the space relative to number of persons. Minimum hygiene standards determine the maximum number of users depending on the equipment of sanitary facilities, the separation of these premises from other living quarters, their ventilation and lighting.</p>
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			<p>4. NO. The body for checking the adequacy of accommodation conditions is the Labour Inspectorate of the Republic of Slovenia.</p> <p>5. YES. - A fine of EUR 3,000 to EUR 30,000 is punishable for misdemeanors by an employer or contracting authority of work that does not ensure minimum living or hygienic standards (first paragraph of Article 10 of the Employment, Self-employment, and Work of Foreigners Act). - A fine of between EUR 500 and EUR 2,500 also punishes the person responsible for the employer or contracting authority who commits the offence referred to in the preceding paragraph. - A fine of between EUR 500 and EUR 1 500 shall be imposed on an individual who commits an offence referred to in the first paragraph of this Article.</p>
	EMN NCP Spain	No	
	EMN NCP Sweden	Yes	<p>1. No, there is no such obligation. There are requirements regarding the salary and the terms of employment, and the employer has to provide adequate insurances.</p> <p>2. Not applicable</p> <p>3. Not applicable</p> <p>4. Not applicable</p>

Ad-Hoc Query on 2023.46 Obligations for the employers to secure adequate accommodation for migrants with stay and work permits other than seasonal workers

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			5. Not applicable
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