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The Netherlands - Corporate Immigration

Contributor



Envoy Global

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Mandy Janzen-Westerburgen

Managing Director & Immigration Director | mandy.janzen@envoyglobal.com

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The Netherlands - Corporate Immigration

1. What is the current legal landscape for Corporate Immigration in your jurisdiction?

The corporate immigration landscape in the Netherlands is shaped by a dynamic interplay between EU directives, national legislation and bilateral treaties. Key frameworks include the Foreigners Act 2000, the Foreigners Employment Act, and the Dutch Nationality Act, all supported by secondary legislation and policy rules that guide implementation by agencies such as the Immigration and Naturalisation Service (IND) and the Employee Insurance Agency (UWV).

Recent developments include the implementation of the revised EU Blue Card Directive, which now allows proof of five years of relevant and highly qualified work experience to count instead of a diploma validation. IT professionals can qualify after three years of relevant work experience within the past seven years. Proven relevant work experience can now also be considered comparable to the level of a higher education diploma. The revisions also reduce contract duration requirements to six months, bring the salary criterion in line with salary requirements for highly skilled migrants aged 30 years or older and reduce processing time to 30 days. The revised Directive also makes allowance for Blue Card holders who have lost their jobs; for those who have held their permit for at least two years, permission to stay and search for a new job is extended to six months within the validity of the permit (up from three months). Finally, the revisions provide options to obtain a residence permit as an EU long term resident even if the criterion of having lived in the Netherlands for five consecutive years has not been met.

Additionally, as of February 1st, 2025, the Dutch Labour Inspectorate can impose variable fines for illegal employment, ranging from €2,250 to €11,250 per worker. This replaces the previous fixed fine of €8,000.

Key changes for fines:

- **Intent matters:** Employers who intentionally break the law will face higher fines than those who make a one-time, unintentional mistake.
- **Aggravating factors** (e.g. poor working conditions, bad housing, or passport confiscation etc.) will lead to increased penalties.

Since the 1st of January 2025, civic integration requirements have been extended to Turkish nationals applying for permanent residence, regardless of whether the application is based on the national scheme or the EU long term residency. The phased roll out of the Entry/Exit System (EES) begins on 12th of October 2025. The EES will track the entry and exit of third-country nationals to monitor their permitted stay duration. It will help identify individuals who do not meet entry conditions, detect overstayers, and supports authorities in taking appropriate action.

The Netherlands has complex salary requirements. Note please that where an employee has a net salary agreement, the gross salary must still meet the salary threshold for permit purposes. It may be necessary to calculate the gross salary ('grossing up') from the net salary to ensure compliance. It is therefore no longer allowed to agree on a net salary with a lower gross salary than required to comply with the

applicable salary threshold.

The Netherlands continues to prioritize “highly skilled” migration (although it is interesting to note that the mechanism to determine eligibility for the Highly Skilled Migrant Permit is salary level, rather than qualifications or skill level) while tightening compliance, particularly around recognised sponsorship obligations. Options to employ highly skilled migrants through a temp agency or payroll provider maybe limited in the near future.

The legal environment is increasingly digital, with mandatory eHerkenning (online identity authentication) for employers to file work permit applications, although residence permit applications and single permit applications can still be submitted without eHerkenning. Chain Authorization is required for Immigration Service Providers if applications are submitted on behalf of companies and eHerkenning is used.

The focus on compliance is increasing gradually. There is an increase in the amount of fines that were imposed, but the amount of fines in comparison to the amount of recognised sponsors is still negligible. We anticipate that audits will become more and more regular. Employers must make sure to comply with the obligations/ duties as a recognised sponsor in order to avoid a warning, a fine or in severe cases suspension or revocation of the recognised sponsorship.

2. What three essential pieces of advice would you give to clients involved in Corporate Immigration matters?

1. Become a recognised sponsor early

Registering as a recognised sponsor with the IND streamlines application processes and significantly reduces processing times. Average processing time without recognised sponsorship is three months; with the sponsorship, the IND will strive to make a decision within two weeks. This expedited processing time is particularly relevant in the context of potentially no longer being able to second highly skilled migrants from a temp agency or payroll provider to the factual employer in the near future. Recognised sponsor status also avoids the extra costs associated with using a temp agency or payroll provider. Becoming a recognised sponsor also signals credibility and compliance to Dutch authorities. Please make sure that you understand the duties that come with becoming a recognised sponsor though, as the permits are granted based on trust and can be revoked retrospectively when deemed non-compliant. Non-compliance with these duties could result in warnings, fines or suspension or revocation of the recognised sponsorship in severe cases.

2. Understand salary thresholds and permit categories and distinguish between fields of law

Each immigration route, be it the Highly Skilled Migrant Program, the EU Blue Card, or the Intra-Corporate Transfer scheme, has distinct salary and qualification requirements. Ensure candidates meet the correct criteria to avoid delays or rejections. Also consider when the salary criterion changes and if that change applies to your employee(s). If you are concerned about meeting salary criteria, speak to an immigration professional to review your options.

Understand the differences between definitions in different legal fields. Employer and Employee mean different things in immigration law and in labour law. The salary criteria for highly skilled migrants and European Blue Card Holders differ from the salary criteria for the tax ruling. They are updated at different

times and may be subject to age conditions (higher salary requirements for older applicants). Although often simultaneously applicable, there are significant differences when changes occur, and notification requirements also vary.

3. Stay ahead of compliance obligations and understand that different fields of law influence each other

Even though the number of imposed fines is not high, the intention is to increase the frequency of audits. It is therefore important to make sure that the duties as a recognised sponsor are met and that you have clear agreements with your employee. Recognised) sponsors need their employees to keep the employer informed of personal changes in circumstance, to be able to comply with the duties. Businesses must maintain meticulous records, monitor permit expiry dates and ID expiry dates, and ensure all employment contracts, pay slips, addenda, ID etc. align with immigration permissions. It is of the utmost importance to keep track of these updates and make sure that you do a mock audit every few years, to see if internal procedures align with what is required and to verify that no labour law or social security law occurrence has negatively affected the permit. Always take into account that labour law and/or social security law can affect immigration law and vice versa. Make sure that you have a labour law specialist and an immigration law specialist review your population of foreigners. Something that is allowed based on labour law or social security law might have a negative effect on immigration status or might require some extra steps to be taken, such as a notification, in order to be compliant with immigration law. In principle a third country national with a residence and/or work permit or single permit in the Netherlands cannot always be treated exactly the same as all other employees, due to the simple fact that this employee holds a permit to be legally allowed to work and/or reside in the Netherlands.

3. What are the greatest threats and opportunities in Corporate Immigration law in the next 12 months?

Threats:

- **Political uncertainty and policy tightening:** The collapse of the Dutch coalition government and upcoming elections may lead to stricter naturalisation rules, higher salary thresholds, fewer options to second employees and reduced tax benefits for foreign workers.
- **Increased enforcement:** Employers may face tougher penalties for non-compliance, including fines for illegal employment, stricter sponsor obligations or even worse; suspension or revocation of their recognised sponsorship.
- **Scrutiny:** Suspending or revoking the recognised sponsorship has not historically been common. Recently, however, the IND has suspended and revoked several recognised sponsorships. These sanctions have immediate effect on all sponsored employees working for that business. When applying for permits in sectors where recognised sponsorships have been suspended or revoked or trying to obtain similar permits as companies whose recognised sponsorship was suspended or revoked, applications face extra questions and even rejections, to avoid similar situations.
- **Erosion of the 30% tax ruling:** As of 2027 the scheme moves to a flat 27% replacing the 30%/20%/10% taper.
- **Bigger fines for severe cases of illegal employment:** higher fine amounts up to EUR 11,250 per worker with multipliers for repeat offences and detailed rules on mitigation. This is in addition to fines for non-compliance with the duties as a recognised sponsor.

- **Border control roll outs for short stay travel:** On 12 October 2025 the EES will start with a phased implementation into 2026. ETIAS follows in Q4 2026; this is a required electronic authorisation for visa-exempt travelers. It is therefore important to start planning ahead and thus build in some buffer time.
- **Plan ahead:** IDW, the international diploma validation authority in the Netherlands, has shown a massive backlog, due to which an application for a diploma validation can take up to three months. This will extend the application procedure immensely if a validated diploma is required for the application for the permit.
- **Potential policy tightening:** policy discussions that have been recently flagged are: tighter highly skilled migrant criteria for highly skilled migrants younger than 30 years of age and recent graduates stricter admission conditions for recognised sponsors (and possibly even that existing recognised sponsorship would require renewal). If adopted, this would further narrow down eligibility.
- **Admission for temp agencies and payroll providers:** regardless of if in the Netherlands or from abroad, in near future it is the intent to have all temp agencies and payroll providers to be screened before they will be allowed to provide their services on the Dutch labour market. This will not only influence foreign national employees, but all their employees. Non-compliance with labour laws can influence their admission.

Our advice:

- **Do a mock audit on salaries, duties and policies:** check where you stand and fix gaps even when possible retrospectively before the IND pays you a visit. Notify the IND if need be, to be able to mitigate the possible warning or fine or worse.
- **Do a stress test on the 30% tax ruling:** calculate the impact on offers and retention and update compensation calculators.
- **Do a compliance drill:** include HR, legal, payroll and third parties if need be to raise awareness and avoid one department not being aware of the requirements for compliance. Raise awareness for what needs to be notified and when.
- **Prepare for trips:** brief travelers on EES and possible delays they will face from October 12th, 2025.
- **Understand multiple fields of law that touch upon immigration:** and understand that the one can affect the other and that what is allowed based on labour law or social security law, may have negative consequences for immigration law.

Opportunities:

- **Focus on Industry policy and technology policy:** Immigration will follow/ align with the economy. It will focus on the National Technology Strategy (NTS). The doors will most likely be opened for immigration in these sectors and for the skill sets that are lacking in the Netherlands.
- **EU Blue Card expansion:** The revised Directive offers broader eligibility, faster processing, and enhanced mobility across the EU, as well as quicker options to obtain an EU Long Term Resident permit, making it a strategic tool for attracting global talent.
- **Digital Transformation:** The shift to online filing and identity verification (eHerkenning) improves efficiency and transparency in immigration processes.

4. How do you ensure high client satisfaction levels are maintained by your practice?

At the heart of my immigration practice is a simple, but for me very powerful, principle: **immigration is about people, not just processes**. Whether advising a multinational on strategic workforce mobility or guiding a family through their first relocation, I never lose sight of the human experience behind every case.

As Managing Director & Immigration Director of Envoy Global in the Netherlands, I lead with a people-first, tech-enabled approach that has earned me multiple Lexology Client Choice Awards, the Excellence Award, the Influential Women in Business Award, the Platinum Award, recognition as a Client Choice Ranking Global Elite Thought Leader in corporate immigration and as Recommended in Lexology Index for Corporate Immigration.

What sets us as Envoy Global apart is not just what we do, but more importantly how we do it:

- **We don't send links, we unburden and make the appointments.**
From TB tests to municipal registrations, we handle the logistics so our clients don't have to. We guide employers, employees, and their families every step of the way, offering real human support in a world that's increasingly automated.
- **We offer true fixed fees, no surprises!**
We understand that immigration sits at the intersection of people and budgets. That's why we work with transparent, fixed-fee pricing, ensuring predictability for HR and finance teams.
- **We're available when it matters most.**
Immigration can be stressful. That's why we make ourselves available for extra calls, reassurance, and guidance, without charging extra. We believe empathy is not billable, but essential.
- **We anticipate the unknown unknowns.**
Clients often don't know what they don't know. We proactively provide context, flag risks, and offer strategic insights that go beyond the immediate question, empowering clients to make well-informed decisions.
- **We combine legal precision with tech-powered transparency.**
Our case management platform offers real-time updates, secure document sharing, and built-in compliance tracking. We monitor KPIs like time to submission, response times, and client feedback to ensure continuous improvement.
- **We listen, measure, and evolve.**
Through Quarterly Business Reviews, Net Promoter Score (NPS) tracking, and client satisfaction surveys, we gather actionable feedback and use it to refine our service delivery. Our Strategic Account Managers and leadership team maintain oversight on every matter to ensure consistency and excellence.

Clients describe me as accessible, practical, and able to explain complex rules in plain language. I've been privileged to advise on immigration strategy during M&A transactions, policy development, and government roundtables, but what I value most is the trust clients place in me to guide them through life-changing transitions.

In short, Envoy Global does not just manage immigration, we **humanise it**.

5. What technological advancements are reshaping Corporate Immigration law and how can clients benefit from them?

Corporate immigration is no longer just about navigating bureaucracy, it's about leveraging technology to create clarity, speed, compliance and confidence in global mobility. As someone who has helped build immigration technology solutions and advised on digital transformation in immigration law, I've seen firsthand how innovation is reshaping the corporate immigration landscape.

At Envoy Global, we combine legal expertise with proprietary technology to deliver a smarter, more human-centered immigration experience. Here's how:

1. Digital Filing & Secure Identity Verification

The Netherlands has embraced digital transformation with:

- **Mandatory online filing** for work permits (UWV) and optional online filing for residence permits/ single permits (IND), reducing paperwork and improving traceability.
- **eHerkenning Level 3+** for secure employer authentication, ensuring data integrity and compliance.

2. AI-Enhanced Case Management

We're actively implementing AI functionality to:

- Flag errors in forms before submission.
- Enhance data security
- Predict case outcomes based on historical data.
- Automate renewals and track permit, passport and other expirations.

This means fewer delays, fewer surprises, and more strategic decision-making for HR and mobility teams.

3. Real-Time Collaboration Platforms

Our platform enables multi-party collaboration, attorneys, paralegals, employees, and HR/ Global Mobility teams can:

- Track case status in real time.
- Share documents securely.
- Communicate directly via integrated messaging tools.
- Avoid incorrect uploads.
- Save documents for as long as required based on the duty to keep records as a recognised sponsor.

Clients benefit from transparency, speed, and control over their immigration programs and even have part of their duty to keep records securely saved on our platform.

4. Global Mobility Assessment Tools

Our Global Mobility Case Assessment tool allows clients to:

- Run instant immigration assessments.
- View permit types, timelines, costs, and requirements.
- Make informed decisions before initiating a case.

5. Tailored reporting & role-based access

We offer:

- **Custom dashboards** for different business units or geographies.
- **Role-based access** to ensure the right people see the right data.
- **Forecasting tools** to plan for renewals, indefinite period of time permits, naturalization, green cards, and budget allocation.

6. Empowering the migrant experience

Technology should serve the people it impacts. That's why we provide:

- **Mobile app access** for employees to manage their cases.
- **Self-service tools** for uploading documents and messaging legal teams.
- **Clear milestones** to reduce anxiety and improve satisfaction.

But behind all of this there are immigration specialists to lend a helping hand. We encourage our clients to feel that they can call, email or message us whenever they need to. In my practice in the Netherlands, technology is not a replacement for empathy; it's an amplifier of service. By combining digital tools with human insight, we help clients navigate immigration with confidence, clarity, and care and unburden where we can.

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mandy.janzen@envoyglobal.com

