

How is EU Blue Card different from temporary residence permit? 3/9/24



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The EU Blue Card is a special type of temporary residence permit that is available to highly skilled foreign professionals. This article explores key differences in conditions and in the process of acquiring residence rights.

Worker criteria

The primary difference is the criteria a foreign national has to meet.

The Blue Card is available to a third-country national with a higher education degree or superior professional experience. If a worker seeks the Blue Card on the basis of education, the education programme must last a minimum of three years. If the basis is previous work experience, the worker must have at least five years' experience in their occupation.

Remuneration

If a worker's occupation is on the Cabinet of Ministers' list of occupations in which Latvia expects a significant shortage of labour, the Blue Card holder's salary must match the average monthly gross salary of professionals who worked in Latvia in the previous year after applying a coefficient of 1.2. The list includes occupations such as scientists, physicists, chemists, mathematicians, statisticians, information and communication technology experts, processing specialists, electrical engineers, construction professionals, financial analysts, and senior administration professionals.

If the occupation is not listed, the Blue Card holder's salary must match the average monthly gross salary of professionals who worked in Latvia in the previous year after applying a coefficient of 1.5.

In 2023 the Blue Card holder's monthly salary had to be at least EUR 2,060 (or EUR 1,648 if the occupation was listed as missing in Latvia). These figures will be updated in April 2024, when the Central Statistical Office publishes new data on the average gross salary in 2023.

The period for which residence rights are granted

The Blue Card entitlement was previously granted for up to five years. Amendments to the Immigration Act effective from 1 July 2023 reduced this period to two years. Documents supporting the amendments do not give any particular reasons; the clause was simply reworded.

A list of documents to be filed:

- Questionnaire for third-country nationals seeking a residence permit
- Copy of a valid travel document

- Photograph 3×4 cm
- Statement issued by the competent authority of the citizenship or home country about a criminal record if the foreign national has stayed there for more 12 months
- Documentary evidence of the necessary livelihood
- Payment document confirming payment of stamp duty

A foreign national applying for the Blue Card on the basis of education should also file a legalised copy of their education document in the occupation the employer plans to employ them. These documents are not required if the right to employment has been acquired earlier and the area of employment remains unchanged.

A foreign national seeking the Blue Card on the basis of work experience should also file documentary evidence of their professional experience in the occupation and industry they will be employed in Latvia, stating the employer's name, registration number and registered office, as well as the employment period with this employer and the worker's role or speciality and key job duties. If the worker has been employed by two or more employers, then information on each of them is required, plus a document issued by the foreign tax authority or social insurance authority confirming their previous employment.

Procedural differences

1. When inviting a foreign national who applies for the Blue Card, the employer is not required to post a vacancy on the National Employment Agency's website, so the process of taking out the Blue Card for a foreign national is shorter by ten working days.
2. The law sets only two time limits for handling documents: ten or five working days.
3. Stamp duty is smaller than for, say, the standard residence permit: EUR 100 (ten working days) or EUR 200 (five working days).

In addition...

Blue Card holders enjoy friendlier terms when they lose their job. If the period of unemployment does not exceed three consecutive months, the Blue Card will not be cancelled and the person may claim unemployment benefit for up to three months.

A Blue Card holder wishing to obtain EU permanent resident status in Latvia is permitted to stay away from Latvia for a considerably longer period (18 months) than other persons holding a temporary residence permit (12 months) if their absence is due to doing business as employee or self-employed or performing voluntary service.