

Round Table key findings



Right to work of spouses of expatriate intra-company transferees in India

The Round Table

- 30 delegates from private and public sector organisations met in Delhi to discuss the right to work for spouses of intra-company transferees in India.
- The meeting was hosted by Permits Foundation, which has been promoting a change to visa regulations for spouses in India since 2008.



Round Table objectives

- ✓ Build understanding of the issue globally and in India.
- ✓ Get feedback from employers, spouses and other stakeholders on the current visa regulations for spouses in India.
- ✓ Review what has already been achieved in India and consider the best way forward in discussions with the Government, both in terms of the process and any fine-tuning of Permits Foundation's proposal.
- ✓ Hear how delegates can help build a community of support to move the discussions forward.



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Participants

- Accor
 - Aricent
 - Bosch
 - Deloitte
 - Ernst & Young
 - Essar Energy
 - French Embassy
 - Gemalto
 - GlaxoSmithKline
 - Goldman Sachs
 - Indo-German Chamber of Commerce
 - KPMG
 - MD Relocation
 - Nasscom
 - NetExpat
 - PwC
 - Santa Fe
 - Schlumberger
 - Shell
 - Swedish Chamber of Commerce
 - UNDP
 - UNIA/UNLESA
 - International Finance Corporation
 - World Bank
- Several spouses also shared their experience of difficulties under the current regulations.



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Finding #1: Right to work

- Delegates were unanimous that spouses of intra-corporate staff should be allowed to work or be self-employed in India.

Finding #2: International comparison

- *“29 countries now allow spouses and in some cases partners and children to work freely during an assignment and you can see a clear trend towards best practice.*
- *While we still see India in the third group, we recognize that the Government has made an important step in allowing spouses to apply in-country for an employment visa.”*

» Permits Foundation



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Finding #3: The USD 25000 hurdle

- The minimum salary of USD 25000 per annum for an Employment visa is considered too high for accompanying spouses on local contracts, particularly since they often prefer to do part-time, temporary and consultancy work.

Finding #3: The USD 25000 hurdle

- *“I am not allowed to work in India and I had to turn down several employment opportunities, consultancies of 3 to 5 weeks, because those offers do not allow me to fulfil the salary qualification of USD 25000 for an employment visa.*
- *I cannot charge 1000 dollars per day for my work.*
- *Nor would it be advisable to change my official visa to an employment visa, if it was possible, for just for few weeks or months of employment at a time.”*

Finding #3: The USD 25000 hurdle

A small business perspective:

- *“As an SME, you need to have some foreign staff to develop networks among international clients.*
- *I would like to take on some expat spouses, but hiring someone on an employment contract and salary of USD 25000 will empty your account. And you cannot hire a local business developer for that type of role.*
- *Once you have the business, you can also hire local staff as you grow.”*



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Finding #4: Small number of expats

- Delegates confirmed that the number of intra-corporate staff assigned to India is very small in relation to the total number of people employed.
- *“We have measured this in a wide range of global organisations. While it can be higher in sectors with a lot of technical specialists, overall the average percentage of intra-corporate transferees is only about 1% of total manpower.”*

» Permits Foundation

Finding #5: Economic contribution

- International companies and organisations make a significant contribution to the Indian economy.
- *"IFC's staffing base is currently mainly local. By 2015 we are looking to have less than 10% of our staff in India from overseas, and many of them cover the entire South Asia region. So we bring a few international expatriates with international expertise who can help us in supporting India to achieve its economic development goals."*

» IFC



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Finding #6: Conversion problems

- *“Even with the legislation in print, we found several challenges to get a dependent visa converted to an employment visa. As a result, we had to send the spouse back to her home country with her young child for a 2-month turnaround and some associated cost.”*
 - *She is successfully working in India today.*

» Schlumberger

Finding #7: Refusals of India job

- *“From internal surveys, we know that at least 20% of our global mobile population would not consider India as a destination for an assignment because they have a spouse who is working and will not be able to follow them.”*

» Schlumberger

Finding #7: Refusals of India job

- *“Quite simply the industry we are in, the oil and gas industry, would come to a standstill if the right numbers of expatriates do not keep coming in.*
- *The problem is that expatriates are turning down opportunities in India because they can choose where they go to work. It is a resource-constrained industry.”*

» Shell



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Finding #7: Refusals of India job

- *“In the last 6 months, we had 4 UN staff refusing assignments in India.*
- *We also had two families who shortened their stay and left India all because one of the spouses couldn't find a job after being here for 1 or 2 years.”*

» UNDP



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Finding #8: More dual careers

- *“Lately , we see a tremendous increase in the number of dual couples working.*
- *When we get potential expats on an information trip, they are very keen to take an assignment in India because they find the culture challenging and they want to try out new things. The next question is....Can my spouse work here? ”*

» Bosch

Finding #8: More dual careers

- *“The rate of refusing to go to India is growing as they have dual career issues. In my company maybe the absolute number is small, but overall in the industry it is a very big problem.”*

» Schlumberger



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Finding #9: High impact on family

- *“The divorce rate among UN staff is high in countries like Tunisia, India, Iraq, Afghanistan and Libya where spouses can’t work.*
- *The divorce rate is quite alarming, 60-70% of persons do not make it due to all these problems.”*

» UNDP



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Finding #10: Allow volunteer work

- Spouses had heard that they are not officially allowed to volunteer on their dependent visa.
- *“I do not understand the logic behind this, particularly in India with huge social needs, if you are not allowed to volunteer and give back something to this country.”*



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Looking ahead....

- *If we are to remain a very competitive destination, the importance of hiring the highest quality in human talent must be underscored, particularly in sectors that require domain-knowledge and higher levels of skill.*
- *It is now a global phenomenon, also in India, that the number of families where both members are working has increased significantly.*
- *Maybe the changes which India has experienced in other avenues of economic and social management have not been fully reflected in the modernization of visa policies, where the focus has often been from a security viewpoint.*
- *The challenge is to ensure that the visa policies and processes are integrated meaningfully in terms of the country's overall economic strategy.*

» NK Singh, MP.

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For more information, contact us:

Kathleen van der Wilk-Carlton
contact@permitsfoundation.com
Tel: +31 70 3191930

Supriyo Gupta
supriyogupta@torquemail.com
Tel: +91 98 10 11661

Permits Foundation
Carel van Bylandtlaan 16
2501 AN The Hague
The Netherlands

www.permitsfoundation.com