

SECONDING EMPLOYEES TO FRANCE (from Japan, South Korea, the USA)

ITER Organization
Legal Affairs

Types of Secondment of Non EU Employees

1. Non EU employee working for a company established in the territory of another EU member (obtained a work permit from a EU country member)

2. Non EU employee working for a **company with no place of Business in EU:**

A) The country **signed a Bilateral Social Security Agreement with France**

B) The country did not sign a Bilateral Social Security Agreement with France

Applicable Procedures

Action/Type of Secondment	JA-KO-US (No place of establishment in EU)
Work permit application	
Secondment Declaration Before the Labor Inspectorate	
Registration to the French Social Security System	
Declarations and Payment of Social Contributions	

Procedure for Seconding an Employee (to be carried out from the Country of Origin)

STEP 1 Social Security Requirements

STEP 2 Work permit application

STEP 3 Secondment declaration before

EMPLOYEE

STEP 1 SOCIAL SECURITY REQUIREMENTS

As a bilateral convention exists

The country of origin social security system is maintained during the mission in France

The employee is under the French social security system during the duration of his secondment

The employer does not declare or pay social contributions in France

Prove that the employee is kept under the country of origin social security system by producing a certificate from the organization in which he/she is registered.

Obligation to prove, the relevant from and competent authority differ for each of the countries.

In all cases:

The employee must be in possession of the form issued by the national social security organization in which he/she is registered

The form proves that • @E@ kept under the social security system of the country of origin

The [J/F6 form](#) has to be validated by the Shakai Hoken CHO (CHS)

The risk of occupational accident has to be well covered by Japanese insurance

In this case, no contributions are due in France

Competent authority:

Japan Pension Service

3-5-24, Takaido-nishi

Suginami-ku

168-8505 Tokyo

Japon

www.nenkin.go.jp

00 81 3 68 92 07 45

- “ The KOR/FR1 - SE237-1 has to be validated by the NATIONAL PENSION FUND (CPN)
- “ The risk of occupational accident and occupational diseases have to be well covered by the insurance
- “ In this case, no contributions are due in France

Competent authority

National Pension Service - NPS - International Center

Kukmin-Yeonkum Building 6th Floor, 180,

Giji-Ro, Deokjin-Gu, Jeonju-si

54870 Jeollabuk-do

www.nps.or.kr

063-713-7106

“ The SE 404-02 form has to be validated by the SOCIAL SECURITY ADMINISTRATION (SSA)

“ In this case, no contributions are due in France

Competent authority

Social Security Administration

Office of International Programs

PO BOX 17741

BALTIMORE MD 21235-7741

USA

STEP 2 WORK PERMIT APPLICATION

2 MONTHS BEFORE THE

ARRIVAL:

APPLY FOR THE WORK PERMIT ONLINE VIA

<https://administration-etrangers-en-france.interieur.gouv.fr/particuliers/#/>

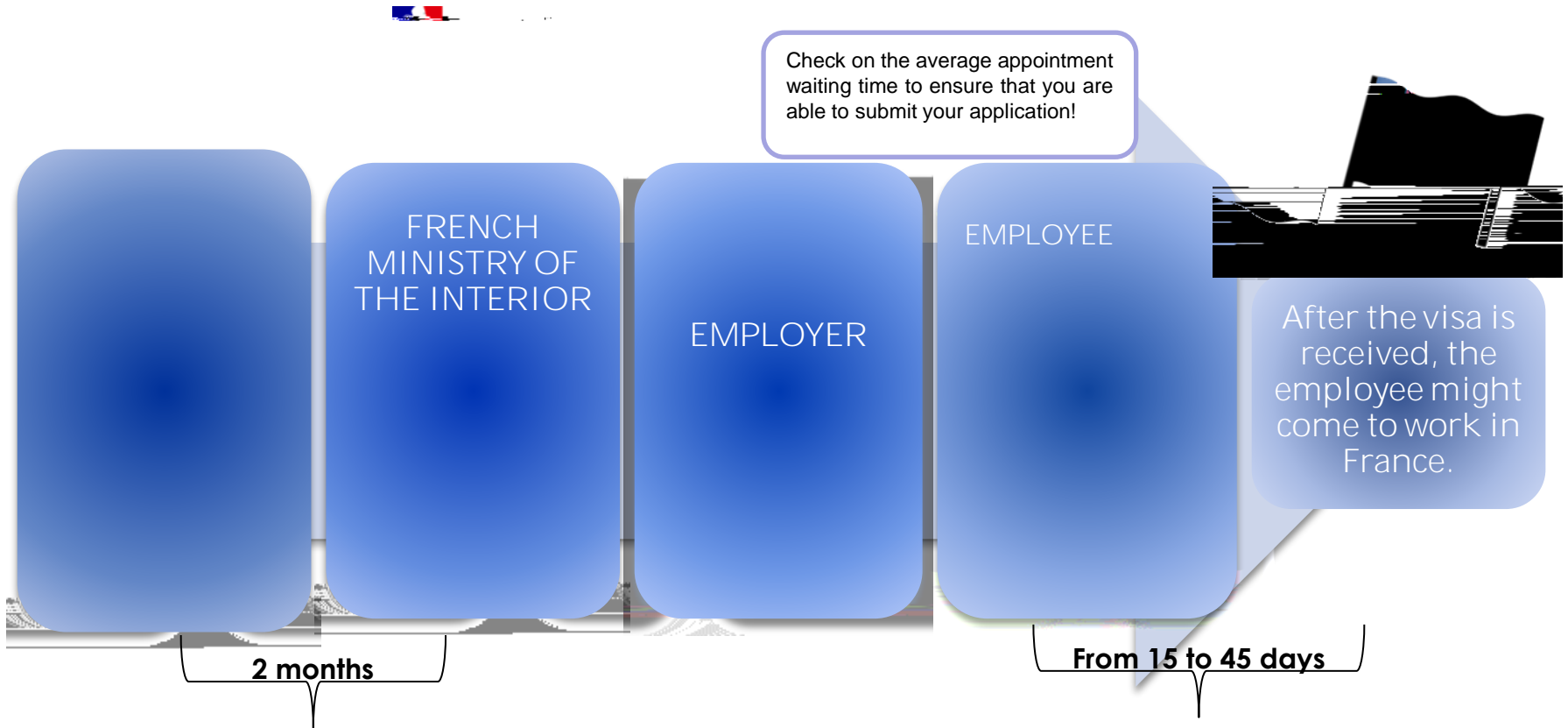


Required documents

- “ Online application
- “ Passport or identity card: For the passport, attach the pages relating to civil status and validity dates. For the identity card, attach the front and back
- “ A duly completed and signed **mandate** if the employer is acting through a representative.
- “ In case of an individual employer . **the last tax declaration**
- “ **Certificate of prior declaration of secondment (recommended)**

“ Where work permit is granted for the

Process



Useful link:

<https://france-visas.gouv.fr/en/web/france-visas/home> . Information about visa process and online application form

Exemption from a work permit for a short-term mission

IN SOME VERY SPECIFIC CASES, for a short-term mission (less than 90 days), there can be an exemption from work permit.

The French consulate or embassy will directly process the short visa application, verifying if the conditions are met for the exemption.

Conditions:

This mission is part of a short-term secondment with exemption from work permit in accordance **with Article L.5221-2-1 and Article D.5221-2-1 (V) of the French Labor Code** which stipulates that, in application of Article L. 5221-2-1 of the French Labor Code, are not subject to the condition provided for in Article L. 5221-2 of the same Code (ie the work permit) foreigners who enter in France in order to work there for a period up to three months in the following areas:(...)

6 ° Audit and expertise missions in IT, management, finance, insurance, architecture and engineering, when he (she) is seconded in accordance with the provisions of Article L. 1262-1 of the French Labor Code.

In case of the exemption from a work permit, we will also ask you to fill the following Declaration of honor:

signed I, the under

anager (leader) Company m

ad with: Having sign

-lter Organization the contract n°

Certifies that it has been decided to send Mr or Mrs:

Currently employed since the

As a

To perform a mission in

For a duration of

management, finance, insurance, architecture

Audit and expertise missions in IT

and engineering, when he/she is

Duties and responsibilities :

STEP 3 SECONDMENT DECLARATION BEFORE THE LABOUR INSPECTORATE

“ The Ministry of labor portal for prior declaration before posting (in French and English):

<https://travail-emploi.gouv.fr/demarchesinspectorat-documentaires/formulaires-et-teledeclarations/etrangers-en-france/article/sipsi-posting-of-workers-prior-declaration-of-posting>

“ Sign and complete the online form to the labor inspectorate (belongs to the Ministry of Labor):

Sipsi form - [https](https://travail-emploi.gouv.fr/demarchesinspectorat-documentaires/formulaires-et-teledeclarations/etrangers-en-france/article/sipsi-posting-of-workers-prior-declaration-of-posting)

SIPSI: Appointment of a representative

Tasks and obligations of the representative

The representative in France acts as a contact person for:

- “ The control agents of labor inspectorate
- “ The officers and agents of the judicial police
- “ The tax and customs officers
- “ The agents of social security institutions
- “ The officials of the institution responsible for the prevention of fraud

The representative shall **store the documents and records concerning the seconded employee and the seconded company** available for the Administration:

- “ work permit, pay slips, registration to the social security system, contract.

STEP 4 VISA

Visa

“ After the EMPLOYER sends the decision on the work permit to the EMPLOYEE, the EMPLOYEE may fill the online visa application form and book an appointment at the Embassy/Consulate in person to apply for a long stay visa (>90days) or short stay visa (<90days).

The image shows a screenshot of the French Republic Long-Stay Visa Application Form. At the top left is the French Republic logo. The title is "FRENCH REPUBLIC LONG-STAY VISA APPLICATION FORM". On the top right, there is a box labeled "IDENTITY". Below the title, there are several sections for data entry, including fields for "2. Honor surname(s)", "3. First name(s)", and "Application date". There are also sections for "13. Type of visa" and "14. Date of issue (DDMMYY)", "15. Valid until (DDMMYY)", and "16. Embassy". The form is partially obscured by a large black redaction box at the bottom.

The long stay visa

- “ The long stay visa allows multiple entries inside the French territory
- “ The Long Stay visa stands for resident permit during the first year.
- “ The employee is allowed to work as soon as he/she arrived in France with his/her passport if he/she complies with all the procedure upon the arrival

Short stay visa - less than 90 days

The Japanese, South Korean and United States nationals are exempted from visa if they stay for less than 90 days.

AFTER: once the employee has arrived in FRANCE

In case of favourable response to the request for work authorization, the administration shall forward obligations upon arrival the foreigner's file to the management of the **OFII**

” *OFII: French Office for Immigration and Integration competent in France.*

For long stay visas:

” Within the 3 months following the arrival, the employee has to validate

Instructions on visa validation

- “ The validation is subject to a fee (of approx. 225 Euros) in a form of a *CESEDA R431-16-8* that can be paid (purchased) whether online, or in a tobacco store.
- “ When validating the visa, if you have Regulatory reference (under the *TRAVAILLEUR TEMP.* section) in your visa, choose *CESEDA R431-16-8* for *TRAVAILLEUR TEMP.*

The OFII convenes the employee and arranges medical examinations.

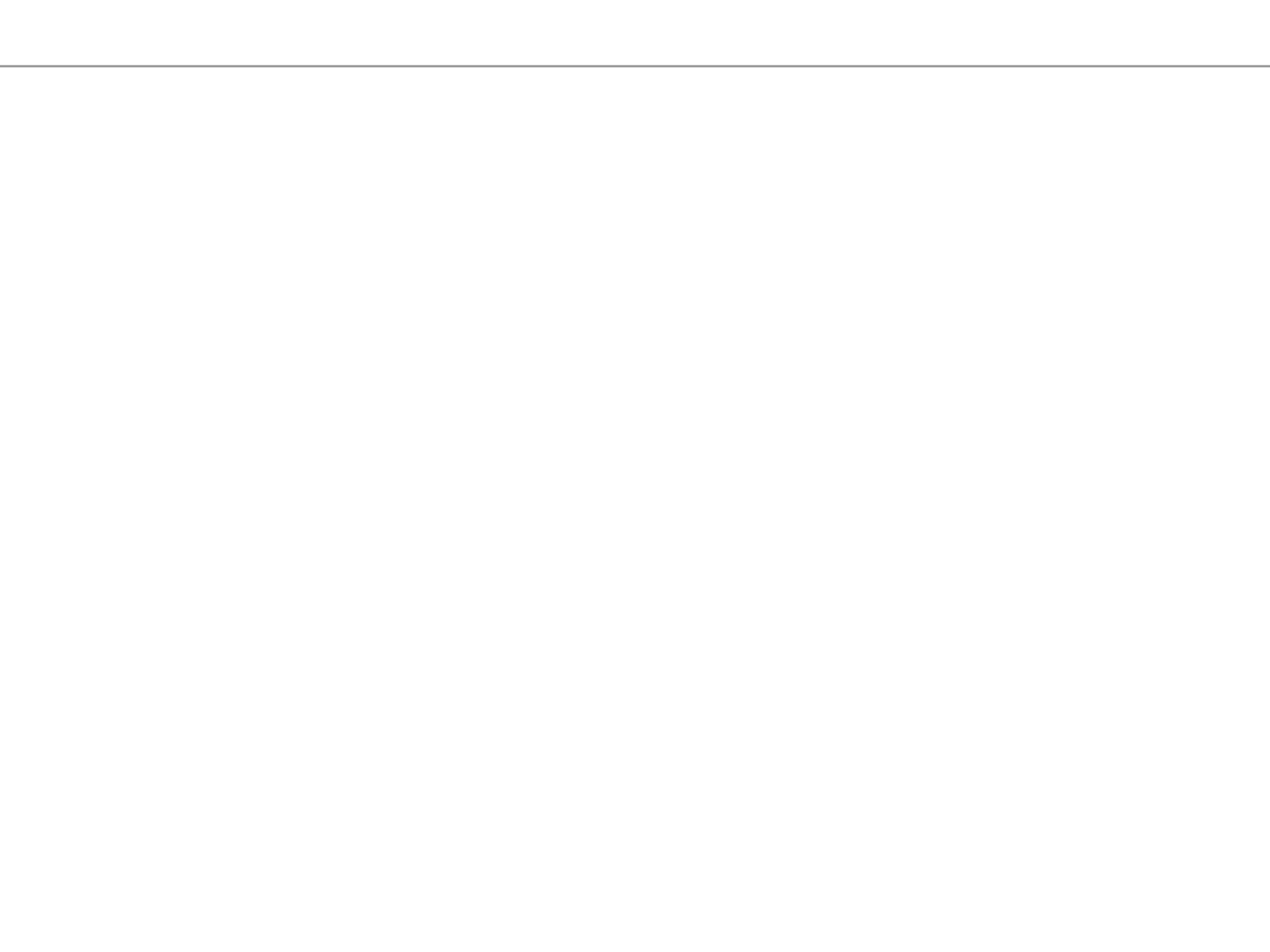
STEP 1 RENEWAL OF THE WORK PERMIT

The renewal application must be submitted in the two months before the work permit expires:

APPLY ONLINE VIA

<https://administration-etrangers-en-france.interieur.gouv.fr/particuliers/#/>





RENEWAL OF A LONG-STAY VISA AS A RESIDENCE PERMIT (VLS/TS)

Required documents:

Long-stay visa ending

Passport (pages on civil status, validity dates, entry stamps and visas)

Proof of domicile less than 6 months old

3 photos (if the request is made on the internet: enter the code of the e-photo (provided by the photographer or the approved cabin on the photo board).

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Medical certificate issued by the OFII: (to be delivered at the time of receiving of the permit)

Work authorization corresponding to the position occupied

Element of the employer's registered social declaration concerning you before the application