

Newsletter regarding new rules about sideline employment for researchers, Ph.D-students and volunteer work

The Danish parliament has today passed new and more flexible rules about sideline employment and volunteer work for international employees.

The changes in the Danish Aliens Act will become effective on June 10th 2018.

The new rules about sideline employment apply to foreigners who have already been issued a residence and work permit as a researcher, guest researcher or Ph.D-student and to foreigners who applies for a new residence and work permit as a researcher, guest researcher or Ph.D-student. The rules also apply to cross-border commuters who already have or will be issued a work permit in Denmark within one of these categories.

The new rules about volunteer work apply to all foreigners who have already been issued a residence permit on the grounds of work and to foreigners who submit a new application for a residence permit on the grounds of work. These rules also apply to cross-border commuters who already have or will be issued a work permit in Denmark.

The rules do not apply to foreigners with residence on the Faroe Islands and Greenland.

Sideline employment

With the new rules it is possible for foreigners with a residence and work permit as a researcher, guest researcher or Ph.D-student to perform sideline employment in Denmark without applying for a separate permit at the Danish Agency for International Recruitment and Integration. It is a condition that the sideline employment is related to the main employment that forms the basis of the residence permit. Whether or not the main and sideline employment are related always depends on a specific and individual assessment.

There are no separate requirements for the terms of salary and employment conditions in regards to the sideline employment and it can be salaried work as well as self-employment including freelance work.

NB! Please note that the rules about sideline employment doesn't apply during any job search period. The right to sideline employment follows the duration of the permit for the main employment.

Researchers, including researchers on the Fast-track scheme, guest-researchers and Ph.D-students can perform sideline employment according to the new rules without any work hours constraints.

Researchers who have a residence and work permit on the pay limit scheme are not covered by the new rules about sideline employment. These researchers would still need to apply for a separate work permit for sideline employment.

Volunteer work

The new rules about volunteer work apply to all foreigners who are already in Denmark on the grounds of work.

The new rules entail a right to carry out **unpaid** volunteer work besides your main employment and any sideline employment. That the work must be unpaid means that neither salary or any other goods can be received, e.g. paid phone, internet etc. Smaller goods that other volunteers receive are acceptable. Such as payment of transportation costs to the work place, free lunch, christmas gift, etc.

The volunteer work can be performed for a formally organised organisation, association, public institutions or the like. The volunteer work can also be performed in more loosely organised networks.

The unpaid volunteer work cannot replace salaried manpower and therefore it is a condition that it is usual that the work is performed unpaid and on a volunteer basis.

The right to perform volunteer work does not require an application, but is encompassed by the original residence and work permit on the grounds of work.