

Annual adjustment of salary criterion for highly skilled migrants 2025

The salary criterion for highly skilled migrants is contained in the Foreign Nationals Employment Act Implementation Decree (*Besluit uitvoering Wet arbeid vreemdelingen*). This also stipulates that salaries are to be adjusted annually with effect from January 1 on the basis of recent index figures for negotiated wages, as published by Statistics Netherlands. For the coming year, the salary criterion will be increased by 6,70%.

The following gross monthly salaries apply as of January 1, 2025:

Highly Skilled Migrant

- Of 30 years and older EUR 5,688 excluding vacation allowance
- Younger than 30 years EUR 4,171 excluding vacation allowance
- Graduated in the Netherlands EUR 2,989 excluding vacation allowance

EU Blue Card

- Highly educated employees EUR 5,688 excluding vacation allowance
- Graduated in the Netherlands EUR 4,551 excluding vacation allowance

The salary criterion is assessed solely on the salary received in cash, i.e. the fixed contractual gross salary in cash, excluding the vacation allowance to be paid by the employer. Non-cash salary payments and uncertain salary components such as overtime, tips, and benefit payments are excluded. However, expense and other allowances may be included, provided they are guaranteed and regularly paid each month.

A fixed allowance, such as a 13th month payment or a fixed year-end bonus that is contractually agreed, can only be included in the gross salary if they are actually paid to the highly skilled migrant in monthly installments.

The salary must also be paid at least monthly into a bank account bearing the name of the highly skilled migrant. Pay slips must be immediately available for inspection upon request.

For applications filed before January 1, 2025, the salary criterion for 2024 applies. The old criterion also applies in situations where the Entry and Residence (*Toegang en Verblijf*; TEV) application is filed before January 1, 2025, although the highly skilled migrant will only arrive in the Netherlands in 2025.

Besides the highly skilled migrant procedure, the salary criterion also applies to applications for a residence permit that are filed for 'intra-corporate transfers' under the EU ICT Directive.

In addition, the salary criterion also applies to the following types of applications for a work permit:

1. Short stay highly skilled migrants

This scheme is limited to employees in key or specialist positions who work for a recognized sponsor and work in the Netherlands for a maximum of 90 days within a six-month period and will not apply for a residence permit due to the short duration of stay.

2. Application in the context of an intra-group transfer

There are special categories for key positions, knowledge transfer and trainees. The salary criterion for highly skilled migrants 30 years of age and older applies to the first two categories. For trainees, the lower criterion for migrants younger than 30 years of age applies.

3. Highly skilled migrants resident in another EU Member State but working in the Netherlands

This scheme is particularly attractive for employers in the border region, who are thus able to employ highly skilled migrants although they do not live in the Netherlands.

EU Blue Card

This scheme could be attractive for employers who are not recognized sponsors but would like to employ highly educated employees. It could be especially advantageous for non-EU nationals residing in another EU Member State who already have an EU Blue Card.

If you would like more information about this, feel free to contact us.

KPMG Meijburg & Co
December 4, 2024

The information contained in this memorandum is of a general nature and does not address the specific circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.