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TEMPORARY VISA FOR LABOR PURPOSES

We are pleased to announce that the Chilean Immigration Department has created a new visa: Temporary Visa for Labor purposes.

This visa may only be requested in Chile, being an essential requirement the presentation of an employment contract subscribed with a company with legal domicile in Chile, not being the employer obligated to pay the return tickets of the employee and family to their home country.

For your better understanding, we enclose a comparative table between the current Work Contract Visa (which remains fully in force) and the new Temporary Visa for Labor Purposes.

	USER	
	WORK CONTRACT VISA	TEMPORARY VISA FOR LABOR PURPOSES
FLEXIBILITY	Allows work for only one employer. Does not allow performing other activities different from those set forth in the employment contract.	Allows work for one or more employers. Allows performing any licit activity (work, studies, business venture, services).
REGULARITY	At the end of the labor relationship, the visa must be cancelled before the Immigration Department and the foreigner has 30 days to request a new visa or abandon the country.	At the end of the labor relationship, the foreigner may subscribe a new employment contract without the need for requesting a new visa (while the same is valid).
PERMANENT RESIDENCE	Foreigner may request Permanent Residence in Chile after two years with a Work Contract Visa (labor continuity), to the extent that all other legal requirements are met.	Foreigner may request Permanent Residence in Chile after one year with Temporary Visa for Labor purposes (labor continuity), to the extent all other legal requirements are met.

This news alert is provided by Carey y Cía. Ltda. for educational and informational purposes only and is not intended and should not be construed as legal advice.

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EMPLOYER

WORK CONTRACT VISA	TEMPORARY VISA FOR LABOR PURPOSES
The employment contract must include a travel clause, as well as the rest of the clauses required by the Immigration Department.	It is not an obligation for the employment contract to include a travel clause. However it must include the rest of the clauses required by the Immigration Department.
There is a sanction applicable to the employer who does not inform the end of the labor relationship to the Immigration Department.	There is no obligation for the employer to notify the Immigration Department of the end of the labor relationship.