

RESIDENCE VISA TO WORK AS AN EMPLOYEE

GENERAL INFORMATION

The application for a residence visa for employment must be submitted in person on the official form, from Monday to Friday between 8:30 and 13:30 (NO APPOINTMENTS) If you do not reside in Miami-Dade County and reasons that impede your travel are proven, such as distance, transportation difficulties, or illness or physical condition that hinders mobility, the presentation of the visa application by a duly accredited representative will be accepted.

Applicants must be legal residents in our jurisdiction: **Florida, Georgia and South Carolina**

B1/B2 visa holders must apply for the residence visa in the country of legal residence.

Honorary Consulates of Spain are not authorized to process visa applications.

PROCEDURE

In Spain, the employer must present personally, or through whom the corporate legal representation is attributed, the application for temporary residence and work permit for the foreigner who wishes to hire at the Immigration Office of the province where he is going to work. (For information on documentation and procedure you can see the following link:

<http://extranjeros.mitramiss.gob.es/es/InformacionInteres/InformacionProcedimientos/Ciudadanosnocomunitarios/hoja017/index.html>

Within one month from the date of notification to the employer of the granting of the authorization, the worker to be hired, must personally apply for a visa at the Consulate General of Spain in Miami, provided that he is a legal resident in this demarcation consular (Florida, Georgia or South Carolina).

WHAT TO SUBMIT

(Original and copy of all the documents requested)

- 1. Two National visa application form** completed and signed
- 2. Two recent photographs** (US passport size) in color, centered, with a uniform and clear background, preferably white. Photographs with a dark background or with objects or people behind the head are not accepted.
- 3. Passport or travel document** recognized with a minimum validity of 4 months.
- 4. Immigration status in the United States** (not applicable to US citizens): residence card, valid US student visa or US work permit (stamp on the passport) or "parole".
- 5. Driver's license and/or Student Card** to prove legal residence in our jurisdiction.

6. **Consular fee.** Payment must be made with MONEY ORDER (Non-refundable) addressed to: "CONSULATE GENERAL OF SPAIN"

7. **Medical certificate.** A recent doctor's statement, dated no more than three months before the application date, with the doctor or medical center's letterhead, duly signed, stamped and translated into Spanish by a sworn/certified translator stating:

"This medical certificate certifies that Mr. / Ms. (...) Does not suffer from any diseases that may have serious implications for public health in accordance with the provisions of the International Health Regulations 2005".

8. **Certificate of criminal record dated no more than three months** before the application date, stating that applicant does not have criminal record in countries where it has resided for the past five years. Does not apply to under 18 years old

In the US you can request the one issued by the US Department of Justice- Federal Bureau of Investigation (FBI) or the one issued by the Department of Law Enforcement of your State of residence. We do not accept local police criminal certificates:

INFO FBI BACKGROUND CHECK DEPARTMENT OF STATE

<https://www.fbi.gov/services/cjis/identity-history-summary-checks>

INFO FLORIDA DEPARTMENT OF LAW ENFORCEMENT

<https://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx>

INFO GEORGIA BACKGROUND CHECK

<https://gbi.georgia.gov/services/obtaining-criminal-history-record-information-frequently-asked-questions>

You can obtain a copy of your Georgia criminal record from most sheriff's offices or police departments. Contact your local law enforcement agency for specific requirements for obtaining a copy of your Georgia criminal record. A local police certificate will be accepted as long as it indicates that the search was conducted at the state level, not just at the local or county level

INFO SOUTH CAROLINA BACKGROUND CHECK

<https://catch.sled.sc.gov/>

The criminal record, either the FBI or The Department of Law Enforcement, must be legalized with the **Apostille certification** and **translated into Spanish by a sworn/certified translator.** (Submit originals of criminal certificate, apostille and translation into Spanish, along with copies of all the documents).

Traducciones: **AMERICAN TRANSLATORS ASSOCIATION** <https://www.atanet.org/>

INFO DEPARTMENT OF STATE APOSTILLE

<https://travel.state.gov/content/travel/en/records-and-authentications/authenticate-your-document/apostille-requirements.html>

INFO FLORIDA APOSTILLE

<https://dos.myflorida.com/sunbiz/other-services/apostille-notarial-certification/https://dos.myflorida.com/sunbiz/other-services/apostille-notarial-certification/>

INFO GEORGIA APOSTILLE

https://sos.ga.gov/index.php/Elections/great_seal

INFO SOUTH CAROLINA APOSTILLA

<https://sos.sc.gov/services-and-filings/apostilles>

If the applicant has spent six months or more during the last five years in another country/State, he/she must submit the police records from that country/State, legalized with the Apostille Certification and translated into Spanish. If the country is not part of the Hague Convention the document must be legalized by the Ministry of Foreign Affairs and then by the Spanish Consulate in that country.

9. **Copy of the contract** in relation to which the residence and work permit has been granted, stamped by the Immigration Office

10. **The governmental resolution** that authorizes to reside and work in Spain. Said resolution must be presented in this Consulate, within a maximum period of one month from the date of notification of the resolution to the employer.

HIGHLY QUALIFIED WORKERS

Those who accredit higher education qualifications or, exceptionally, have a minimum of 5 years of professional experience that can be considered comparable.

Higher education qualification means that derived from a higher education training, of a minimum duration of 3 years and that provides the level of qualification necessary to practice a profession that requires a high level of training or to enter an advanced research program .

Note.- In the case of highly qualified workers, they can benefit from the special regime of Law 14/2013, which provides a simplified procedure of residence for them and some of their relatives (see corresponding section)

IMPORTANT INFORMATION

In the event of granting the visa, the foreigner, must pick it up personally within a maximum period of one month. If the collection is not made within the mentioned period, it will be understood that the interested party has waived the visa granted, and the procedure will be filed.

Once the visa has been collected, the applicant must enter the Spanish territory during the period of validity of the visa, which in no case will exceed three months. Within one month of entering Spain, the foreigner must personally request the Foreigner Identity Card.