

Deal or no deal?

How different Brexit deals could affect employment and immigration

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> Crunch negotiations are imminent. The chance of a deal appears precarious and constructive debate appears rare. We can't pretend to offer certainty on the outcome of the negotiations. What we can do, however, is share our current thinking on the implications of the various types of deal from an employment and immigration law perspective.

Employment law	Immigration law	Questions
Deal ✓	Deal ✓	<p>The uncertainty surrounding the outcome of the negotiations leaves many questions unanswered. How would EU/UK future negotiations on non-regression actually work? What would it mean for EU/UK citizens who wanted to settle post-2019? Are you considering relocating yourself?</p> <p>If you are concerned about the impact of Brexit on your organisation, we might be able to help.</p> <p>For further details please contact:</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;">  Tom Bray Partner T: +44 29 2047 7772 tombray@eversheds-sutherland.com </div> <div style="text-align: center;">  Audrey Elliott Partner T: +44 121 232 1523 audreyelliott@eversheds-sutherland.com </div> </div>
<ul style="list-style-type: none"> no plans to change UK employment law - EU Withdrawal Act seeks to maintain current statute book where not already under UK law direct pipeline of EU law into UK law would be broken, but the UK will seek to keep pace with at least some future EU employment law through separate arrangements how would "non regression" work without EU Court enforcement? no significant employer friendly liberalization of UK employment law any time soon 	<ul style="list-style-type: none"> free movement of workers ends 1/1/2021. If you have a high % of EU workers this needs thought and strategy – contingency and communications highly skilled workers will be prioritised and Tier 2 is likely to be adapted to fill the void of free movement. Possible adjustments are abolishing the Tier 2 cap, reducing the skill level and revisiting the need to test the resident labour market for low skilled workers the Youth Mobility Scheme and some family migration could be extended if more workers are needed in preference to a sector based approach 15 member states also plan to introduce settled status, 10 have opted for a simple declaratory approach where settled status can be assumed 	
No deal ✗	No deal ✗	
<ul style="list-style-type: none"> as above, except UK will have more freedom to implement whichever employment laws it chooses 	<ul style="list-style-type: none"> as above, except free movement of workers could end as soon as 29/3/2019 the most practically likely outcome is that EU citizens in the UK (or arriving pre March 2019) will be able to stay and work in the UK post Brexit the situation for UK citizens in Europe is less certain EU citizens will not receive preferential treatment in the new immigration system post free movement right to work checks may be needed for all EU citizens working in the UK, irrespective of whether they are here already or arrive in the future 	