

Employment Permits

17th of July 2024

Prepared by Migrant Rights Centre Ireland

Migrant Rights Centre Ireland

- ▶ MRCI is a national organisation working to advance the rights of migrant workers and their families at risk of exploitation, social exclusion and discrimination.
- ▶ MRCI handle up to 3,500 cases a year through our national Drop-In Centre, which is a **free and confidential service**. We provide information, support, and advocacy on a wide variety of issues, including immigration rights and employment rights, via face-to-face, telephone, email and ongoing public awareness campaigns.
- ▶ MRCI has been taking a stand with migrants to tackle the root causes of inequality since 2001.

Disclaimer

- ▶ *These materials have been prepared by the Migrant Rights Centre Ireland (MRCI) for information purposes only with no guarantee as to accuracy or applicability to a particular set of circumstances. The materials are not intended and should not be considered to be legal advice. The information given may change from time to time and may be out of date. The Migrant Rights Centre Ireland disclaims any legal responsibility for the content or the accuracy of the information provided. MRCI is not a practising law centre.*

Agenda

- ▶ Who can apply for employment Permit?
- ▶ Types of Employment permits
- ▶ Reactivation Employment permit
- ▶ Benefits REP scheme
- ▶ Who is eligible?
- ▶ How to apply?
- ▶ Employment Permit Bill 2022- Change of Employer
- ▶ Q & A

What is an Employment Permit ?

- ▶ Employment Permit - allows the Non-EEA national to work in the State in a broad range of occupations, unless they are exempted , for example stamp 4 holder
- ▶ Issued by Department of Enterprise, Trade and Employment - DETE



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Who can apply Employment Permit while in Ireland ?

- ▶ You must hold a valid certificate of Registration Irish Residence Permit (IRP/GNIB) with permission on stamp 1, 1A, stamp 1G, stamp 2, 2A, or 3 to submit an employment permit application.
- ▶ CANNOT APPLY IF YOU HAVE NO LEGAL STATUS/UNDOCUMENTED

PERMIT TYPES/SCHEME

DETE

▶ 9 types of Employment Permits

- Critical Skills
- Intra-Company Transfer
- Dependant/Partner/Spousal (DPS)
- General Employment Permit
- Contract For Services
- **Reactivation Employment Permit**
- Internship
- Sports and Cultural
- Exchange Agreements

DOJ/Scheme

- ▶ Atypical Working Scheme (AWS)- (generally less than 90 days)
- ▶ Doctor providing locum services in the Hospital Sector - 6 months
- ▶ Nurse seeking NMBI (Nursing and Midwifery Board of Ireland) registration based on overseas qualification-6 months, nonrenewable
- ▶ More than 90 days DETE
- ▶ Other Permission letters

Reactivation Employment Permit Scheme Application (REP)

- ▶ What is it?
- ▶ IS FOR Employment permit holders who have fallen out of the employment permit system through no fault of their own
- ▶ OR Who have been mistreated or exploited by their employer.

What are the Benefits of the REP scheme?

- ▶ You will be granted a temporary Stamp 1 permission for 6 months
- ▶ No labour market needs test involved in the new permit - LMNT
- ▶ The permit can be issued for any job in any sector, including certain carers in the home, (excluding all other occupations in a domestic setting)
- ▶ Salary is at or above the minimum wage.

Who is eligible?

- If you previously held an employment permit to work in Ireland or you currently hold an employment permit
- You could not renew your employment permit through no fault of your own or
- Because you were mistreated or exploited by your employer.

Reactivation Employment Permit (REP) Scheme Application

Step-by-step guide



How to apply?

- The REP scheme is a two-step process involving two departments.
- Step 1: You MUST first apply through Immigration Service Delivery (ISD) which is part of the Department of Justice.
 - You need to complete the REP application form, found on ISD website
 - You will receive an approval letter from ISD which will allow you to apply for REP, Step 2.
 - You will be granted temporary permission Stamp 1 for 6 months.
 -

Letter from ISD

An Roinn Dlí agus Cirt
Department of Justice



C/o Migrant Rights Centre Ireland
13 Lower Dorset Street
Dublin 1

Person ID:
Application No(s):

REF: **Reactivation Employment Permit Scheme**

Dear

I am directed by the Minister for Justice to refer to your application for permission to be in the State under the **Reactivation Employment Permit Scheme** operated by the Department of Enterprise, Trade and Employment.

Following an examination of your application under the above scheme, you are now granted temporary permission on Stamp 1 conditions for six months from the date of registration. You must now attend at the Garda National Immigration Bureau to register your permission and have a certificate of registration issued to you.

This permission is granted to allow you to seek employment in the State and enable you to make an application to the Department of Enterprise, Trade and Employment for a Reactivation Employment Permit. **You should include a copy of this letter with your application.**

The criteria and procedures applying to the Reactivation Employment Permit are matters for the Employment Permit Section of the Department of Enterprise, Trade and Employment, and full information and Reactivation Employment Permit application forms are available on their website at www.enterprise.gov.ie.

Your permission is subject to your compliance with certain conditions which are set out below. This permission begins from the date of registration. The following conditions will apply to your temporary permission to remain in the State:

- *That you will obey the laws of the State;
 - *That you will not become involved in criminal activity;
 - *That you accept that the granting of your temporary permission to remain does not confer any entitlement or legitimate expectation on any other person, whether related to you or not, to enter or remain in the State.
 - *That you will make every effort to gain employment and not be a burden on the State;
 - *That you will reside continuously in the State;
- 'Continuous residency' means living in the State for the period covered by this temporary permission to remain.

It is important to note that this temporary permission to remain in the State is granted to you subject to the result of

An Roinn Dlí agus Cirt, 13-14 C  an Bh rcalgh, Baile  tha Cliath 2, D02 XK70.
Department of Justice, 13-14 Burgh Quay, Dublin 2, D02 XK70
T +353 1 616 7700 | foscglao / Lo-Call: 1890 551 500 | info@justice.ie

How to apply?

- ▶ **Step 2:** New Reactivation Employment Permit through the Department of Enterprise, Trade and Employment (DETE).
- ▶ You need to use the online portal to apply for this permit, DETE website
- “Reactivation Employment Permit – Standard employer/Trusted partner (New) ”
- You will need to upload several important documents with this online application such as your permission letter received from ISD, a passport-sized photo, a signed application form, and others.

Employment Permit Online System

General Employment Permit Trusted Partner (Renewal)	Internship Employment Permit Standard Employer (New)	Internship Employment Permit Trusted Partner (New)
Intra-Company Transfer Employment Permit Standard Employer (New)	Intra-Company Transfer Employment Permit Standard Employer (Renewal)	Intra-Company Transfer Employment Permit Trusted Partner (New)
Intra-Company Transfer Employment Permit Trusted Partner (Renewal)	Reactivation Employment Permit Standard Employer (New)	Reactivation Employment Permit Standard Employer (Renewal)
Reactivation Employment Permit Trusted Partner (New)	Reactivation Employment Permit Trusted Partner (Renewal)	Sport and Cultural Employment Permit Standard Employer (New)
Sport and Cultural Employment Permit Standard Employer (Renewal)	Sport and Cultural Employment Permit Trusted Partner (New)	Sport and Cultural Employment Permit Trusted Partner (Renewal)
Trusted Partner Trusted Partner (New)	Trusted Partner Trusted Partner (Renewal)	

Who pays for the new reactivation employment permit?

- ▶ DETE charges €1,000 for a 2-year permit
- ▶ Permit can be paid for by the applicant (the employee) or by the company employing them (the employer).

Where can I find more information?

- ▶ You can find more details about the REP scheme at the following government websites:
- [Department of Enterprise, Trade and Employment – REP scheme page](#)
- [Immigration Service Delivery \(Dept. of Justice\) – REP scheme page](#)

Do you have any other tips that will help?

- ▶ New employers who are willing to support your employment permit
- ▶ The best thing is to share the DETE and ISD links above or this page with a new prospective employer

Employment Permit Act 2024

- Signed into law by President Higgins on 25 June 2024
- Among other measures, the new legislation will grant workers on employment permits the freedom to change employer after a period of nine months has elapsed or the hours that you work are being significantly changed.
- Implementation –TBA
- MRCI urge Minister Emer Higgins to quickly put in place the new procedures necessary to enable people to change employer

More questions?

- ▶ You can contact the two Departments involved:
- ▶ Department of Enterprise, Trade, and Employment-REP Scheme Page
- ▶ Immigration Service Delivery (Department of Justice) - REP Scheme page
- ▶ You can also send further queries to MRCI website contact page [contact-us](#).

Employment permits checklists

- ▶ [DETE Reactivation Employment Permit](#)
- ▶ [Reactivation Scheme](#) Temporary permission
- ▶ [User Guide](#) for Employment permit application
- ▶ You can check the status of your application using the [online status enquiry facility](#).
- ▶ The [application processing times](#) are on the Department of Enterprise, Trade and Employment's website.

Drop in Centre

Our Centre is currently running on an appointment basis.

If you would like to speak to us, the best way to get in touch is by sending us a message via the [Contact Page](#) on our website!

Talk to us

MRCI's Helpline Service is open from 10am to 1pm and 2pm to 4.30pm, Monday to Friday.

You can contact our caseworkers by sending your query via the webform below or by emailing us at info@mrci.ie

Please note, we are receiving a high volume of queries so we anticipate coming back to you within 10 working days.

Our Drop-in Centre remains closed for walk-ins, but we continue to operate online. Our caseworkers are still here to help with your questions. Limited face to face appointments are available for emergency cases only.

For information relating to the Regularisation Scheme, visit our [new information page](#). For queries on immigration, exploitation and trafficking, employment rights and housing you check our [Frequently Asked Questions](#) and [Useful Links](#). Knowledge is power – know your rights!

MRCI provides free and confidential information and support to migrant workers and their families.

Message us

MRCI takes your data protection seriously. Read our [privacy policy](#) here.

First Name*

Last Name*

Email*

Mobile

Message:

Please tick to confirm you have read and accepted our [privacy policy](#) before proceeding.

Tick this box to get email updates on how to take action with migrant workers and to hear about MRCI's advocacy work, events and fundraising.

Campaign for a fairer Employment Permit System

- ▶ **Do you currently hold an Employment Permit here in Ireland? Do you want to meet other workers and fight for your rights? **Then join the campaign!****

www.mrci.ie/join-employment-permits-campaign/



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Thank you so much for joining us!