

# International Recruitment Employment Permit Guidance

## Permit

Generally, all non-EEA nationals require both an **employment permit** from the Department of Enterprise, Trade and Employment and **immigration permission** from the Department of Justice.

The employment permit gives the individual permission to work in the State.

The immigration permission gives the individual the permission to live in the State.

## Visa and Stamp

A “visa” is the permission that allows a person from a visa required country, travel to the State to present themselves to an immigration officer to seek entry to the State.

A “stamp” or “immigration permission” is the permission from the Department of Justice under which an individual is allowed to remain in the State.

Up to date information on stamps / visas / residency permits are available from the Department of Justice’s website here - <http://inis.gov.ie/>

## Renewal of Employment Permit

An application to renew an **employment permit** can be submitted up to four months in advance of the employment permit expiry date and up to one month after the employment permit has expired. In general, the **immigration permission** of an employment permit holder is linked to their employment permit permission with the **immigration permission** expiring upon the expiration of an employment permit. The Department advises that an employment permit holder may continue to work whilst their renewal application permit is being processed and in such instances no person will be asked to cease work or to leave the country, where the **employment permit** has expired. When an **employment permit** has issued the permit holder may apply to the Department of Justice to update their immigration permission.

**Contingency Plan:** The **employment permit** position of employers and employment permit holders in the event of a temporary layoff, reduced working hours or redundancy because of the COVID-19 pandemic.

If an **employment permit holder** has been temporarily laid off or is working reduced hours during the period of the permit the following would arise:

- The Department should ideally be informed in advance of the temporary layoff/ reduced working hours so that it can be noted on the permit file
- At renewal stage, the salary and working hours as per the conditions of the permit granted may not have been achieved, however the Department will be cognisant that this is likely to be related to the measures introduced to deal with COVID-19 and will take this into account when considering applications for renewal.

# Employment Permit Guidance



- Where a permit holder has been made redundant, they should inform the Department within four weeks of the redundancy on the prescribed Redundancy Notification Form after which they will have up to six months from the date on which they were made redundant to find another job.
- The Department will be flexible in dealing with employment permit issues that arise for both employers and employees because of the pandemic.

## Note

- An employee must ensure that they have the required permission to work in the State and keep this permission valid.
- An employer must ensure that their non-EEA national employee has the required permission to work in the State.
- In all cases the Department advises that an application for an employment permit should be received 12 weeks in advance of the proposed start date. Currently a Trusted Partner application is being processed in approx. 3 weeks and a Standard application in approx. 6 weeks.

## Non-EEA immigration permission holders

Certain categories of non-EEA immigration permission holders can apply for an employment permit whilst already legally resident in the State. These individuals are required to hold a valid GNIB card and have Stamps 1, 1A, 2, 2A and 3 immigration permissions. If an application for an Employment Permit is successful, the individual must register their change of status with GNIB. Some examples include:

Stamp 1:	Current holder of permit
Stamp 1 Temporary:	Will have letter from Justice granting temporary permission to remain in state and apply for permit
Stamp 1A:	Trainee Accountant
Stamp 2/2A:	Student
Stamp 3:	Spouse

Most **employment permits** for the restaurant sector are General Employment Permits which are renewable for up to three years. Practically every single renewal would be submitted from within the State.

## Important Information:

<https://enterprise.gov.ie/en/Publications/Publication-files/COVID-19-Employment-Permits-System-Contingency-Arrangements.pdf>