



Mr Richard Bruton TD
Minister for Jobs, Enterprise and Innovation
Department of Jobs, Enterprise and Innovation
23 Kildare Street
Dublin 2

2nd May 2014

Dear Minister,

The American Chamber of Commerce Ireland welcomes the publication of the *Action Plan for Jobs 2014* and the *ICT Skills Action Plan 2014 – 2018*. We believe that both plans are characterised by real ambition to meet many of the challenges that our economy and society face now and in the coming years. There are tangible signs of burgeoning demand in the economy as measured by labour market activity and the growing demand for skills, particularly in ICT. We welcome the ambition of the *ICT Skills Action Plan* to advertise more widely Ireland's efforts in this regard and the target of meeting 74% of industry demand for high skilled ICT labour by 2018 is thereby heartening. Attracting talent to Ireland will also be vital to our continued success.

In setting a target of up to 2,000 permits per annum for experienced ICT professionals, the Plan demonstrates an ambition which will be very welcome to many of our members. This and other contingent measures for the promotion of Ireland as a location for highly skilled professionals are very positive. It will be vital that sufficient resources are dedicated to this task. The creation of a single website portal to attract international technical talent will be an important addition to Ireland's efforts in this area. The Chamber has some suggestions in how the impact of that portal might be maximized and we will be happy to provide those in a document on the importance of attracting talent which we will launch later in 2014.

The Chamber greatly appreciates the constructive engagement it has had with the Department of Jobs, Enterprise and Innovation on reform of the employment permits system in the past eighteen months. A large number of important innovations have been introduced which we expect in time will see the Irish system regarded as a global leader. In particular we welcome the proposal for an e-brochure explaining the permits system, the move to an eForm for applications and the establishment of a trial Trusted Partner registration scheme to facilitate speedier hiring for IDA client companies. We fully support the proposal to unify into a single process the Permit Application and Entry-Visa Application.

The Chamber recently surveyed member companies on their experience of the visa and permits system. While our members that regularly bring in staff from outside of the EEA have found the reforms to have speeded up the service they are also of the view that there is room for improvement. It is also clear that a large number of our members continue to find the system to be overly complicated and difficult to access. We appreciate that it may take time to make users familiar with the changes introduced, and awaiting introduction; however it is clear that expectation levels are now elevated and need to be matched by improved service.

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The Chamber have a number of recommendations in regard to on-going reforms of the process that we believe if adopted would help to further distinguish the Irish system in global comparison.

Engagement with industry

Greater levels of engagement by the Department with industry to explain the employment permits system and process should be encouraged and would be very worthwhile.

eForms

The eForm should facilitate professional service provider/agents completing the applications on behalf of their clients. We anticipate that the client would be the employer in most cases. We are keen to see the implementation of the electronic signature facility and would be grateful for any update on the progress of that innovation.

Ineligible categories of employment

More clarity should be introduced in regard to the 'ineligible categories of employment'. For example the 'Sales' category should be developed further to reflect that fact that some sales roles are much more technical and/or skilled than others. Currently 'sales' is a broad category which does not reflect that diversity of roles existing within the modern international sector of the economy.

ePayments

We welcome the facilitation of ePayments for applications from September 2014, but request that an option for professional service providers to our members in this field to make payments or receive refunds from the Department on behalf of clients be explored. Such service providers are a key support particularly to large employers in facilitating the attraction and entry of skilled talent to Ireland.

Trusted Partner

The Chamber believes a Trusted Partner scheme has the potential to make the permits system even more efficient. In order to maximize the potential efficiency, we suggest that the issuance of a forewarning of potential rejection in respect of an application, by the Department, would be very useful in order to prevent the need to resubmit applications. In practice we suggest that the problem would be highlighted and remedial action taken to ensure that the relevant documentation or information was provided to the Department. In particular, we welcome the shortening of the application form and the removal of the employer signature requirement from a trusted partner. We suggest that the issuance of a forewarning of potential rejection in respect of an application, by the Department, would be very useful in order to prevent the need to resubmit applications. This should be carried out by means of a letter or email to the employer or agent rather than returning the full application. Doing so may assist in preventing application packs from being compromised or going missing as they change hands.



Complex queries

A dedicated contact for dealing with complex queries that arise during the processing period would be very advantageous. Our members have found that, while processing times have improved overall, there are still significant delays taking place when queries arise in relation to aspects of an application. The administrative process does not currently allow for those queries to be settled without the return of documentation which causes further delay and is not generally speaking assisted by the provision of expert advice from the Department.

Changing roles

We are aware that there are growing concerns in relation to the changing of job titles and how that is regarded by the Department. We understand that where one or some of the following; job titles, the location of roles or salary levels, change, that permit holders are required to submit a new application to reflect those changed details. The Chamber is keen to understand if this is a new legal requirement or a policy change arising under the existing legislation. There are obvious costs attached to resubmitting applications which are a burden to our members, and this is brought into stark relief when, as occurs in many of our members, the global organisation re-designates or alters job titles on a whole group basis. Such changes might occasion the need to submit a large number of new applications, for existing employees, with the attendant costs, administrative load and uncertainty. The Chamber is also keen to understand what types of alterations are regarded as significant or otherwise in respect of changed roles. In effect we seek to understand how this is benchmarked.

Minister, we applaud the efforts that have been made to reform the employment permits system. The American Chamber regards a world class permits system as a key part of ensuring the continued development of our high tech sectors. Our engagement with your Department on these matters has been very constructive and we remain available to continue that dialogue.

Yours sincerely,

Brian Cotter
Public Affairs Director

cc Martin Shanagher, Assistant Secretary
Fiona Flood, Principal Officer