

# Employing International Protection Applicants

## Employer Guide



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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

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# Foreword

The right to work for people in International Protection was hard won in this State, involving a landmark Supreme Court ruling in a case taken by a Burmese International Protection Applicant known anonymously as NHV.

The Supreme Court set out clearly in its May 2017 ruling that people seeking asylum have a constitutional right to be able to access employment, and this prompted the State to facilitate such access through compliance with EU legislation.

However, making the right to work real for people in International Protection has been a persistent challenge. As a Commission we've been successful, alongside civil society, in breaking down some of the administrative and other barriers, which have made the vindication of the right to work a continued struggle for those International Protection applicants seeking employment. There is however plenty more to do.

This new guidance supports and fosters that right to work by establishing a clear connection between the people seeking International Protection here in Ireland, and our employers, large and small. The International Protection applicants have skills, qualifications and experience, and employers need these talents to build and grow their businesses.

We used our legal powers in the NHV case to make arguments as a friend of the court (amicus curiae). In reading over the case again, I was struck by a quote from Mr. Justice Gerard Hogan who set out in the Court of Appeal in 2016, an eloquent evocation on

the role work plays in shaping our lives: *"employment is not just simply a means of earning a living. Employment gives dignity to what otherwise would be for many a soulless existence and for those of us fortunate to have an occupation, trade or employment, this may be said to be one of the key defining features of our lives. The protection of the dignity of the individual (and not simply citizens) is, of course, one of the objectives which the Preamble to the Constitution seeks to secure"*

Being able to access work is fundamental to a person's dignity, and this guidance aims to bring people in International Protection closer to securing decent work. It does so by bridging some common information gaps between them and prospective employers, including the specific challenges faced by women in accessing the labour market.

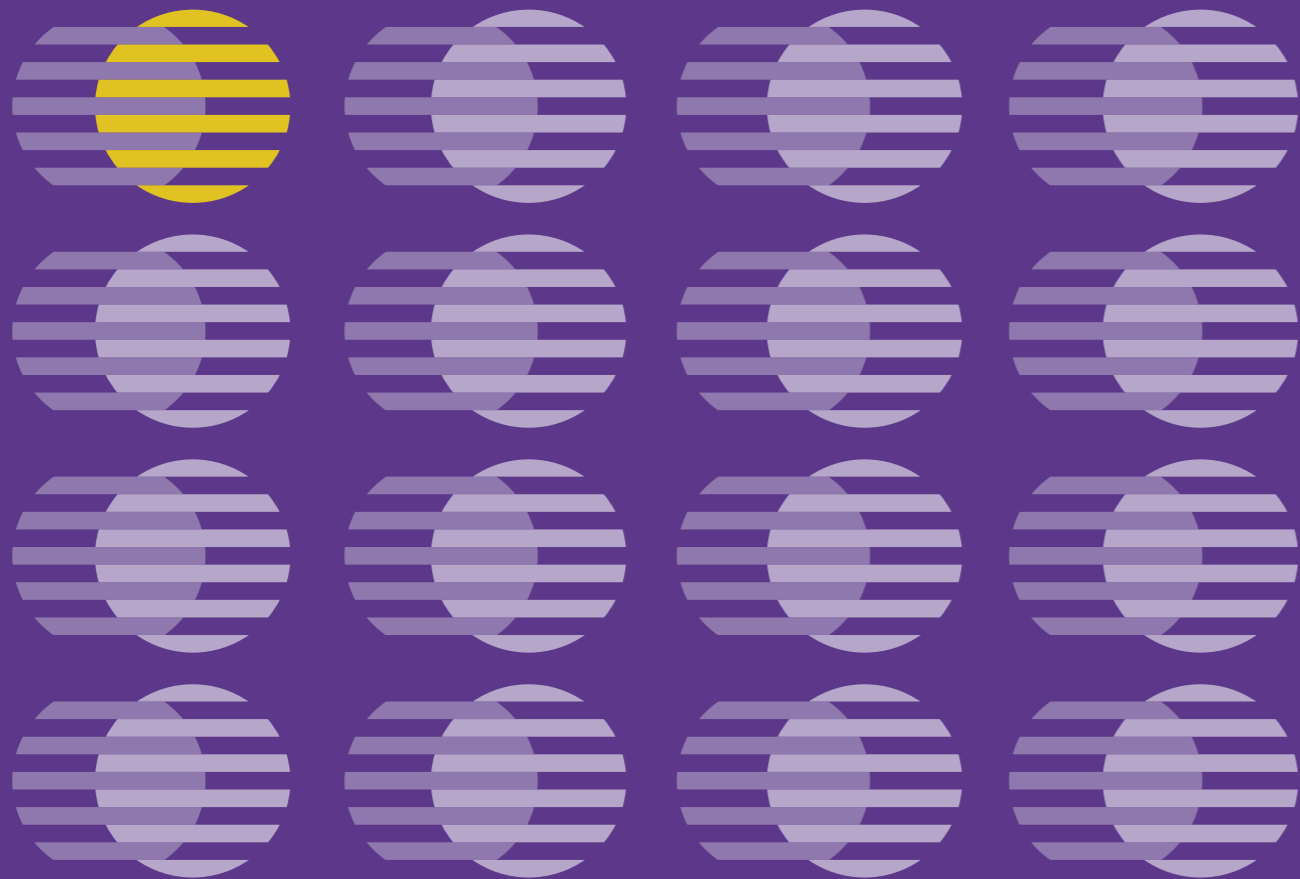
This guidance is an initiative of the Commission's Worker and Employer Advisory Committee, which includes representatives of both Ibec and ICTU. We are sincerely grateful for the support of this committee in contributing to, shaping, and promoting the contents of the publication.

Our thanks also to everybody who has given of their time and experience to make this guidance available. We hope that it can be used by employers across the country to clear a path to employment, which is so essential for realising dignity and rights for all.



**Sinéad Gibney**  
Chief Commissioner

# SECTION ONE



## Introduction

The purpose of this Employer Guide is to give you, as an employer, clear and accessible information on employing international protection applicants - people seeking asylum.

The right to seek and enjoy asylum from persecution is a fundamental human right i.e. international protection. People who seek asylum or international protection in Ireland have permission to remain in Ireland until their application for international protection is decided.

Since June 2018, people applying for international protection have the right to work in Ireland and like everyone else, they have the right for that work to be decent. As the numbers who have applied to work since 2018 illustrate, people applying for international protection are eager to find employment and get their lives back on track. As this is a recent development, many employers may not know about it and miss out on the opportunity to tap into this pool of talent. If they are aware, they may be hesitant as the work permission is unfamiliar to them.

This guide provides information on the work permission, otherwise known as the 'Labour Market Access Permission'. It offers suggestions on what to think about during the recruitment process to ensure a person who has been through the international

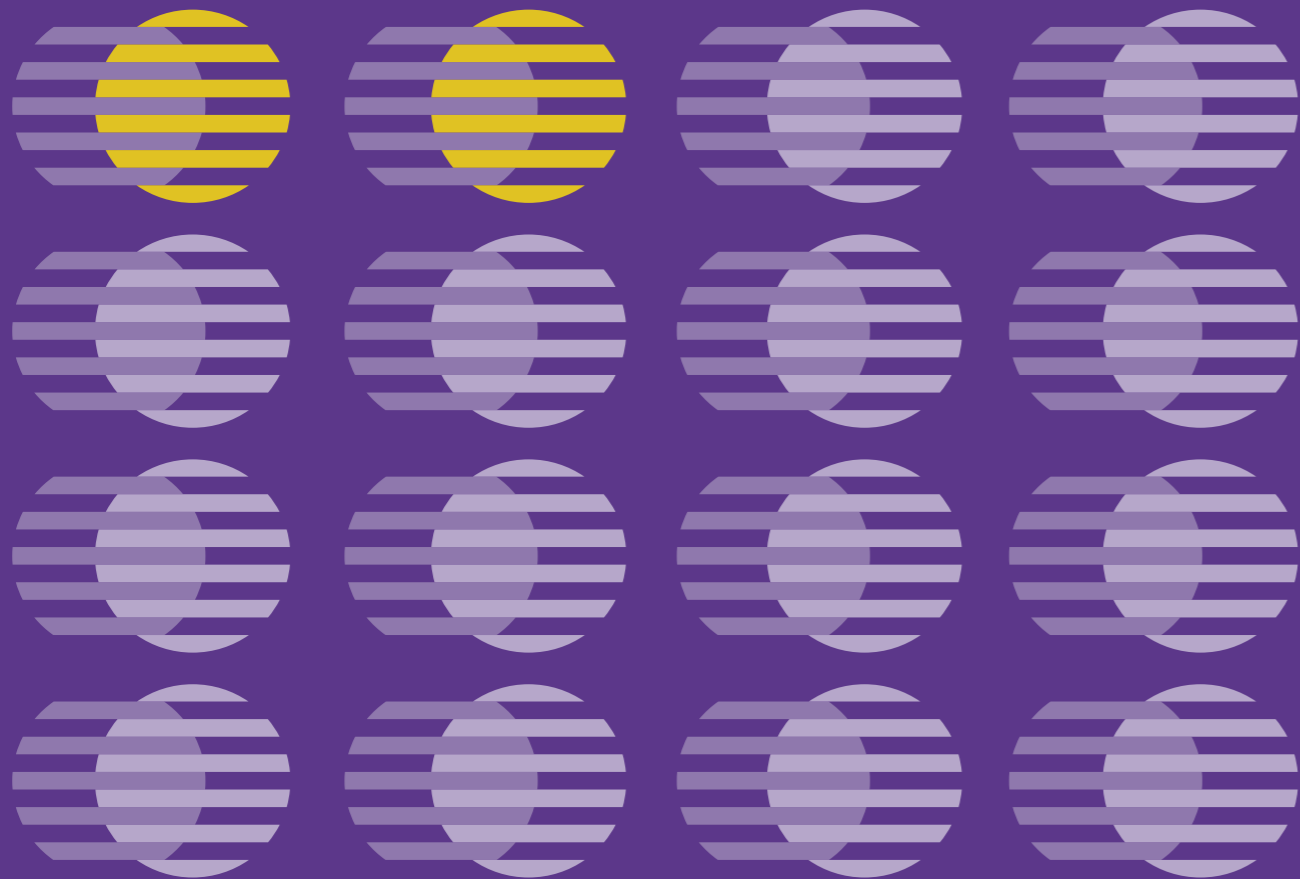
protection process and all that entails has an equal opportunity of success. Support for childcare is important for women to have equal opportunities to seek work and gain financial independence.

Employers are working hard to make their workplaces inclusive to an increasingly diverse recruitment and workforce, including different induction methods, mentoring and diversity training. This guide offers ways to make the workplace more welcoming to new employees who have come to Ireland, often from conflict situations, seeking safety, security and a better future for themselves and their families. They may need just a little more support and time to settle in.

Your employees' stories do not begin when they come to Ireland seeking international protection from the Irish Government. They carry with them their skills, experience and ambitions for themselves and their careers which were stalled through no fault of their own. With your support, your new employees can flourish and at the same time strengthen your business or organisation.

SECTION

# TWO



## Who are people seeking international protection?

This section explains who international protection applicants are and what the difference in status is between a person waiting to have their international protection application processed and a person who has been granted refugee status, subsidiary protection or permission to remain in Ireland.

While often referred to as people seeking asylum or asylum seekers, in this guide people applying for refugee status or subsidiary protection will be referred to as international protection applicants, that is, people applying for the protection of the Irish State.

Applications for permission to work since July 2018:

**9,187**

Applications refused since July 2018:

**2,149**

Applications granted since July 2018:

**6,837**

**Percentage applications granted: 74%**

Number of people who have commenced employment or self-employment (based on employer return declaration forms):

**4,091**

Number of people who have permission to work and who have commenced employment or self-employment (based on employer return declaration forms):

**60%**

People working who are living in Direct Provision and working:

**2,913**

People working who are living independently:

**1,178**

## A person seeking international protection

An International Protection Applicant is a person who has made an application for international protection (refugee status and subsidiary protection) and is waiting for a decision to be taken as to whether or not they will be granted this status.

Accommodation Centres provide accommodation for people who have sought International Protection from their home country. Living in a centre is voluntary and residents can leave at any time or source and provide their own accommodation.<sup>1</sup> However, having a job makes it much more possible to live independently. Plans are afoot to accommodate applicants in the community in a more integrated way.<sup>2</sup>

## A person with refugee status

Everyone has the right to seek refuge under the 1951 Refugee Convention. A refugee is a person who fulfills the requirements of the definition of a refugee under the terms of the Geneva Convention relating to the status of refugees as defined in Irish law and who is granted refugee status.<sup>4</sup> A person who has refugee status is granted a Stamp 4 permission to work.

## → Direct Provision

Direct provision is the name used to describe the accommodation, food, money and medical services that a person gets while their international protection application is being processed<sup>3</sup>.

## → Right to Seek Asylum from Persecution

Under the 1951 Refugee Convention "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion."<sup>5</sup>

<sup>1</sup> See International Protection Accommodation Service (IPAS) for more information - <https://www.gov.ie/en/publication/32a25-accommodation-services/>

<sup>2</sup> See Department of Children, Equality, Disability, Integration and Youth, A White Paper to End Direct Provision and to Establish a New International Protection Support Service, February 2021

<sup>3</sup> See Citizens Information, Direct Provision System. Last updated in August 2021

<sup>4</sup> See Citizens' Information website: [https://www.citizensinformation.ie/en/moving\\_country/asylum\\_seekers\\_and\\_refugees/the\\_asylum\\_process\\_in\\_ireland/refugees\\_asylum\\_seekers\\_introduction.html](https://www.citizensinformation.ie/en/moving_country/asylum_seekers_and_refugees/the_asylum_process_in_ireland/refugees_asylum_seekers_introduction.html)

<sup>5</sup> See UNHCR website [www.unhcr.org](http://www.unhcr.org)

## A person with subsidiary protection status

Subsidiary protection is granted to people who do not qualify for refugee status but who are at risk of suffering 'serious harm' if returned to their home country. The serious harm does not have to be linked to the grounds listed above. For example, people who are victims of indiscriminate violence (e.g. people affected by an ongoing war or conflict) who are not individually targeted may be granted protection under this category.<sup>6</sup> They have the same rights and entitlements as person with refugee status.

## A person with permission to remain status

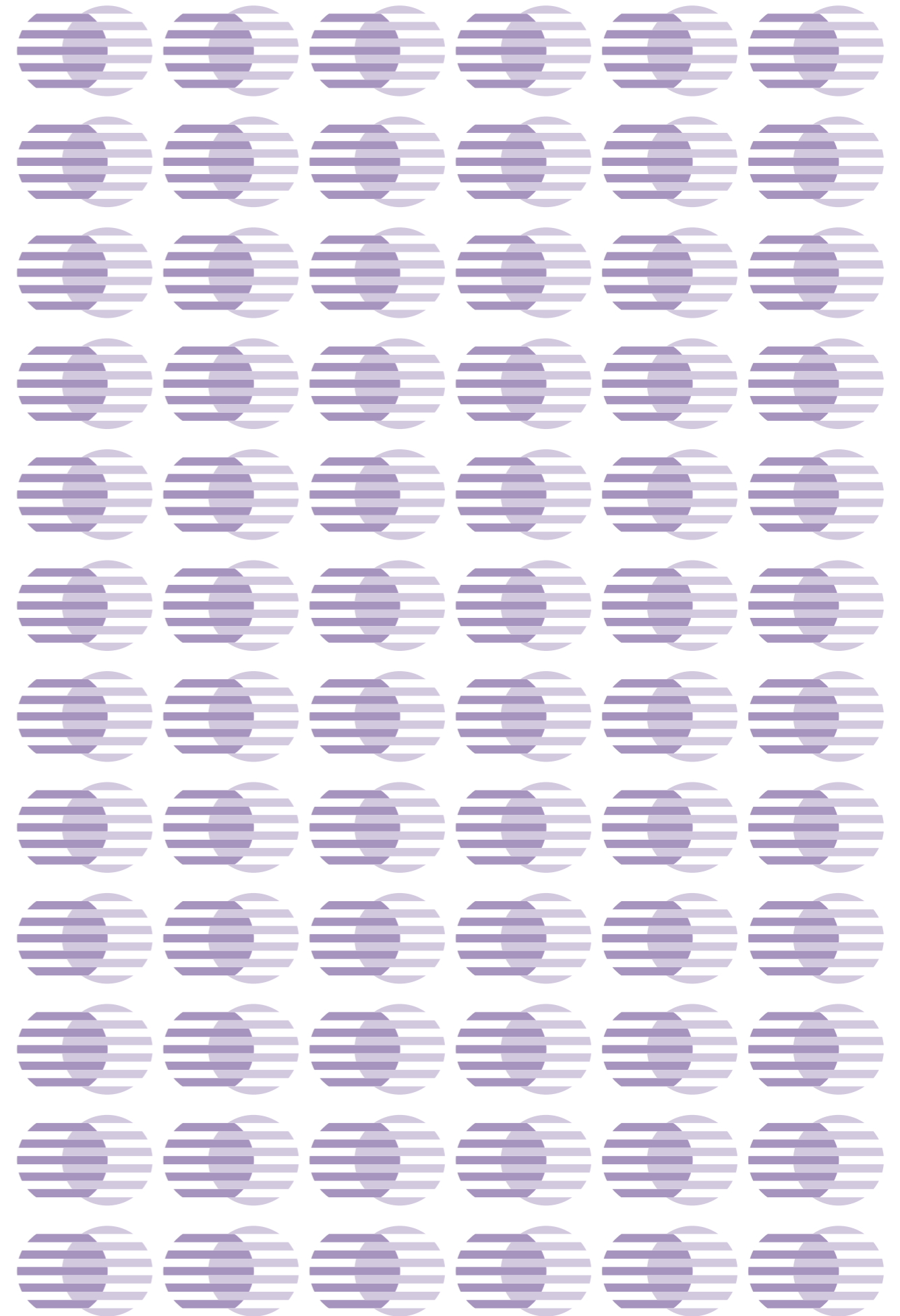
People who do not qualify for either refugee status or subsidiary protection may receive 'permission to remain' from the Minister for Justice. The conditions under which a person is granted permission to remain are decided on a case-by-case basis.<sup>7</sup>

## A person with programme refugee status

A programme refugee is a person who has been invited to Ireland under a Government decision in response to a humanitarian request, usually from the United Nations High Commissioner for Refugees (UNHCR), for the purposes of resettlement. For example, as a result of the conflict in Syria or Afghanistan.

<sup>6</sup> Citizens' Information Board website: [https://www.citizensinformation.ie/en/moving\\_country/asylum\\_seekers\\_and\\_refugees/the\\_asylum\\_process\\_in\\_ireland/refugees\\_asylum\\_seekers\\_introduction.html](https://www.citizensinformation.ie/en/moving_country/asylum_seekers_and_refugees/the_asylum_process_in_ireland/refugees_asylum_seekers_introduction.html)

<sup>7</sup> UNHCR Ireland, 2019, *Tapping Potential - A Toolkit to Help to Help Businesses Employ Refugees and Asylum Seekers*, p.8



# Can International Protection Applicants Work in Ireland?

Since 30 June 2018, international protection applicants have the right to work in Ireland. This followed a judgment by the Supreme Court that an absolute ban on employment was unconstitutional, meaning the legislation invoking the ban was invalid.<sup>8</sup>

As a result, the Government changed the law to permit a person who has applied for international protection to apply for permission to work, known as a labour market access permission. They must have been waiting at least six months for a first instance decision before they can be granted this permission, with some limitations.

## → First Instance Decision

The International Protection Office (IPO) makes a “first instance decision” on an International Protection Applicants case.

This may grant the person any of three different permissions to reside in Ireland - refugee status, subsidiary protection or permission to remain. The first instance decision may also be a negative decision, i.e. it may refuse all of the three possible permissions. A refusal at first instance has an automatic right to appeal. While this appeal takes place, the applicant can continue to reside in Ireland using their TRC and to apply for and renew their Labour Market Access Permission, i.e. they can continue to work.

## → Final Decision

A first instance decision is appealed to the International Protection Appeals Tribunal (IPAT) who consider the applications again. They then make a decision whether to set aside or uphold the IPO’s first instance decision. If IPAT set aside the IPO decision, they will grant refugee status or subsidiary protection. If IPAT uphold the decision, the case then returns to the IPO for a final decision on the “permission to remain” application. The IPO may then grant a Permission to Remain or they may refuse. If the IPO refuses permission to remain, then with the IPAT decision, a “final decision” letter is issued. This is a formal letter that clearly states the refusal decision. It requests that the applicant make arrangements to leave the State. When a final decision is issued, the individuals Labour Market Access Permission is no longer valid. They no longer have permission to work. This is clearly stated in the letter containing the final decision.

Status	Employment Status	
<b>Person seeking international protection (refugee status or subsidiary protection)</b>	<b>Permitted to work, but with some limitations</b>	A person has to be waiting six months for a first instance decision on their international protection application before they can apply for work. An international protection applicant’s permission to work is valid for 12 months. After that, the permission must be renewed to continue in employment.  Permission to work ends, if a final negative decision on the person’s application for international protection is made (following all appeals and judicial reviews have been exhausted, if the person avails of them). Go to Section Four for more details of the labour market permission process and employers’ obligations.
<b>Person with refugee status</b>	<b>Permitted to work</b>	A person seeking international protection who receives refugee status is granted a Stamp 4 permission to work, as are their family members, which means they are entitled to access work without the need to apply for an employment permit. <sup>9</sup>
<b>Person with subsidiary protection status</b>	<b>Permitted to work</b>	A person seeking international protection who receives subsidiary protection status is granted a Stamp 4 permission to work, as are their family members, which means they are entitled to access work without the need to apply for an employment permit. <sup>10</sup>
<b>Person with permission to remain</b>	<b>Usually Permitted</b>	People granted permission to remain are also almost always, with some very limited exceptions, granted Stamp 4 permissions.
<b>Person who is a programme refugee</b>	<b>Permitted to work</b>	People who are programme refugees have the same rights and entitlements as people granted refugee status.

<sup>8</sup> See IHREC, Human Rights and Equality Commission welcomes scheme to grant access to the labour market for applicants for international protection, June 2018. <https://www.ihrec.ie/human-rights-and-equality-commission-welcomes-scheme-to-grant-access-to-the-labour-market-for-applicants-for-international-protection/>

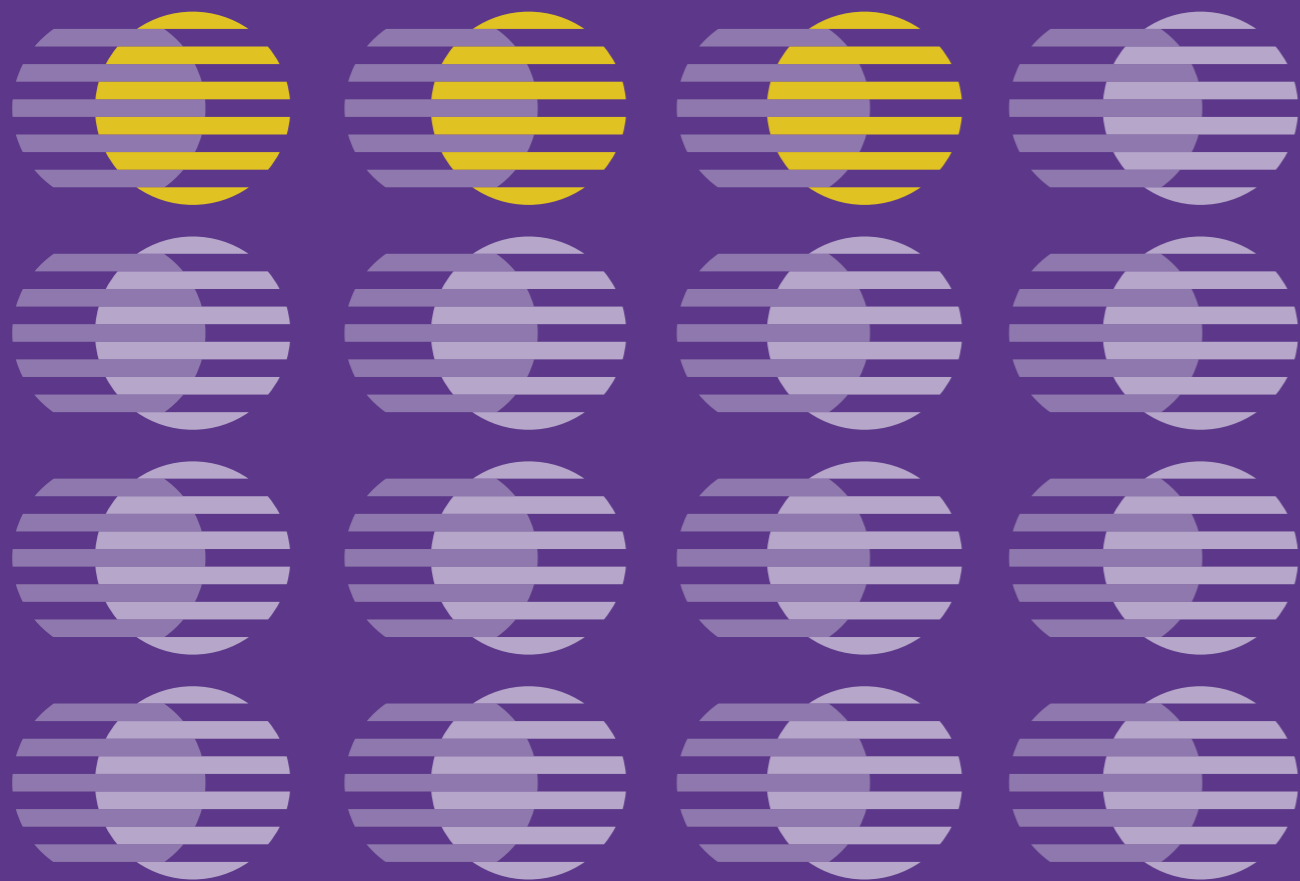
<sup>9</sup> For further information, see Department of Justice website. Updated July 2021 <https://www.irishimmigration.ie/registering-your-immigration-permission/information-on-registering/immigration-permission-stamps/>

<sup>10</sup> For further information, see Department of Justice website. Updated July 2021 <https://www.irishimmigration.ie/registering-your-immigration-permission/information-on-registering/immigration-permission-stamps/>



## SECTION

# THREE



## Why hire international protection applicants?

International protection applicants come from a wide range of countries and cultural backgrounds and bring with them a range of qualifications, skills and experience, including proficiency in different languages. Many have overcome great adversity, developing resilience and adaptability along the way.

For too long, international protection applicants – educated, skilled, experienced workers – did not have the right to work while they waited for their applications to be processed, often for many years.

Now, you as an employer, have access to a pool of diverse talent for roles at every skill level that up to now you were probably not aware of. People, who are very willing to share their talents and learn new skills; eager to contribute to the workplace, the economy, and their community.

As Ireland becomes more and more diverse, employers are already seeing the benefits in the workplace and are increasingly conscious of building and maintaining an inclusive working culture. International protection applicants with the right to work have a diverse range of skills, experience and education attainments. Reaching out and opening up opportunities to international protection applicants, so that they too can make their mark, is the next step and more and more employers are already doing just that.

# zartis

## Matching Opportunity with Ambition

by John Dennehy, Executive Chairperson, Zartis



**Zartis is an international software development company headquartered in Cork. The company builds internet applications for clients globally and has over 200 staff in Ireland, Spain, Poland, and Germany.**

**John Dennehy, the company's Executive Chairperson, explains how they became involved in working with refugees and international protection applicants.**

There has been a shortage of software engineers in Ireland for more than 30 years. In the past decade, it has become increasingly difficult for most companies to build their teams. In 2018, Zartis was contacting software developers from outside the EU trying to get them to relocate to Ireland to fill jobs that would otherwise have remained unfilled. We worked on a number of government and industry backed projects to attract these elusive programmers.

We spoke to people in many different sectors experiencing the same issue: a shortage of skilled labour that restricted their growth. Garages could not find mechanics. Restaurants could not find chefs. Software companies could not find programmers.

At the same time, we had about 7,000 asylum seekers living in direct provision centres in Ireland. Most of them have a deep desire to work and contribute to our economy. We decided to launch Level Up, an initiative helping asylum seekers and refugees find professional roles in Ireland's IT sector. The initiative involves identifying highly motivated candidates, providing them with free online training, and introducing them to potential employers.

We teamed up with the Code Institute, an online company specialising in teaching people to become software developers, and the Digital Marketing Institute. In 2019, we enrolled our first ten asylum seekers and refugees

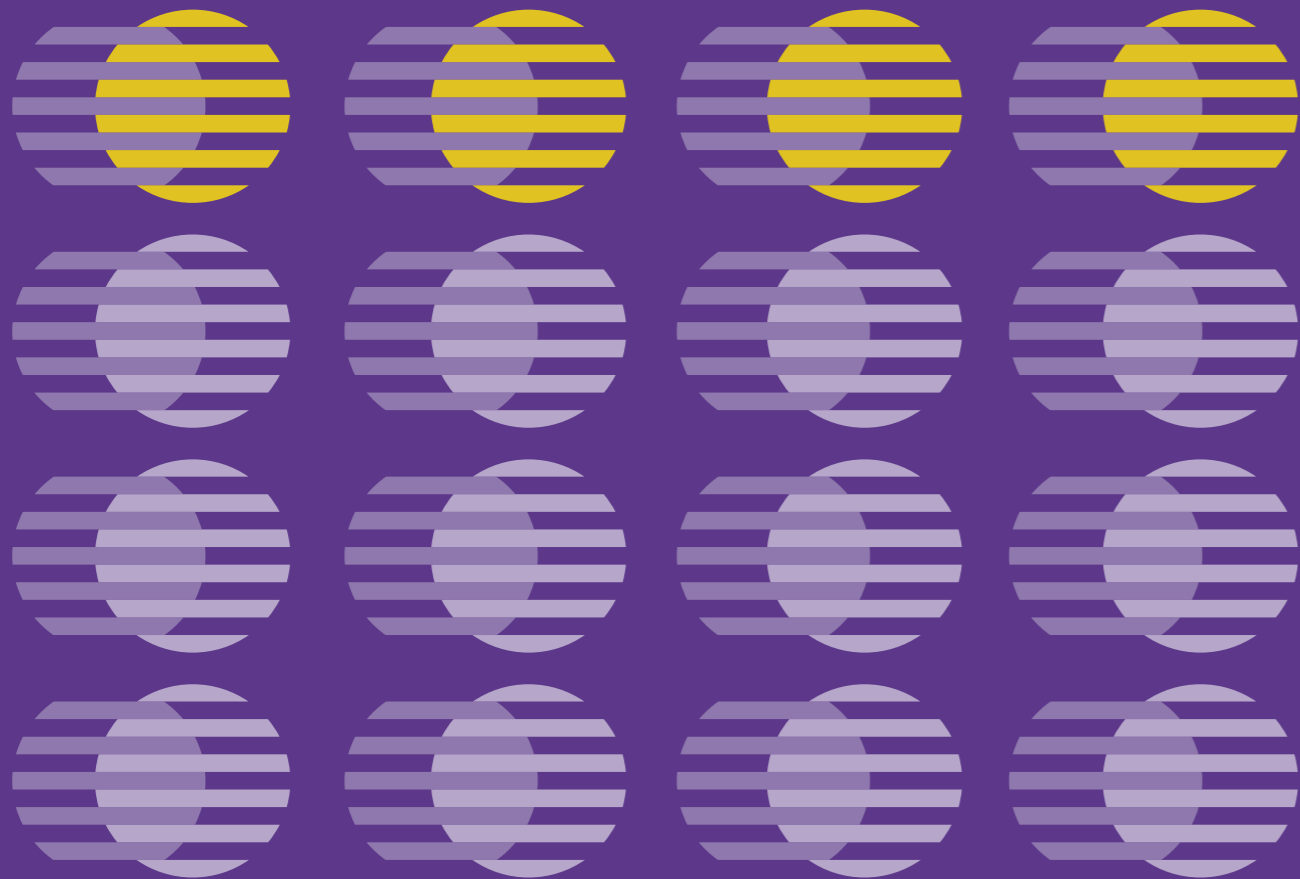
into a six-month course. We are now running the program for its third year. Students from incredibly disadvantaged backgrounds have completed the course and found jobs with leading companies in Ireland such as Starwood Hotels, Hubspot, and Ericsson. Our small project may not have made any big impact on the skills shortage in the tech sector but it has made a massive difference to the lives and livelihoods of some asylum seekers. It has also made an impact beyond what we initially imagined on our own company and some of the companies we work with.

Most of our employees at Zartis are in their twenties and thirties. This is a very competitive market for talent. It is important for many of them to feel that their company is trying to do something good. Helping asylum seekers and refugees has achieved that goal. It is not a wishy-washy feel-good thing. It translates into better performance for our company. We have seen an increase in productivity from staff due to higher motivation rates. We have seen higher levels of morale and greater staff retention. We have seen greater customer engagement. In summary: more sales, less attrition, and greater output. That is something every company strives for.

There are still over seven thousand people in direct provision centres in Ireland. Many are highly skilled and motivated. Like all of us, they have a deep desire to work. We need to think of those people as a resource and match opportunity with ambition.

## SECTION

# FOUR



## Employing International Protection Applicants

International protection applications have the right to apply for permission to work since June 2018 and like everyone else, that includes the right to decent work. This section includes a summary of the guidelines provided to employers by the Immigration Service Delivery on employing people who have applied for international protection.

### → Right To Decent Work

Decent work sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organise and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.<sup>11</sup>  
(International Labour Organisation)

<sup>11</sup> International Labour Organisation (ILO) definition of decent work available on the ILO website: <https://www.ilo.org/global/topics/decent-work/lang--en/index.htm>

# What are the guidelines for employing an International Protection Applicant?

An International Protection Applicant needs to have a valid 'Labour Market Access Permission' to work. They can apply to Immigration Service Delivery (formally known as INIS) for this permission.<sup>12</sup> Once granted, a person with the permission can seek employment and/or self-employment after six months from the date of applying for international protection and provided they have not received a first instance decision on that application.<sup>13</sup> (See explanation of first instance and final decisions in Section Two.)

<sup>12</sup> To become eligible for a work permission eligible, an International Protection Applicant must co-operate with the international protection process. Any delay in processing the person's international protection application must not be as a result of their own actions or inaction. See Department of Justice, Information Booklet: Labour Market Access for International Protection Applications, April 2021: p.3 <http://www.irishimmigration.ie/en/INIS/form-LMA7.pdf/Files/form-LMA7.pdf>

<sup>13</sup> Department of Justice, Minister McEntee announces reduced 6 month waiting period for international protection applicants to access work, January 2021 <http://www.justice.ie/en/JELR/Pages/PR21000016#:~:text=The%20Minister%20for%20Justice%2C%20Helen,apply%20for%20permission%20to%20work>.

# What type of access to employment does the Labour Market Access Permission give?

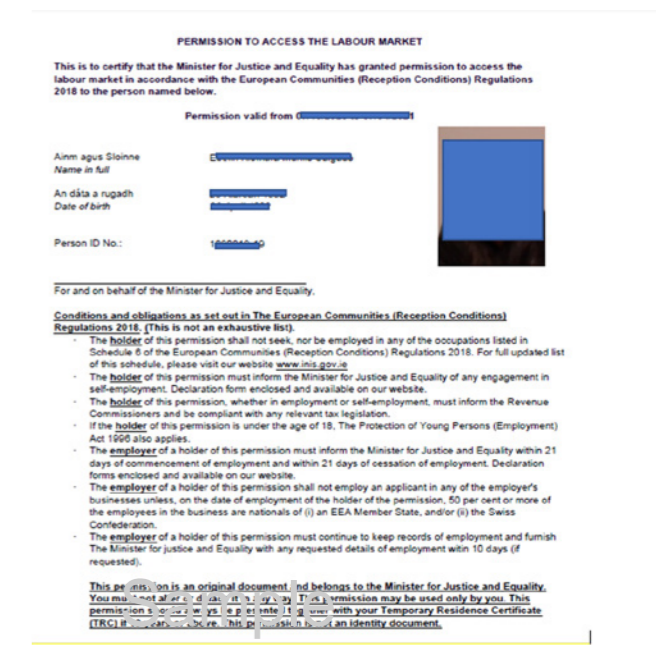
A Labour Market Access Permission is valid for 12 months. The permission may be renewed. The permission (when presented with a valid in-date Temporary Residence Certificate (TRC Card) unless under the age of 18 and have not received one) allows access to employment, self-employment and vocational training. The process to renew it after 12 months is straightforward. Unless revoked or expired, a permission will remain valid up until the International Protection Applicant receives a final decision on their international protection or permission to remain application. This means when all the applications are successful, when appeals/reviews, if pursued, have been exhausted or the applicant withdraws their application.

If the final decision is positive, the person will be granted refugee status or subsidiary protection or permission to remain and subject to registering their new status with ISD. Once they register their new status, this means the person can stay in Ireland, continue in her/his job and is eligible for a Stamp 4 permission.

<sup>14</sup> The permission is only valid when presented along with a valid, in-date Temporary Residence Certificate (TRC Card), unless the individual is under the age of 18 and has not received a TRC Card. Due to Covid-19 restrictions, LMAU are not issuing paper copies of permissions. Labour Market Access Permissions are therefore being issued by email. The permission number will be in the text of the email and a copy of the permission itself is in the accompanying pdf. The applicant should present both a copy of the permission itself and a copy of the accompanying email to you the employer. See Department of Justice, Information Booklet: Labour Market Access for International Protection Applications, April 2021: p.2 <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA7.pdf>

# What does the Labour Market Access Permission look like?

Unlike work permits that you as an employer may be more familiar with, a Labour Market Access Permission is printed double-sided on watermarked paper (see illustration below) with the applicants photograph and the duration of the permission. The permission must be presented with a valid, in-date Temporary Residence Certificate (TRC Card) to an employer when the person accepts a job offer or an opportunity for self-employment<sup>14</sup>.



## Can any employer take on an International Protection Applicant?

The vast majority of businesses and organisations can employ an International Protection Applicant with a valid in-date Labour Market Access Permission, with a number of key exceptions. An International Protection Applicant with a Labour Market Access Permission does not have permission to seek employment in certain parts of the public service, including the Defence Forces, An Garda Síochána, Local Authorities and the Civil Service.<sup>15</sup> Please see full list of exceptions in the appendix.

Another requirement is that you cannot employ a person with a Labour Market Access Permission unless, on the date of employment, 50% or more of the employees in your business are EU, EEA or Swiss nationals.



Example of a TRC Card

## Are there specific conditions when employing an International Protection Applicant?

There are a small number of specific conditions to fulfil. As an employer, you must verify that your employee has:

### - A valid in-date Labour Market Access Permission

If, due to Covid-19 restrictions, your employee or potential employee has been issued with an emailed permission, you can confirm that it is valid by emailing a copy of the permission presented to you to [LMAUqueries@justice.ie](mailto:LMAUqueries@justice.ie) for confirmation.<sup>16</sup>

### - A valid Temporary Residency Certificate (TRC)

People seeking international protection may not have identity papers with them. The Department of Justice issues each person over 18 who makes an international protection application with a Temporary Residency Certificate (TRC). The TRC and Labour Market Access Permission list the holders name and nationality.<sup>17</sup> They also contain a photograph of the individual. Since May 2021 they have been accepted as documentation to open a bank account.<sup>18</sup>

As an employer, you must keep a record of the employment of your new employee, including the duration of the employment, the particulars of the labour market access permission and salary details.

<sup>15</sup> See Department of Justice, Information Booklet: Labour Market Access Permission for Employers, April 2021

<sup>16</sup> You must note the expiry date and confirm that the permission has been or will be renewed as appropriate. It's important to note that an employer who employs an asylum-seeker holding a labour market access permission must inform the Minister for Justice and Equality within 21 days that the asylum-seeker has been employed, and within 21 days of the employment ceasing. This means as an employer, you must complete, sign and post a labour market access declaration form (LMA5) to the Labour Market Access Unit within INIS when an asylum seeker commences employment with your business. See Department of Justice, Information Booklet: Labour Market Access Permission for Employers, April 2021: p.3 <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA8.pdf> p. 3

<sup>17</sup> The document issued to international protection applicants to show that they are free to take employment is printed double-sided on watermarked paper with the asylum seeker's photograph and validity period included. It has to be presented along with a valid, in-date Temporary Residence Certificate (TRC). A TRC contains the name and nationality of the asylum-seeker, together with a photograph of them, which should be sufficient to identify the International Protection Applicant. See Department of Justice, Information Booklet: Labour Market Access for International Protection Applications, April 2021: pp. 4-5 <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA7.pdf>

<sup>18</sup> IHREC, Commission Welcomes Bank Account Access for Asylum Seekers from All High-Street Banks, May 2021

Within 21 days of your employee beginning work, you must complete and return the LMA5 – Labour Market Access Declaration Form.

This form is not only required by the Immigrant Service Delivery when a person seeking international protection is first employed, it is also relevant when applying for a renewal of the person's permission to work. The form's correct and timely completion reduces any delays to that process. An applicant's permission may be revoked if they do not inform the Minister of the details of their income and employment by submitting an LMA5 form in cooperation with the relevant employer.<sup>19</sup>

### Download Form LMA5 – Labour market access declaration form (PDF 221KB)<sup>20</sup>

The complete forms must be returned to: [LMAUapplications@justice.ie](mailto:LMAUapplications@justice.ie)

For each labour market permission holder you employ, you must keep a record of:

- the employment concerned;
- the duration of the employment;
- the particulars of the Labour Market Access Permission; and
- the details of the remuneration paid to the applicant.<sup>21</sup>

You must also keep a record of the numbers in your employment at any given time, who are:

- nationals of a Member State of the European Union, the Swiss Confederation or of the European Economic Area;
- foreign nationals who hold an employment permit; and
- applicants who hold a Labour Market Access Permission.<sup>22</sup>

If the employee stops working for you, you must inform the Minister of that fact by email ([Lmauapplications@justice.ie](mailto:Lmauapplications@justice.ie)) within 21 working days of the permission holder ceasing to be employed.

Every person, including a relevant employer must not publish or broadcast information that would identify an applicant as an international applicant without their consent. It is an offence to do so.<sup>23</sup>

As an employer, you must comply with the European Communities (Reception Conditions) Regulations 2018 to 2021, which set out the scope and conditions of the international applicants' permission to work as outlined above.<sup>24</sup>

<sup>19</sup> <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA7.pdf>, section 6

<sup>20</sup> Download the LMA5 from the Immigration Service delivery website: <https://www.irishimmigration.ie/my-situation-has-changed-since-i-arrived-in-ireland/labour-market-access-permission/>

<sup>21</sup> You must keep these records for a period of 3 years after the employee ceases to be employed by an employer on a labour market access permission. If requested by the Minister for a copy of these records, you must provide them to the Minister within 10 working days. S.I. No. 230/2018 – European Communities (Reception Conditions) Regulations 2018 ([irishstatutebook.ie](http://irishstatutebook.ie))

<sup>22</sup> S.I. No. 230/2018 – European Communities (Reception Conditions) Regulations 2018 ([irishstatutebook.ie](http://irishstatutebook.ie))

<sup>23</sup> Department of Justice, Information Booklet: Labour Market Access for International Protection Applications, April 2021 <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA7.pdf>

<sup>24</sup> An employer who contravenes The European Communities (Reception Conditions) Regulations 2018 to 2021 is guilty of an offence and shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 12 months or both. An employer should also note that if an applicant for international protection works without a valid permission, the applicant shall be guilty of an offence and shall be liable on summary conviction to a class D fine or imprisonment for a term not exceeding 1 month, or both. See Department of Justice, Information Booklet: Labour Market Access Permission for Employers, April 2021: p. 6 <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA8.pdf>

## What happens when an International Protection Applicant is granted refugee status or subsidiary protection?

Where an individual is granted international protection (refugee or subsidiary protection status) they will be provided with a Stamp 4 (subject to registering their permission with ISD). A Stamp 4 grants a person the right to work without having to apply for an employment permit. They can also set up their business or access State funds and services.<sup>25</sup>

## What happens if the international applicant's application is unsuccessful?

An applicant's Labour Market Access Permission will no longer be valid once a final decision is made on the person's application.<sup>26</sup> When an International Protection Applicant receives a final negative decision in relation to their application for international protection, it means that they have exhausted all appeals and judicial review proceedings and no longer have the right to work.<sup>27</sup>

## Are international protection applicants protected under Employment Equality Law?

Yes, international protection applicants with Labour Market Access Permission are protected, in the same way as all other employees. As an employer, you must comply with all other aspects of employment law applying in the State, including employment equality legislation.<sup>28</sup> See appendix two for links to resources on employment law in general and employment equality law in particular.

<sup>25</sup> Citizens Information Board, Glossary of Immigration Terms. Updated July 2018 [https://www.citizensinformation.ie/en/reference/checklists/checklist\\_glossary\\_of\\_immigration\\_terms\\_a\\_checklist.html#:~:text=People%20holding%20this%20stamp%20do%20not%20need%20an%20employment%20permit%20or%20business%20permission](https://www.citizensinformation.ie/en/reference/checklists/checklist_glossary_of_immigration_terms_a_checklist.html#:~:text=People%20holding%20this%20stamp%20do%20not%20need%20an%20employment%20permit%20or%20business%20permission)

<sup>26</sup> <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA7.pdf>, section 6

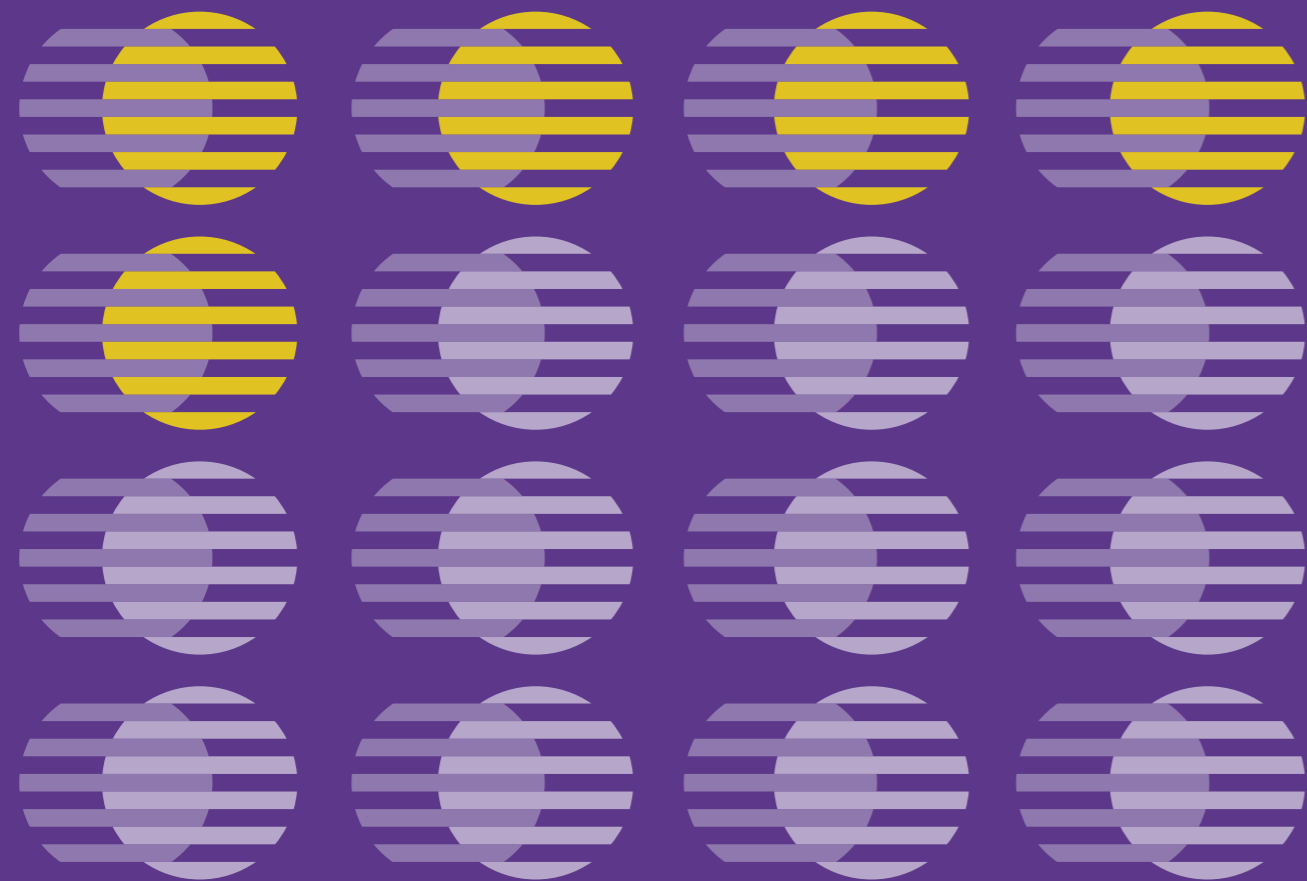
<sup>27</sup> Department of Justice, Information Booklet: Labour Market Access for International Protection Applications, April 2021: p. 2 <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA7.pdf>

<sup>28</sup> Department of Justice, Information Booklet: Labour Market Access for International Protection Applications, April 2021: p. 3 <https://www.irishimmigration.ie/wp-content/uploads/2021/10/form-LMA7.pdf>



## SECTION

# FIVE



## How to ensure equal opportunities for international protection applicants when hiring

Achieving equality, inclusion and increased diversity starts with the recruitment process. It is important to remember that international protection applicants with permission to work may be unfamiliar with the Irish recruitment process and interview etiquette. This section offers practical tailored guidance in relation to different aspects of the process.

### Employment Supports

The Labour Market Access Permission entitles eligible international protection applicants to access vocational training courses through their local Intreo office and local Education and Training Board (ETB). They are also eligible for apprenticeships.<sup>29</sup>

There are some tailored education, training and employment supports for international protection applicants. These are, for the most part provided by civil society organisations.<sup>30</sup> There are a number of projects specifically supporting women to access employment.<sup>31</sup>

They can provide information and advice to employers. In saying this, it is important to realise that civil society organisations are doing this important work with limited resources. Please see the directory of organisations that can signpost you to or provide you with information in Section Eight of this publication.

<sup>29</sup> For further contact your local ETB [www.etbi.ie/etbs/directory-of-etbs/](http://www.etbi.ie/etbs/directory-of-etbs/) or Solas.

<sup>30</sup> Doras, *Getting Right to Work: Access to Employment and Decent Work for International Protection Applicants*, March 2020

<sup>31</sup> See Asylum, Migration and Integration Fund and other State supported initiatives [www.gov.ie/en/publication/4ab75-amif-and-esf-funding/#asylum-migration-and-integration-fund](http://www.gov.ie/en/publication/4ab75-amif-and-esf-funding/#asylum-migration-and-integration-fund) and <https://www.justice.ie/en/JELR/Pages/PR17000405> and MI-WOW <https://www.newcommunities.ie/services/migrant-women-opportunities-for-work/>

## Recruitment Process

Achieving equality, inclusion and increased diversity starts with the recruitment process. This section sets out ways that will help your business develop recruitment practices that are more inclusive and enable international protection applicants to have an equal chance of being considered for a position. Adopting a more inclusive approach means that you have access to a more diverse pool of skilled and qualified candidates and greater cultural awareness among hiring managers.<sup>32</sup>

## Internships

It may have been a while since an International Protection Applicant has worked. Internships help to mitigate some of the barriers to recruitment they may have experienced. These work placements allow international protection applicants time to adjust to working life again in a new culture and to refresh their skill set.

It is best practice that these internships should :

- **Be a minimum of six months**
- **Fully paid at least a living wage or more**
- **Have a mentoring/buddy scheme in place Include progression support to enable the intern to move on into secure employment.**
- **Enable women international protection applicants with children the opportunity to participate by offering childcare support.**

Please see the Deloitte case-study on page 34.

32 UNHCR, *Tapping Potential: A toolkit to help businesses employ refugees and asylum-seekers*, p.16

33 UNHCR Tapping the Potential Tool-Kit <https://www.unhcr.org/en-ie/publications/brochures/5d371f534/tapping-potential-a-toolkit-to-help-businesses-employ-refugees-and-asylum.html>

34 National Adult Literacy Agency (NALA), *Plain English Guidelines*, 2008

35 UNHCR, *Tapping Potential: A toolkit to help businesses employ refugees and asylum-seekers*

36 QQI (Quality and Qualifications Ireland) is an independent State agency responsible for promoting quality and accountability in education and training. See QQI [website](#)

37 Quality and Qualifications Ireland (QQI), *Recognitions*

38 Ibid

## Job Advertisement and Application Form

Review your approach to drafting job advertisements and application forms. Simple changes such as these can make all the difference.<sup>33</sup>

- **Avoid jargon or abbreviations that make it hard to understand what a role involves;**
- **Make sure your job titles specifically express what the role is;**
- **Explain the requirements of the job in plain English;**<sup>34</sup>
- **Include all relevant information in the job description, including location, working patterns, salary, benefits and opportunities for advancement;**
- **Be specific about the level of English needed for a role in the job description and advert as not every job requires the same level of English;**
- **Offer alternatives to online applications that may disadvantage international protection applicants who cannot access the internet or have poor IT skills; and**
- **Partner with organisations supporting international protection applicants to promote employment opportunities and to provide targeted unconscious bias and trauma informed training for recruiters and HR staff.**<sup>35</sup>
- **If support for childcare is an option, make sure to flag it.**

## References and Qualifications

People seeking international protection may not find it easy to provide references because of the circumstances (e.g. fleeing conflict), which brought them to Ireland. Their qualifications may not seem comparable to Irish qualifications.

The National Academic Recognition Information Centre (NARIC), hosted by Quality and Qualifications Ireland (QQI),<sup>36</sup> provides free advice on the recognition of foreign qualifications in Ireland. The NARIC qualifications database has details of almost 1,200 qualifications from over 140 countries and provides certificates of comparability, free of charge.<sup>37</sup>

## Inclusive Interview Process

Review your approach to conducting interviews. For example:

- **Develop a competency-based recruitment process to assess skills and experience;**
- **Ensure experience outside of Ireland is adequately understood, where previous experience needs to be a requirement for a role;**
- **Avoid using telephone interviews which can be challenging for an international protection applicant; and**
- **Give guidance and provide training to interviewers in advance to be able to carry out the interview in a fair way with interviewees who may struggle with English.**<sup>38</sup>

## Case Study

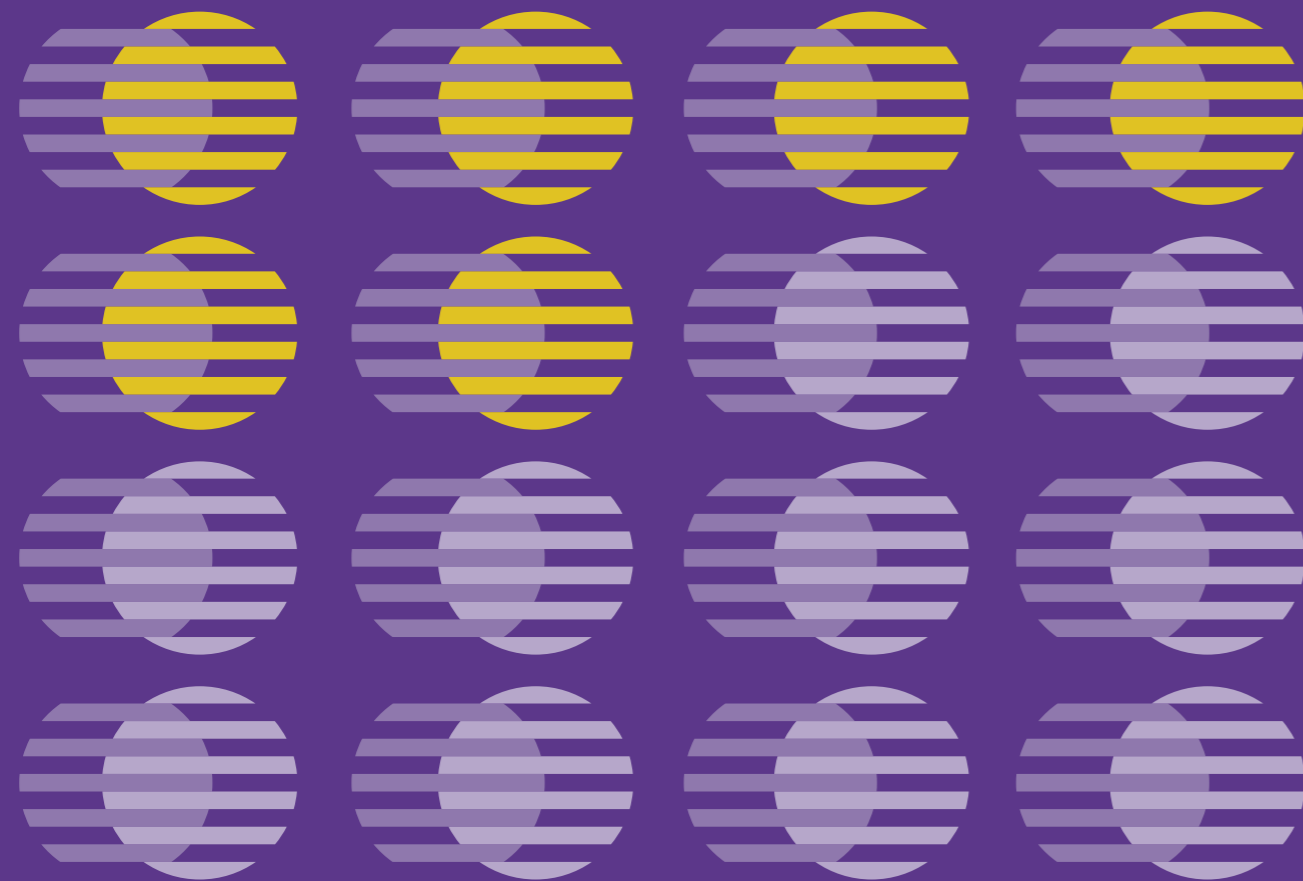
**Wael who is from Syria applied for international protection in Ireland and for work as soon as he was entitled to do so, while he was waiting for his permission for work to come through, he was granted refugee status. Wael shares his experience here:**

"Once I received my documentation, I was ready to look for work. I don't want to live on social welfare, it is a great system, but I want to go on in my life like I used to. Work, pay my rent and my bills. Unfortunately, it didn't happen; most of the jobs required an Irish education that I don't have. I have a law degree and a degree and experience in English and Business management from Damascus university and my Syrian work experience, but not from Ireland. My only option was to work on minimum wages and do courses to help improve my CV. Finding work was a real challenge for me. I have experience as a translator and even advertised myself on Twitter and in newspapers."

"But it was not easy, I didn't get the right support, from CV development to choosing the right path. And then I met Ms. Roos, CEO for Recruit Refugees. We worked together to achieve my dream, because of her I got a contract as a translator in IOM. This gave me hope for the future, I gained a lot of experience and have added a great job to my CV. This work was temporary, but it has given me the trust that I can find the work I want to do and can contribute to this society with my skills and knowledge. It has made a big difference to my life."



# SECTION SIX



## How to make the workplace inclusive?

This section sets out what steps you can take to make a workplace more inclusive and offers tailored guidance to employers on preparing the way for and welcoming new employees who are international protection applicants into the workplace.

International protection applicants represent a wide range of nationalities, cultures and religions. Creating an environment where all employees are valued and helped settle into their jobs and the local community benefits everyone.

The following approaches will help people applying for international protection integrate more easily into your workplace:<sup>39</sup>

- Engage senior management to ensure the rationale behind hiring international protection applicants is understood and communicated and is an integral part of HR and Equality, Inclusion and Diversity Policy and Practice;
- Make sure that there is a good fit between internal communications and the language abilities of all employees;
- Deliver intercultural and unconscious bias training with a gender dimension for all employees, not only for hiring managers;

- Offer training to both supervisors and staff on how they can support international protection applicants;
- Assign a mentor to new employees;
- Provide anti-racism training including a gender dimension;
- Set-up an internal cultural awareness network to celebrate and raise awareness of different cultures and faith background;
- Make accommodation for religious holidays or customs.
- Make accommodations to attend legal appointments or hearings about their application for which they would require time off from work.

Collaborate with civil society organisations supporting international protection applicants to help make your workplace more inclusive. Go to the directory (on page 40) for a list of organisations.

<sup>39</sup> UNHCR, [Tapping Potential: A toolkit to help businesses employ refugees and asylum-seekers](#)



## Deloitte Internship Opening Doors

**Deloitte has nearly 3000 people working for it providing audit, tax, consulting and corporate finance services to public and private clients spanning multiple industries.**

**This case-study explains how and why Deloitte established an internship programme for international protection applicants.**

In Deloitte, to achieve our aim of having a truly inclusive culture, it is important that we represent the full diversity of voices and that everyone sees themselves represented. Our Inclusion Strategy is overseen by our Inclusion Council. We ally with strategic partners in the market such as INvolve, 30% Club and Business In The Community (BITC), using metrics to track and measure progress and build on our corporate responsibility programmes and inclusive recruitment and people processes.

We created the development internship because having a multi-cultural team is important to our team and we wanted to break any barriers to inclusion. We saw it as an opportunity to help create a

network for people in Ireland, provide a rewarding employment experience and offer some valuable career insights. We also saw it as an opportunity to access skilled talent in Ireland and help them further their talent in employment. In Ireland, it is very difficult for asylum seekers to obtain employment – even though they have the right to work. Our team created a programme to help build employment skills and encourage other employers to do the same, in the hope of addressing this challenge.

The programme provides an internship opportunity in Deloitte Ireland for an asylum seeker who has come to Ireland. The internship is for 6 months and develops employment and professional skills while providing on the job experience. The team worked with the Irish Refugee Council (IRC) initially to connect with potential candidates and in our most recent programme, we have also partnered with DLA Piper in their “Know Your Rights” programme as well as Business In The Community (BITC). Our team worked together to create the interview process, training schedule, induction and plan for the internship.

The first internship was in Tax and Legal in September 2020 and we are delighted that the programme expanded further to supporting two interns in Tax & Legal and Consulting in March 2021 and five interns in November 2021.

To support the interns, we provide the immigration guidance to apply for labour market permission and help them to be set up on Revenue online. We have been running the programme remotely which helps capture interns in direct provision centres all over Ireland; offering them the opportunity to come into the office where they can. As with all our new joiners, we ensure the interns have a strong buddy and coach system and that we use this support to make sure we tailor the training to the needs/ requirements of the intern. We also run training through the IRC to inform our teams on the asylum seeker process in Ireland and equip them with the information and understanding needed to support the individual. We have a strong employee resource group called the Multicultural Network in Deloitte, which is a great support. We celebrate the diverse cultures across our business and strive to create an environment where everyone feels valued, respected and one where they can be their true selves.

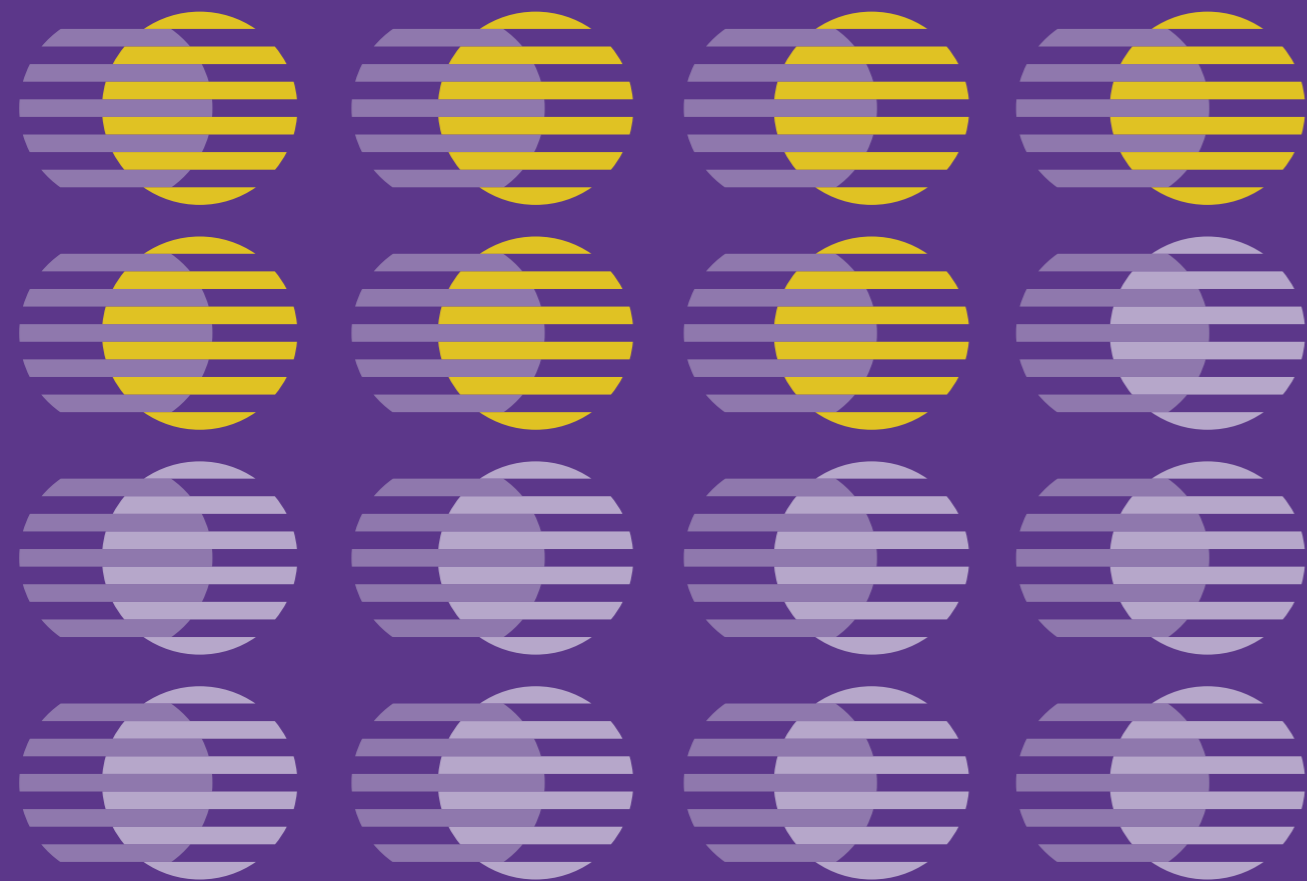
We have loved creating the development internship. The team are providing opportunities to people where they may not have been available previously which has been a very rewarding experience for everyone involved. The team have

also developed their own skills in helping create training programmes and offering interview and CV workshops. This programme matters because in the words of our first intern Sadah – *“I slowly developed my confidence in communicating with different managers, team members and across other Deloitte offices. I overcame my fears and realised that I was in fact able to succeed in this.... This experience has made an enormous impact on my life and I am looking forward to the future and more doors opening for me.”* We have also been in a position to offer one of our interns a permanent role in Deloitte – evidence that it can create a pathway into long-term employment. Another intern in the programme also secured long-term employment following the completion of her internship with us.

Within our direct provision system in Ireland, we have so many talented people with language skillsets, years of work experience and valuable skills. The immigration process is very straight forward. Offering employment opportunities or employment skills training opportunities is a great way to access this talent and also support people to develop their careers in Ireland. It is a way to imbed purpose and drive inclusivity in your organisation and teams and we are delighted to continue developing our programme for the future.

## SECTION

# SEVEN



## How to enable international applicants to progress in the workplace?

This section offers tailored guidance on ensuring equal access to learning and development opportunities and transparency and fair procedures in promotions.

Like other employees, international protection applicants have career ambitions and you as an employer can provide any additional support that they may need to achieve them. As part of your equality, inclusion and diversity strategy, consider an internal mentoring scheme for international protection applicants<sup>40</sup> and check that there is a gender dimension, taking into account the experiences that may be unique to women. As part of the organisation's learning and development offer them ways to expand their educational and employment related networks and opportunities.

It is important to communicate in a clear way progression pathways for all roles and the steps required. This means:<sup>41</sup>

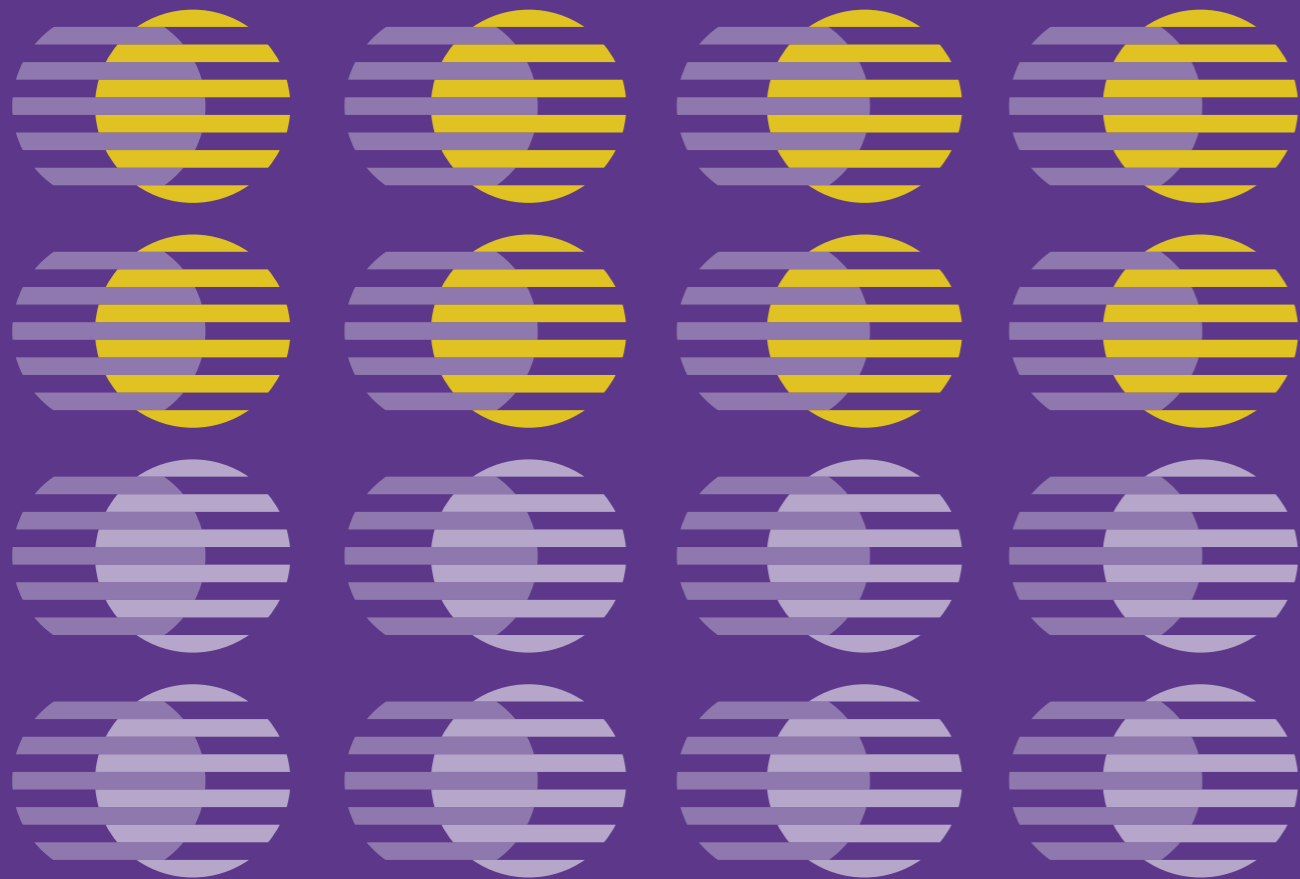
- Ensuring progression opportunities are equally accessible for part-time and flexible workers;
- Creating a clear reporting/appraisal process that is easily understood;
- Ensuring that training is accessible for all employees regardless of shift patterns, travel and location;
- Offer a buddying or mentoring programme;
- Helping international protection applicants to improve their English language skills within the workplace; and
- Initiatives to support gender balanced leadership should be supportive of women from diverse backgrounds to succeed. Partner with civil society organisations working with women international protection applicants. See Section Eight.

<sup>40</sup> UNHCR, [Tapping Potential: A toolkit to help businesses employ refugees and asylum-seekers](#)

<sup>41</sup> UNHCR, [Tapping Potential: A toolkit to help businesses employ refugees and asylum-seekers](#)

## SECTION

# EIGHT



## What supports are in place to take the next steps?

This section offers tailored information on how employers can take the next steps. It is a directory of agencies and organisations that can provide further information to employers about employing international protection applicants who are entitled to work.

# DIRECTORY

## International

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### UNHCR, the UN Refugee Agency

102 Pembroke Road,  
Ballsbridge,  
Dublin 4, D04 E7N6

**Email:** [iredu@unhcr.org](mailto:iredu@unhcr.org)

**Telephone:** +353 (0)1 6314510.

**Website:** [www.unhcr.org/en-ie/](http://www.unhcr.org/en-ie/)

**Resource:** [Tapping the Potential: A toolkit to help businesses employ refugees and asylum seekers](#)

### International Office for Migration (IOM)

116 Baggot Street Lower,  
Dublin 2, D02R252

**Email:** [iomdublin@iom.int](mailto:iomdublin@iom.int)

**Telephone:** +353 (0)1 6760655 /  
1800 406 406 (Freephone)

**Website:** [www.iomireland.ie](http://www.iomireland.ie)

## National

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### Immigration Service Delivery

Department of Justice

13-14 Burgh Quay  
Dublin 2, D02 XK70

**Website:** [www.irishimmigration.ie](http://www.irishimmigration.ie)

**Type of Support Provided:** Information is provided to employers

**Resource:** [Labour Market Access Information Booklet for Employers \(LMA8\)](#)

### Irish Human Rights and Equality Commission

16-22 Green St,  
Rotunda,  
Dublin 7, D07 CR20

**Telephone:** LoCall: 1890 245545 **Telephone:**  
+353 (0)1 8583000

**Email:** [YourRights@ihrec.ie](mailto:YourRights@ihrec.ie)

**Website:** [www.ihrec.ie/your-rights/](http://www.ihrec.ie/your-rights/)

**Type of Support Provided:** Information on employment equality rights

**Resource:** [Information Booklets on the Employment Equality Acts in 9 languages](#)

### Ibec

84/86 Lower Baggot Street  
Dublin 2, D02 H720

**Telephone:** +353 (0)1 605 1500

**Email:** [info@ibec.ie](mailto:info@ibec.ie)

**Website:** [www.ibec.ie](http://www.ibec.ie)

**Type of Support Provided:** Information and advice to employers

### ICTU

Irish Congress of Trade Unions  
31/32 Parnell Square  
Dublin 1, Ireland

**Telephone:** +353 (0)1 8897777 /  
+353 (0)1 8872012

**Email:** [congress@ictu.ie](mailto:congress@ictu.ie)

**Website:** [www.ictu.ie](http://www.ictu.ie)

**Type of Support Provided:** Information on Employment Rights

### Business in the Community Ireland

3rd Floor Phibsborough Tower  
Phibsborough Road  
Dublin 7, D07 XH2D

**Email:** [info@bitc.ie](mailto:info@bitc.ie)

**Telephone:** +353 (0)1 874 7232

**Website:** [www.bitc.ie](http://www.bitc.ie)

**Type of Support Provided:** Advice to employers on employing international protection applicants

### Irish Refugee Council

37 Killarney Street  
Dublin 1, D01 NX74

**Telephone:** +353 (0)1 764 5854 **Email:**  
[info@irishrefugeecouncil.ie](mailto:info@irishrefugeecouncil.ie)

**Website:** [www.irishrefugeecouncil.ie](http://www.irishrefugeecouncil.ie) **Type of Support Provided:** Advice to employers on employing international protection applicants

### Open Doors Initiative

North Circular Road,  
Phibsborough, D07 K2DR

**Email:** [info@opendoorsinitiative.ie](mailto:info@opendoorsinitiative.ie)

**Website:** [www.opendoorsinitiative.ie](http://www.opendoorsinitiative.ie)

**Type of Support Provided:** Advice to employers on employing international protection applicants

### AkiDwA

Unit 2 Killarney Court,  
Upper Buckingham Street,  
Dublin 1

**Telephone:** +353 (0)1 8349851 /  
+353 874150906

**Email:** [Manager@akidwa.ie](mailto:Manager@akidwa.ie)

**Website:** [www.akidwa.ie](http://www.akidwa.ie)

**Type of Support Provided:** Information to employers on employing international protection applicants

## Irish Council for Civil Liberties,

Unit 11, First Floor, 34, Usher's Quay,  
Dublin 8, D08 DCW9

**Phone:** +353 (0)1 9121640

**Email:** info@iccl.ie

**Type of Support Provided:** Information on  
employment rights and other rights

## Places of Sanctuary

2 St Andrew's Street

Dublin 2, D02 PD30

**Email:** Tiffy Allen

tiffy@ireland.cityofsanctuary.org

**Website:** www.ireland.cityofsanctuary.org

## New Communities Partnership Migrant Women - Opportunities for Work (Mi-WOW)

53 Upper Dorset Street

Dublin 1

**Telephone:** +353 (0)1 8727842

or +353 (0)87 1672039

**Email:** miwow@newcommunities.ie

**Website:** www.newcommunities.ie/  
services/migrant-women-opportunities-  
for-work/

## Education and Training Boards, Ireland

For the contact details of local ETBs, please  
see weblink

**Website:** www.etbi.ie/etbs/directory-  
of-etbs/

**Type of Support Provided:** Local ETBs offer  
information and guidance on their courses

## Citizens Information Board

Ground Floor

George's Quay House

43 Townsend St

Dublin 2, D02 VK65

**Telephone:** 0818 07 4000

**Website:** www.citizensinformation.ie/  
en/

## Solas

The Further Education and Training

Authority Block 1

Castleforbes House

Castleforbes Road

Dublin 1, D01 A8N0

**Telephone:** +353 (0)1 533 2500

**Email:** info@solas.ie

**Website:** www.solas.ie

## Regional

### Meath/Louth

#### Cultúr Migrants Centre

1st Floor, St. Anne's Resource Centre

Railway St

Navan, Co. Meath.

**Contact:** Reuben Hambakachere

**Telephone:** +353 (0)46 9093120

**E-mail:** info@cultur.ie

**Website:** www.cultur.ie

**Type of Support Provided:** Advice to  
employers on employing international  
protection applicants

#### Meath Partnership

Units J & K, Kells Business Park

Cavan Road

Kells

Co. Meath

A82 N6P8

**Telephone:** +353 (0)46 9280790

**Email:** info@meathpartnership.ie

**Website:** www.meathpartnership.ie/  
pages/home/

### Galway/Mayo

#### Galway City Partnership

Galway Migrant Service

3 The Plaza Offices,

Headford Rd, Galway

**Telephone:** +353 (0)91 773466

**Email:** katya@gcp.ie

**Website:** www.gcp.ie/programmes-  
supports/support-for-communities/  
communities-by-interest/migrants/

**Type of Support Provided:** Advice to  
employers on employing international  
protection applicants

#### South West Mayo Development Company CLG

Mosaic Centre,

Harlequin Plaza, Castlebar,

Co. Mayo

**Contact:** Natalya Pestova, Direct Provision  
Support Officer

**Telephone:** +353 (0)94 9028468 /

+353 (0)86 0406134

**Email:** npestova@southmayo.com

**Website:** www.southmayo.com

**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

### Limerick/Clare/Tipperary

#### Doras

51a O'Connell Street,

Limerick

**Telephone:** +353 (0)61 310 328 /

+353 (0)83 0802378

**Email:** info@doras.org

**Website:** www.doras.org

**Type of Support Provided:** Advice to  
employers on employing international  
protection applicants

**Resource:** [Getting Right to Work:  
Access to Employment and Decent  
Work for International Protection  
Applicants In Ireland](#)

#### Clare Local Development Company

1, Westgate Business Park

Kilrush Road

Ennis, Co. Clare, V95PXY3

**Telephone:** +353 (0)65 6866800 **Email:**  
info@cldc.ie

**Website:** www.cldc.ie

**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

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## PAUL Partnership

Unit 25a,  
Tait Business Centre,  
Dominic Street,  
Limerick, V94 WY42  
**Contact:** Elaine MacGrath, Economic and  
Employment Programmes Coordinator  
**Telephone:** +353 (0)61 419388  
**Email:** info@paulpartnership.ie  
**Website:** www.paulpartnership.ie  
**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

## West Limerick Resources

Social Inclusion & Community Activation  
Programme (SICAP)  
St. Mary's Road  
Newcastle West  
Co. Limerick  
**Contact:** Dearbhla Conlon Ahern,  
SICAP Co-Ordinator  
**Telephone:** +353 (0)69 62222  
**Mobile:** +353 (0)87 6750869  
**Email:** reception@wlr.ie  
**Website:** www.wlr.ie  
**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

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## Cork/Kerry

### Nasc, the Migrant and Refugee Rights Centre

34 Paul Street,  
Cork, T12 W14H  
**Telephone:** +353 (0)21 427 3594  
**Email:** reception@nascireland.org  
**Website:** www.nascireland.org  
**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

### Recruit Refugees Ireland

Currahoo,  
Ballinspittle  
Kinsale, Co.Cork  
**Telephone:** +353 (0)83 005 89 75  
**Email:** hello@recruitrefugees.ie  
**Website:** www.recruitrefugees.ie  
**Type of Support Provided:** Specialist  
recruitment agency linking employers with  
international protection applicants and  
refugees seeking work

### SECAD Partnership

Midleton Community Enterprise Centre  
Owennacurra Business Park  
Knockgriffin, Midleton  
Co. Cork, P25 Y893  
**Contact:** Nuala O'Connell, Development  
Officer; Tara Doyle, Development Officer  
**Telephone:** +353 (0)87 9672515 /  
  
+353 (0)21 4613432 / +353 (0)87 2473606 /  
+353 (0)21 4613432  
**Email:** noconnell@secad.ie /  
tdoyle@secad.ie  
**Website:** www.secad.ie  
**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

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## Waterford/Wexford/ Wicklow

### Waterford Integration Services

Waterford Integration Services  
Enterprise House,  
New Street,  
Waterford, X91 YN7X  
**Telephone:** +353 (0)51 844538  
**Email:** info@integrationandsupportunit.ie  
**Website:**  
www.waterfordintegrationservices.ie  
**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

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## Dublin

### Strength-in-Diversity Project with the Dublin City Community Cooperative

Unit 1, Killarney Court,  
Buckingham Street, Dublin 1  
**Contact:** Bronwyn April, Strength-in-  
Diversity Project Coordinator  
**Telephone:** +353 (0)83 314 6726 /  
+353 (0)1 8557015  
**Email:** bronwyn.april@  
dublincitycommunitycoop.ie  
**Website:** www.dublincitycommunitycoop.ie  
**Type of Support Provided:** The Strength-in-  
Diversity Project aims to assist migrants to  
successfully integrate into Irish society.

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## Monaghan

### Teach na Daoine

Oriel Way  
**Telephone:** +353 (0)4771398  
**Email:** info@teachnadaoine.com  
**Website:** www.teachnadaoinefrc.com  
**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

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## Donegal

### Donegal Intercultural Platform

18 Academy Court,  
Oliver Plunkett Road,  
Letterkenny  
Co. Donegal, F92 D648  
**Telephone:** +353 (0)86 084 1433  
**Email:** donegalip@gmail.com  
**Website:** www.interculturaldonegal.org  
**Type of Support Provided:** Provides  
information to employers on employing  
international protection applicants

# Appendix 1

The following organisations and entities may not employ a holder of a labour market access permission:

- (a) The Civil Service of the Government.
- (b) The Civil Service of the State.
- (c) A local authority within the meaning of the Local Government Act 2001.
- (d) Any other entity established by or under any enactment (other than the Companies Acts), statutory instrument or charter or any scheme administered by a Minister of the Government.
- (e) A company (within the meaning of the Companies Acts) a majority of the shares in which are held by or on behalf of a Minister of the Government.
- (f) A subsidiary (within the meaning of the Companies Acts) of such a company.
- (g) An entity established or appointed by the Government or a Minister of the Government.
- (h) Any entity (other than one within paragraph (f)) that is directly or indirectly controlled by an entity within any of paragraphs (c) to (g).
- (i) An entity on which any functions are conferred by or under any enactment (other than the Companies Acts), statutory instrument or charter.
- (j) An institution of higher education (within the meaning of the Higher Education Authority Act 1971) in receipt of public funding.
- (k) The Defence Forces.
- (l) An Garda Síochána.

The above list is as specified in Schedule 6 of the European Communities (Reception Conditions) Regulations (2018 to 2021) and may be updated from time to time.

The regulations also state that an employer shall not employ an applicant who holds a labour market access permission in the business or one of the businesses of the employer unless, on the date of the applicant's employment, 50 per cent or more of the employees of the employer in the business are nationals of:

- i. one or more Member States of the EEA
- ii. the Swiss Confederation, or
- iii. a combination of any of the States referred to in clauses (i) and (ii).

# Appendix 2

## Summary of the Employment Equality Legislation

International protection applicants who have permission to work are protected under Ireland's employment rights law including the employment equality legislation like all other employees.

Employment rights cover contracts, pay, hours of work, leave and holidays, health and safety, data protection at work, industrial relations and trade unions. There is extensive information available on the citizen's information website on employment rights. [www.citizensinformation.ie/en/employment/employment\\_rights\\_and\\_conditions/](http://www.citizensinformation.ie/en/employment/employment_rights_and_conditions/)

There is specific legislation that protects against discrimination in employment. The *Employment Equality Acts 1998-2015 (Acts)* protect individuals from certain kinds of discrimination, harassment and sexual harassment that can happen in the workplace. This legislation also aim to promote equal work opportunities, for example when applying for work, while in a job, going for a promotion or getting equal pay.

The Acts prohibit discrimination on specific grounds: age, civil status, disability, family status, gender, membership of the Traveller Community, race, religion, and sexual orientation.

The IHREC have a specific role to work to combat discrimination and promote equal opportunities in the areas covered by the Acts and to provide information on them. We have produced a booklet that explains employee's rights under the legislation. These are available in nine languages on our website: [www.ihrec.ie/your-rights/](http://www.ihrec.ie/your-rights/)



# Checklist

- Seek advice and support from Ibec and ICTU
- Ensure that developing an organisational culture of equality, inclusion and diversity is a senior leadership and management priority
- Partner with groups representing, working with and supporting international protection applicants to access employment to help you develop inclusive employment systems, policies, practices and training
- Ensure your recruitment process is inclusive and accessible for international protection applications
- Proactively reach out to international protection applicants to make them aware of employment opportunities
- Ensure your recruiters or recruitment staff have received tailored intercultural and unconscious bias training with a gender dimension
- Ensure that inclusive employment and workplace practices are supportive of the experience of people who are applying for international protection, including the specific experience of women
- Ensure that managers, supervisors and mentors/buddy receive tailored training and support
- Ensure that all the Labour Market Access Permission Guidelines are fulfilled (i.e. complete the Employer Declaration LMA5 form and return to the Labour Market Access Unit within 21 days of the employee commencing work.)
- Ensure that induction processes create awareness of employment rights, offer supports and reasonable accommodations to ensure equal opportunities
- Offer paid internships to support international protection applicants re-engage with the labour market
- Ensure that all staff are offered intercultural awareness and anti-racism training
- Ensure promotion and progression routes are clearly explained and learning and development and mentoring opportunities put in place
- Ensure policies are in place to achieve diversity in leadership positions
- Create spaces to celebrate cultural diversity and the enrichment it brings to the organisation
- Public bodies, incorporate as part of your Public Sector Equality and Human Rights Duty considerations



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