



MRCI Points for Undocumented Workers Scheme

Eligibility

Who can apply? Non-EEA nationals who held a work/permit or green card in the State and became undocumented for reasons beyond their control e.g. non-renewal of work permit by an employer, workplace exploitation, deception/false promises or other reasons you deem outside of your control.

Who can not apply? Student permission, working holiday agreement, spouse dependent, working visa/ authorisation, those on deportation orders, refused asylum seekers and existing asylum seekers.

There are 2 steps to the undocumented workers scheme. Step 1 is an application process administered by INIS. Step 2 involves the successful INIS applicant, submitting a work permit application to the DETE.

STEP 1 OF UNDOCUMENTED WORKERS SCHEME – INIS

Fill out the application form, download at.

http://www.inis.gov.ie/en/INIS/Pages/Undocumented_Workers_Scheme

To STRENGTHEN your application you should provide additional information particularly in Sections 3 (employment history in the state) and 6 (additional information) of the application form.

Section 1 and other sections do not ask for additional information however supplementary information can be added in relation to these sections in Section 6.

The more information you provide about your history in the State the stronger your application will be.

3 EMPLOYMENT HISTORY IN THE STATE – use additional sheets

In this section outline the following points:

- Employment in the State
 - Recruitment to Ireland
 - How you found out about the job
 - If money was paid and any repayment arrangements made (this may have rendered you vulnerable to remaining in exploitative conditions)
 - If no job on arrival outline why, e.g., closure of place of work, deception, false promises, other
 - Detail all the work permits held while in the State
 - Outline your Employment History in detail (documented and undocumented)
 - The sector of employment
 - Terms and Conditions of employment
 - Payment, rate of pay, hours of work, pay slips, number of employees etc
 - Was there exploitation involved, constructive dismissal, or unfair dismissal
 - Tax and PRSI contributions

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- Outline if you were exploited in different jobs, detail terms and conditions for each job
- Outline the exact way you became undocumented:
 - Give the date of your last permission to remain and explain why this was not renewed.
 - Work Place exploitation – provide details of this, payment, rate of pay, hours of work, pay slips, number of employees etc (provide documentation such as LRC forms, judgments, settlement agreements etc if applicable)
 - No job on arrival.
 - Promise of work permit application but no application for work permit made by an employer
 - Moved jobs due to exploitation or being made redundant and in the next employment employer did not renew your work permit.
 - Other reasons, for example, illness
- Detail any and every efforts made to regularize your status
 - How many times did you try to get the employer or each employment to renew work permit
 - Outline what you were promised by employer in relation to the work permit
 - Outline if application made was refused by DE TE because of your undocumented status, or other reason i.e. non-compliance of employer (supply documentation if applicable).
 - If not sure state this
 - Outline if there was a lack of information about your situation.
- If you do not have a prospective employer:
 - Outline difficulties you have had in sourcing work while undocumented
 - If you were dismissed when trying to get current employer to apply for work permit
 - If there is a fear of employer not wanting to legally employ person
 - If there is a fear of disclosing to employer status for fear of losing job.
 - Outline any other difficult circumstances you had in relation to finding employment.
 - Employer only has part time employment on offer.

6 ADDITIONAL INFORMATION – (please note this is not an exhaustive list)

Accommodation – links back to 1 PERSONAL DETAILS section

- Outline conditions in accommodation, e.g. overcrowding, unsanitary etc
- If accommodation provided through employment, outline general conditions you lived under, for example privacy (if applicable), agreed or non agreed deductions made for room and board etc

Family Details – links back to 1 PERSONAL DETAILS section

- Outline if you are supporting family in your country of origin
- Detail if you children in the State and if in education, where they attend, If you have children outside the State outline this also. This links back to Section 1 Personal Details

How were you supporting yourself?

- Employment - Cash in hand jobs, part time work, full time work etc – Strengthens Section 3
- Family and friends
- Accessing any State payments
- Other

Situation in country of Origin

- What has changed in your country since you left – e.g. political instability makes return difficult

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Extenuating circumstances

- Illness
 - Other
- Generally Question 6 should be completed with any additional information you feel may strengthen your case.

A successful applicant will be granted a stamp 1 for 4months

For the most up to date information on the scheme go to the MRCI website

http://mrci.ie/news_events/index.htm#UndocumentedApp

STEP 2 OF UNDOCUMENTED WORKERS SCHEME – DETE

On receipt of letter from General Immigration granting 4month Stamp 1, you need to do the following

- Register with GNIB/ Local Immigration Office - stamp 1 permission to work in your passport
- Get GNIB card .This costs €150, to be paid with card or postal order
- Apply for a work permit while your permission to remain is in date

Work Permit Application Process

Under the undocumented workers scheme the Employment Permits Section of Department of Enterprise Trade and Employment (DETE) have waived the eligibility criteria when applying for a work permit.

- This means that ineligible job categories do not apply,
- The labor market test (advertisement with FAS/EURES) does not apply
- €30,000 rule does not apply, however minimum wage of €8.65 and JLC rates apply

See

<http://www.entemp.ie//labour/workpermits/undocumented.htm>

To Apply

- Both a copy of the stamp in the passport and a copy of the GNIB card need to be enclosed with the original work permit application, along with €1000 for the application.
- Also enclose a copy of the letter from General Immigration, a P.30 from employer and letter from revenue.

NB: please read carefully all the requirements for the work permit application form and fill in accordingly to avoid return of an incomplete application and creating unnecessary delays which may impact on your immigration status.

Issuing of Work Permit

On receipt of your work permit issued, you need to do the following

- Register with GNIB/ Local Immigration Office - stamp 1 permission to work in their passport for 1 year
- New Get GNIB card for 1 year. This costs €150.

ADDITIONAL SUPPORT

PLEASE CONTACT YOUR LOCAL CITIZENS INFORMATION CENTRE, COMMUNITY GROUP OR LOCAL ORGANISATION FOR FURTHER SUPPORT