

## WORK PERMIT POLICY

### (ON THE CONTROL OF EMPLOYMENT LEGISLATION)

There are three categories of applicants under the Control of Employment Act and the Civil Service Commission has agreed the following policy in respect of each category:-

#### 1. **Isle of Man Workers**

*Applicants who meet the definition of an Isle of Man Worker in the Control of Employment Act who are eligible for appointment to any post without the grant of a work permit.*

These applicants must be fully considered for all vacancies as required by the Control of Employment Act and Government policy on recruitment.

#### 2. **Applicants Eligible to a 3(a) Work Permit**

*Applicants who are eligible to the automatic grant of a permit for one year, renewable providing they continue to meet the requirements of the section. (A 3a Work permit will automatically be granted to a person whose husband or wife is already in receipt of a full permit).*

These applicants are eligible to be considered for appointment to any post and may be treated in the same way as Isle of Man Workers for the purposes of selection, (i.e. the post may be offered to the applicant who best meets the person specification for the post, irrespective of whether they are an Isle of Man Worker or eligible to a permit under Section 3(a)). Recruiting managers may include 3(a) applicants on shortlists on an equal basis with Isle of Man Workers. Offer letters to 3(a) applicants must confirm that continued employment (in respect of appointments in excess of 12 months) will be subject to the work permit being renewed.

#### **NOTE:**

The work permit status of a person cannot always be detected from the responses on the Civil Service Application form. For example, a person could state on the application form that their husband/wife has a permit but it should not be assumed that they (the applicant) will be entitled to 3a permit - it could be that their husband/wife was granted a 3a permit and our applicant would therefore need a full permit. It is important to establish the correct status before shortlisting and if there are any doubts, contact the Work Permit Section who will be able to confirm the correct status.

3. **Applicants Requiring a Work Permit in their own right**

*Applicants who require a work permit who are subject to the full conditions of the Control of Employment Act.*

Such applicants may only be considered for appointment if it can be shown that no suitable Isle of Man Workers have applied for the post. Therefore, the selection panel must be able to clearly demonstrate that any Isle of Man Workers who have applied do not meet the person specification to such an extent, that they are incapable of undertaking the duties of the post to an acceptable standard within a reasonable time scale (normally 6 to 12 months), even if provided with appropriate training.

Recruiting managers **must not** include applicants requiring a full work permit on a shortlist without the consent of an Employee Relations Adviser of the Office of Human Resources.

**SUBMITTING A WORK PERMIT APPLICATION**

Further guidance on the submission of a work permit application can be obtained from the Employee Relations Advisers in the Office of Human Resources or from your Recruitment Administration Section if your department has one.