



An Roinn Fiontar, Trádála agus Nuálaíochta
Department of Enterprise, Trade and Innovation

Employment Permits Arrangements

Guide To Green Cards for nationals of Bulgaria and Romania

June 2010

Guide to Green Cards

Introduction

The Employment Permits Acts 2003 and 2006 allow for the establishment, for the first time in Ireland, of a Green Card Scheme for occupations where high level strategic skills shortages exist. This new Green Card Scheme replaces the Work Visa/Work Authorisation Scheme, which has been discontinued.

What is a Green Card?

The Green Card is an employment permit issued to the employee and allows his or her employment in the State by the named employer in the occupation specified on the permit.

No labour market needs test (e.g. newspaper and FAS/EURES advertising) is required prior to making an application.

Who can apply for a Green Card?

Either the employee or the employer can apply for a Green Card.

For what occupations can a Green Card be applied for?

Applications may be made in respect of two categories of occupation, based on salary level:

- (i) Firstly, where the annual salary (excluding bonuses) on offer is €60,000 or more, the Green Card is available for all occupations, other than those which are contrary to the public interest.
- (ii) Secondly, Green Cards are available in the annual salary range €30,000 - €59,999 (excluding bonuses) for a restricted number of strategically important occupations as specified in Appendix A.

What qualifications must the employee have?

The foreign-national concerned must possess the relevant qualifications, skills or experience that are required for the employment.

What form must the Job Offer take?

The issue of a Green Card is contingent on a job offer from a bona-fide employer registered with the Companies Registration Office and the Revenue Commissioners and trading in Ireland. The Job Offer must be on company headed paper, dated within the previous 60 days, must be of a 2 years or more duration and must specify the following:

- (i) A full description of the proposed employment,
- (ii) Starting date,
- (iii) Annual salary excluding bonuses, and
- (iv) Information in respect of the qualifications, skills or experience that are required for the employment.

What are the processing fees for a Green Card?

The processing fees for a Green Card, which must be paid by the applicant, are as follows:

New	-	€1,000	-	1 year period
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Is it possible to pay a lower fee for a permit for a shorter period than 1 year?

No. Green Cards are only issued in respect of job offers of 2 years duration.

FREQUENTLY ASKED QUESTIONS

I am a foreign national who fulfils all of the above criteria, but am already working in the State on foot of a work permit. Will I be eligible to apply for a Green Card?

Yes you are free to make a new application for a Green Card. However, if you have a current valid work permit this must be returned with your application.

As an employee, am I free to move employer after I get a Green Card?

If this is your first employment permit in the State then (other than in exceptional circumstances) you are expected to stay with your initial employer for a period of 12 months.

Can my Spouse and Dependants work?

Yes once they **are resident in the State** on the basis of being your Spouse or Dependant, they are free to seek employment and apply for a Spousal/Dependant work permit.

To whom do I apply for a Green Card? Can I apply to an Irish Embassy?

Embassies will not process applications for Green Cards. Applications must be made to Employment Permits Section of the Department of Enterprise, Trade and Innovation.

To whom is a Green Card granted? To whom can it be sent?

It is granted to the employee and a copy is sent to the employer.

Will employment permits be granted for applications proposing to pay wages below Registered Employment Agreement/ Employment Registered Order rates?

No.

Can I download the application forms from a website?

Yes, www.deti.ie



Guide for Employers

What can an employer do to ascertain whether an application may be made under this scheme?

To ascertain whether or not an application may be made under this scheme, an employer should satisfy him/herself that the following are all in order:

- Is your company registered and trading in Ireland – Applications will only be accepted from companies or employers that are registered with the Office of the Revenue Commissioners and with the Companies Registration Office and which are currently trading in Ireland.
- Employer/employee relationship – the foreign national concerned must be employed, salaried and paid directly by you. Applications from recruitment agencies, agents, intermediaries or companies who intend to outsource or subcontract the employee to work in another company will not be accepted under this scheme.
- Ratio of EEA/non-EEA nationals – an employment permit will not be granted to companies where a consequence of granting the permit would be that more than 50% of employees in the firm would be non-EEA nationals.
- Occupations and Salary – Applications will only be accepted for the salary ranges and occupations specified in Appendix A.

Note: a labour market needs test (e.g. advertisement of the vacancy with FÁS/EURES and in the newspapers) is not required for a Green Card application.

What can an employer do to ascertain whether or not an employee is eligible under this scheme?

- Does the foreign national possess the relevant qualifications, skills or experience that are required for the employment?



Application Process for Employers and Employees

New application

An application for a Green Card can be made by either the employer or the employee. The following documentation must be supplied:

- A fully completed new employment permit application form specifying that it is a Green Card application, including all relevant documentation. The form must be signed by both the employer and the employee.

Note: The passport of the foreign national must be in date and valid for 3 months after the proposed expiry date of the Green Card.

- An original Job Offer, of 2 years or more duration, on company headed paper and dated within the previous 60 days and specifying
 - i. A full description of the proposed employment,
 - ii. Starting Date,
 - iii. Annual Salary excluding bonuses, and
 - iv. Information in respect of the qualifications, skills or experience that are required for the employment.
- Documentary evidence of the employee's certified qualifications.
- A processing fee of €1,000 paid for by the applicant.
- In the case of medical professionals, a copy of the registration with the appropriate medical body or a validation of qualifications from

the Department of Health and Children (List of registration and validation bodies for medical professionals attached at Appendix B).

Disclaimer

The information contained in this guide does not constitute legal advice and is provided for information purposes only.



Occupations in respect of which Green Card applications may be made

Salary between €30,000 - €59,999

Economic Sector	Occupation	Job Titles
Information Technology	ICT Professional	Computer Systems Managers, Computer Analysts, Computer Programmers and Computer Testers
	Health Professionals	Medical Practitioners, Pharmacists/Pharmacologists and related occupations, Registered Nurses, Registered Midwives, Specialist Nurses and Dental Practitioners
Healthcare	Health associate professionals	Medical Radiographers, Physiotherapists, Occupational Therapists, Psychologists, Audiologists, Dieticians, Social Workers, Medical Scientists, Orthoptists, Medical Physicists, ECG Technicians, Speech and Language Therapists, Neuropsychological Measurement Technicians, Biochemists, Vascular Technicians, Respiratory Technicians, Cardiac Catheterisation Technicians and GI Function Technicians

Industry	Professional Engineers and Technologists	Civil, Mining, Electrical, Software, Chemical, Design and Development, Planning and Quality Control, Network, Validation, Product Development, Process and Equality
Industry	Construction Professionals	Architects, Quantity and Other Surveyors and Building Managers
Education/Healthcare/Industry	Researchers and Natural Scientists	Researchers, Chemists, Natural Scientists, Biological Scientists, Physicists and Material Scientists
Financial	Business and Financial Professionals and associate professionals	Chartered and Certified Accountants, Actuaries, Economists, Statisticians, Management Consultants, Business Analysts, Underwriters, Claims Assessors and Analysts, Risk Professionals, Security Specialists, Fund and Investment Management Specialists, Common Law Jurisdiction Lawyers with experience of the financial services sector, Investment Funds Professionals, Fund Accountants, Fund Valuations Professionals, Fund Administrators, Custody Specialists, Transfer Agents, Hedge Fund Specialists, Compliance Specialists, Risk Specialists, Tax Experts and Legal Experts
Industry / Services	Specialist managers	Marketing and other Specialist Managers.

List of registration bodies for medical professionals

Profession	The designated authority responsible for the validation of qualifications
Medical Practitioner	Medical Council of Ireland
Dentist	The Dental Council
Nurse	An Bord Altranais
Diagnostic or Therapeutic Radiographer	Minister for Health & Children
Dietician	Minister for Health & Children
Occupational Therapist	Minister for Health & Children
Orthoptist	Minister for Health & Children
Medical Physicist	Minister for Health & Children
Psychologist	Minister for Health & Children
Speech and Language Therapist	Minister for Health & Children
Biochemist	Minister for Health & Children
Audiologist	Minister for Health & Children
Social Worker	National Social Work Qualification Board
Medical Scientist	Academy of Medical Laboratory Sciences
Physiotherapist	Irish Society of Chartered Physiotherapists
ECG Technician	N/A –employer’s letter will suffice
Neurophysiological Measurement Technician	N/A –employer’s letter will suffice
Cardiac Catheterisation Technician	N/A –employer’s letter will suffice