



Work Permit Policy

Last updated: 20th June 2022

Introduction	4
Temporary Work Permit Employment Overview	5
9-month Temporary Route	6
Temporary Agriculture Sector Employment	7
Temporary Construction Sector Employment (9-month route)	8
Temporary Hospitality Sector Employment	10
Temporary Fishing Sector Employment	12
1-year Temporary Route	13
Temporary Construction Sector Employment (1-year renewable route)	14
Skilled Work Permit Employment Overview	16
Skilled Work Permit Employment Exceptions	18
Dependents of Skilled Work Permit Holders	19
General Agreement on Trade in Services (GATS)	20
Intra Company Transfer	20
Contractual Service Suppliers	21
Independent Professionals	22
Termination of Employment	23
Disputes	23
Requesting a Review of a Decision	23
Contravention of the Work Permit Policy (employers)	24
Processing Times	25
Refunds	25
Adverse Immigration History & Criminal Convictions	25
In Country Work Permit Applications	26
Promotion	26
Acquisition or Re-Structuring of Business or Company	26

Holders of UK Skilled Worker or Tier 1, Tier 2 and Tier 5 Visas	27
Entertainers from UK and Overseas	27
Student Medical Placements	27
Appendix 1 – Occupations Eligible for Skilled Work Permit Employment	28
Appendix 2 – Occupations Not Eligible for Skilled Work Permit Employment	41
Appendix 3 – Exceptions to the skilled worker criteria	54
Appendix 4 – English Language for Skilled Work Permit Employment	56
Appendix 5 – Part Time Work Guidelines for Temporary Work Permit Holders	58
Appendix 6 – Guidance for submitting a Business Case	59
Appendix 7 – Notice to employers and employees	60
Appendix 8 – Tuberculosis tests for visa applicants	62
Appendix 9 – Frequently asked questions	64

Introduction

All persons who are not British or Irish require immigration permission to visit, work, study or settle in Jersey.

The purpose of this policy is to set out the main routes available to employers to employ migrant workers. Work permits are a requirement under the Immigration (Work Permits) (Jersey) Rules 1995 and as such employers are required to apply for a work permit for those individuals who require immigration permission to enter or remain in Jersey for work. Work permits are not required for those that have acquired immigration permission in the form of settled or pre-settled status.

The maintenance of a strict work permit policy will maintain and strengthen Jersey's position within the Common Travel Area (CTA), allowing the continued free movement of persons within the CTA, whilst retaining a robust external border.

The Minister for Home Affairs invites skilled migrant workers to come to the Island and therefore allows for skilled routes to lead to settlement. Temporary migrant workers are also invited to take up positions in the Island and should they develop skills and English language to meet the necessary criteria they can switch into a skilled route.

The Work Permit Policy is in place:

- To protect the Common Travel Area employment pool
- To ensure suitable migrant workers are recruited with an acceptable background and adequate skills to undertake the work they will be doing
- To protect migrant workers from 'Modern Day Slavery' and ensure their welfare is maintained
- To support the Island's population strategy

The employer is also required to meet the requirements of the Control of Housing and Work (Jersey) Law 2012 and hold the requisite licensing permission.

In granting any work permit, the Minister for Home Affairs does so on the expectation that all employers give due consideration to the welfare of their employees both in and outside the workplace. In particular, the Minister for Home Affairs would expect all employees relocating to Jersey to live in accommodation of a standard which supports their health and wellbeing and, most importantly, that of their dependent children. The Minister expects employers holding work permits to take reasonable steps to ensure that their employees and their employees' dependents are suitably accommodated.

This policy is updated on a regular basis and employers should familiarise themselves with the latest version that is available on the GOV.JE website. Policy changes will affect existing work permit holders and all applications will be assessed against the version of the policy that is in place at the time the application is submitted.

Temporary Work Permit Employment Overview

Temporary employment routes are an exception to the CTA standards which are justified to the United Kingdom by setting stringent rules on such migrants who would not otherwise be allowed a visa to come and work in the CTA.

Temporary work permits will only be considered for employment in any of the temporary categories. This does not include outsourced functions carried out by third parties in support of the agriculture, construction, fishing and hospitality sectors.

There are 2 routes available for temporary work permit employment that being a 9-month temporary route for the agriculture, hospitality, construction and fishing sectors and a 1-year renewable temporary route for construction workers employed on long term projects lasting over 9 months.

Temporary work permits for employment outside of these sectors will only be considered after satisfying the Minister for Home Affairs that the labour cannot be found from within the CTA and the temporary worker criteria can be met – see Appendix 6. A business case will be required and should be submitted in the first instance to The Head of Service, Jersey Customs and Immigration Service.

Temporary Workers may switch in country into Skilled Work Permit Employment without leaving the island if they meet all of the necessary criteria as detailed later in this document.

Temporary workers on a 9- or 12-month permit cannot switch employers within the first continuous 12 months of their employment unless they are switching to skilled employment.

In exceptional circumstances a temporary worker may be able to switch to other temporary employment in the same sector in the first 12 months and a case will need to be submitted to JCIS for consideration. Consideration will not be given to those who fail a probationary period.

Temporary workers in any category will not be able to bring their dependants to join them in Jersey.

9-Month Temporary Route

This route is available for those individuals employed in the agriculture, construction, fishing and hospitality sectors for a maximum period of 9 months. Permits can be applied for any period up to 9 months

At the end of the work permit period employees are required to leave the CTA for at least 3 months before they will be allowed to return. For those granted permission to work in this category they are unable to extend beyond 9 months, switch employment into another temporary route or bring dependants to the Island. These categories do not lead to settlement.

Applicants are exempt from an English language requirement.

Transfer to a different employer within the same temporary route will be considered under exceptional circumstances on successful application of a further work permit. An application for further leave to remain in line with the new work permit will be required and the appropriate fee paid. Work permits and further leave to remain will not be granted beyond 9 months from the date the initial work permit was issued from.

Those on temporary work permit employment are under no obligation to take on additional hours beyond their contracted hours and employers must make the employees aware of this.

Temporary Agricultural Employment

Applications for full time work permit employment will only be accepted from an employer or agent acting on behalf of the employer that is able to demonstrate the ability to meet the criteria set out below.

The following criteria must be met:

- Robust and tested recruitment processes are followed to ensure, as reasonably practicable, only genuine migrant workers are recruited from agricultural backgrounds with appropriate vetting taking place
- A genuine vacancy exists meeting the skills for the role. Roles must not be created to solely facilitate immigration of a specific migrant to Jersey
- Overseas criminal record certificates are obtained from every country where the employee has been resident for more than 1 year in the last 10 years. Any prospective employee who has an adverse criminal history must be referred to JCIS
- All migrant workers must be aged 18 or over on the date of application.
- Employer must pay no less than the 'going rate' for the full-time role based on an employee working 40-hours per week and must do so for the validity of the work permit. Evidence of this must be provided in the form of a contract – preferably signed by the employee
- Employer to ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing
- JCIS to be notified if the migrant worker does not arrive or depart as planned or if employment is terminated early

Employers and employees must be aware of the following:

Your employee can:

- Work for the employer specified on the work permit
- Only carry out the duties for the post which the permit has been obtained for
- Take on additional employment within the agriculture sector with the consent of your primary employer – see Appendix 5
- Switch to skilled work permit employment subject to a prospective employer successfully applying and meeting the requirements for skilled employment

Your employee cannot:

- Accrue time towards indefinite leave to remain
- Switch to other temporary work permit employment in another sector
- Switch employer
- Extend their work permit beyond 9 months
- Bring any dependants with them

Temporary Construction Employment (General)

This route is for a maximum period of 9 months for construction businesses wishing to employ workers across multiple sites.

Applications for full time work permit employment will only be accepted from an employer or agent acting on behalf of the employer that is able to demonstrate the ability to meet the criteria set out below.

The following criteria must be met:

- Robust and tested recruitment processes are followed to ensure, as reasonably practicable, only genuine migrant workers are recruited from a construction background with appropriate vetting taking place.
- A genuine vacancy exists meeting the skills for the role. Roles must not be created to solely facilitate immigration of a specific migrant to Jersey
- Migrant workers must possess the necessary experience/qualifications to be employed within the construction industry
- Overseas criminal record certificates are obtained from every country where the employee has been resident for more than 1 year in the last 10 years. Any prospective employee who has an adverse criminal history must be referred to JCIS
- All migrant workers must be aged 18 or over on the date of application.
- Employer must pay no less than the 'going rate' for the full-time role based on an employee working 40-hours per week and must do so for the validity of the work permit. Evidence of this must be provided in the form of a contract – preferably signed by the employee
- Employer to ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing
- JCIS to be notified if the migrant worker does not arrive or depart as planned or if employment is terminated early

Employers and employees must be aware of the following:

Your employee can:

- Work for the employer specified on the work permit
- Only carry out the duties for the post which the permit has been obtained for
- Take on additional employment within this sector with the consent of your primary employer – see Appendix 5
- Switch to skilled work permit employment subject to a prospective employer successfully applying and meeting the requirements for skilled employment

Your employee cannot:

- Accrue time towards indefinite leave to remain
- Switch to other temporary work permit employment
- Switch employer
- Switch to Temporary Construction Work Permit Employment (1-year renewable route)
- Extend their work permit beyond 9 months
- Bring any dependants with them

Temporary Hospitality Sector Employment

Applications for full time work permit employment will only be accepted from an employer or agent acting on behalf of the employer that is able to demonstrate the ability to meet the criteria set out below.

The following criteria must be met:

- Robust and tested recruitment processes are followed to ensure, as reasonably practicable, only genuine migrant workers are recruited from a hospitality background with appropriate vetting taking place
- A genuine vacancy exists meeting the skills for the role. Roles must not be created to solely facilitate immigration of a specific migrant to Jersey
- Migrant workers have successfully completed a course at a *bona fide* hospitality and tourism training institution and/or have relevant experience within the industry.
- Overseas criminal record certificates are obtained from every country where the employee has been resident for more than 1 year in the last 10 years. Any prospective employee who has an adverse criminal history must be referred to JCIS
- All migrant workers must be aged 18 or over on the date of application.
- Employer must pay no less than the 'going rate' for the full-time role based on an employee working 40-hours per week and must do so for the validity of the work permit. Evidence of this must be provided in the form of a contract – preferably signed by the employee
- Employer to ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing
- JCIS to be notified if the migrant worker does not arrive or depart as planned or if employment is terminated early

Work Permits may also be issued within this category for a 9-month period to individuals enrolled in a bona fide hospitality course at a college of further education that require work placements as an integral part of their course. The same period of absence applies.

Employers and employees must be aware of the following:

Your employee can:

- Work for the employer specified on the work permit
- Only carry out the duties for the post which the permit has been obtained for
- Take on additional employment within this sector with the consent of your primary employer – see Appendix 5
- Switch to skilled work permit employment subject to a prospective employer successfully applying and meeting the requirements for skilled employment

Your employee cannot:

- Accrue time towards indefinite leave to remain
- Switch to other temporary work permit employment
- Switch employer
- Extend their work permit beyond 9 months
- Bring any dependants with them

Temporary Fishing Employment

Applications for full time work permit employment will only be accepted from an employer or agent acting on behalf of the employer that is able to demonstrate the ability to meet the criteria set out below.

The following criteria must be met:

- Robust and tested recruitment processes are followed to ensure, as reasonably practicable, only genuine migrant workers are recruited from a fishing background with appropriate vetting taking place.
- A genuine vacancy exists meeting the skills for the role. Roles must not be created to solely facilitate immigration of a specific migrant to Jersey
- Migrant workers must possess a suitable qualification and the necessary experience to be employed as fishing crew
- Overseas criminal record certificates are obtained from every country where the employee has been resident for more than 1 year in the last 10 years. Any prospective employee who has an adverse criminal history must be referred to JCIS
- All migrant workers must be aged 18 or over on the date of application.
- Employer must pay no less than the 'going rate' for the full-time role based on an employee working 40-hours per week and must do so for the validity of the work permit. Evidence of this must be provided in the form of a contract – preferably signed by the employee
- Employer to ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing
- JCIS to be notified if the migrant worker does not arrive or depart as planned or if employment is terminated early

Employers and employees must be aware of the following:

Your employee can:

- Work for the employer specified on the work permit
- Only carry out the duties for the post which the permit has been obtained for
- Take on additional employment within this sector with the consent of your primary employer – see Appendix 5
- Switch to skilled work permit employment subject to a prospective employer successfully applying and meeting the requirements for skilled employment

Your employee cannot:

- Accrue time towards indefinite leave to remain
- Switch to other temporary work permit employment
- Switch employer
- Extend their work permit beyond 9 months
- Bring any dependants with them

1 Year Temporary Route

This route is available for those individuals employed in the construction industry for a long term specific projects which last for more than 9 months. Permits will initially be issued for a 1-year period but may be extended on a yearly basis up to a maximum period of 4 years.

Where an application is received for an extension to an existing permission the employer must evidence that there is still a need for the employee

Work permits will not generally be extended beyond the completion of the specific project.

Applications will be refused if it is determined that a position has been deliberately left vacant to accommodate the same individual.

At the end of the work permit period employees are required to leave the CTA for a period equal to the period of any permission granted or the total of any consecutive permission i.e if a work permit has been granted for 1 year and not extended the employee must leave the CTA for a period of 1 year; if a work permit is granted for 1 year and extended year on year to a total of 4 years the employee must leave the CTA for a period of 4 years before they will be able to return. The period of absence is to immediately follow the end of the permission.

For those granted permission to work in this category, they are unable to extend permission to stay beyond 4 years, switch employment into another temporary worker category or bring dependants to the Island. Time spent in this category does not lead to settlement.

(Dependants already in Jersey prior to the change in policy on 1st December 2021 will not have their permissions extended beyond the validity of their current visas - removing the ability for temporary workers to bring their dependants to the island reduces the risk of non-compliance of the work permit policy and immigration rules.)

Applicants are exempt from an English language requirement.

Employees may transfer within any construction business managed by the same employer without the need for a further work permit. The duration of the work permit will be tied to the duration of the specific project the employee was taken on for.

Transfer to a different construction employer will be considered under exceptional circumstances on successful application of a further work permit. An application for further leave to remain in line with the new work permit will be required and the appropriate fee paid. Transfer to another employer will not be considered for those who have failed a probationary period or within the first 12-month period of work permit employment with a new employer.

Temporary Construction Employment (Specific Project)

This route is available for those individuals employed in the construction industry for a long-term specific project which last more than 9 months. They can be renewed annually for the duration of the project but will not be renewed when the project is complete

Applications will only be accepted from an employer or agent acting on behalf of the employer that is able to demonstrate the ability to meet the criteria set out below.

The following criteria must be met:

- Robust and tested recruitment processes are followed to ensure, as reasonably practicable, only genuine migrant workers are recruited from a construction background with appropriate vetting taking place.
- A genuine vacancy exists meeting the skills for the role. Roles must not be created to solely facilitate immigration of a specific migrant to Jersey
- Employment is for a specific project – evidence of the project and its duration must be provided
- Migrant workers must possess the necessary experience/qualifications to be employed within the construction industry
- Overseas criminal record certificates are obtained from every country where the employee has been resident for more than 1 year in the last 10 years. Any prospective employee who has an adverse criminal history must be referred to JCIS
- All migrant workers must be aged 18 or over on the date of application.
- Employer must pay no less than the 'going rate' for the full-time role based on an employee working 40-hours per week and must do so for the validity of the work permit. Evidence of this must be provided in the form of a contract – preferably signed by the employee
- Employer to ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing
- JCIS to be notified if the migrant worker does not arrive or depart as planned or if employment is terminated early
- When applying for an extension, that employment is still required for the project that the initial work permit was issued

Employers and employees must be aware of the following:

Your employee can:

- Work for the employer specified on the work permit
- Only carry out the duties for the post which the permit has been obtained for
- Take on additional employment within this sector with the consent of your primary employer – see Appendix 5
- Switch to skilled work permit employment subject to a prospective employer successfully applying and meeting the requirements for skilled employment
- Have their work permit extended annually
- Work on other sites under the control of the main employer

Your employee cannot:

- Accrue time towards indefinite leave to remain
- Switch to other temporary work permit employment
- Switch employer in the first 12-month period of work permit employment with the employer
- Switch to Temporary Construction Work Permit Employment (9-month route)
- Extend work permits in this category beyond 4-years
- Bring any dependants with them

Skilled Work Permit Employment Overview

This route is available for those individuals employed as skilled migrant workers in any industry for up to an initial period of 3 years following which a further work permit may be granted. Work Permits may be granted to Medical Doctors for up to 5 years in the first instance.

Those occupations eligible for the skilled work permit employment route are at Appendix 1 and are derived from the Standard Occupation Classification Codes assessed by the UK Migration Advisory Committee to meet Level 3 or above of the Regulated Qualifications Framework (RQF). Occupations not eligible for the skilled work permit route are at Appendix 2.

The following mandatory criteria must be met by the employer:

- Robust and tested recruitment processes are followed to ensure migrant workers have the appropriate experience or skills to fulfil the work they will undertake
- A genuine vacancy must exist meeting the skills and salary threshold. Roles must not be created to solely facilitate immigration of a specific migrant to Jersey
- All migrant workers must be aged 18 or over on the date of application.
- The minimum salary threshold of £30,000 must be met or the 'the going rate' whichever is the higher on the basis of a 40-hour week. Evidence of this must be provided in the form of a contract – preferably signed by the employee
- The job must be at or above the minimum skill level: RQF 3 or equivalent (A level or equivalent qualification). Migrant workers will not need to hold a formal qualification. It is the skill level of the job that must meet the standard
- The migrant worker must meet the minimum English language requirement - B1 or higher (see Appendix 4)
- Migrant workers being employed in Health, Therapy, Social Services and Education must obtain overseas criminal record certificates from every country where the migrant worker has been resident for more than 12 months in the last 10 years.
- Employer to ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing
- JCIS to be notified if the migrant worker does not arrive or depart as planned or if employment is terminated early.

For those granted permission to work in this category, they will be unable to switch employment for the first 12 months of their work permit period. During this period should a migrant worker fail their probationary period or have their employment terminated prematurely they will not be able to switch employer; will have their leave to enter / remain cancelled; and will be required to leave the CTA.

After successfully completing their first 12 months those granted permissions to work in this category will be able to switch employer subject to a new work permit being granted. The same will apply in that they will be unable to switch employment for the first 12 months of their work permit period with the new employer.

In exceptional circumstances a migrant worker may be able to switch employment in the first 12 months and a case will need to be submitted to JCIS for consideration. Consideration will not be given to those who fail a probationary period.

Migrant workers can take on unpaid voluntary work for a charity that is registered under the Charities (Jersey) Law 2014, or registered with either the Charity Commission for England and Wales; the Charity Commission for Northern Ireland; or the Office of the Scottish Charity Regulator

Migrant workers can bring dependants with them when the work permit is granted for a period greater than 12 months. Dependants' permissions are tied to the validity of the work permit holders' permissions, and they cannot apply in country for work permit employment in their own right.

Migrant workers who are joined by their dependents within any probationary period of their employment must be aware that their immigration permission and that of their dependents is entirely based around successfully passing their probation. During this period should a migrant worker fail their probationary period or have their employment terminated prematurely they and their dependants will have their leave to enter / remain cancelled and will be required to leave the CTA.

Dependants may work permit free subject to any restrictions under the Control of Housing and Work (Jersey) Law 2012.

Your employee can:

- Work for the employer specified on the work permit
- Only carry out the duties for the post which the permit has been obtained for
- Accrue time towards indefinite leave to remain
- Bring any dependants with them if their work permit has been issued for 12 months or more
- Take on unpaid voluntary work for a charity

Your employee cannot:

- Switch employment to other skilled employment in the first 12 months of a work permit with an employer
- Take on supplementary part time paid employment
- Switch to work permit dependant permissions

Skilled Work Permit Employment Exceptions

There are exceptions to the skilled worker criteria that have been granted for a number of vocations where the minimum salary threshold of £30,000 has not been met or there is a lower RQF level. Those categories of workers are listed at Appendix 3. Exceptions granted via this route have demonstrated that they are either considered a shortage occupation or significantly benefit the Island.

The Minister for Home affairs will consider applications from any sector where they are unable to recruit from within the Common Travel Area and cannot meet the criteria for skilled work permit employment. A business case will be required and should be submitted in the first instance to The Head of Service, Jersey Customs and Immigration Service.

Dependants of Skilled Work Permit Holders

Dependants for the purpose of the work permit policy are defined as the spouse, partner, and children of the work permit holder

Migrants employed on a temporary work permit in any sector cannot bring their dependants with them under any circumstances.

Migrants employed on a skilled work permit for 12 months or more can bring their dependants with them however their permissions to be in Jersey are directly linked to that of the work permit holder.

Adult work permit dependants do not require a work permit to take employment in Jersey and there are no immigration restrictions on the type of employment they can take. Work permit dependants cannot switch into work permit employment.

Child work permit dependants will only be granted permissions if they are under the age of 18 years old at the time of their application. If only one parent is relocating to Jersey with a child, then they will need to demonstrate that they have sole responsibility.

Sole parental responsibility means that one parent has abdicated or abandoned parental responsibility, and the remaining parent is exercising sole control in setting and providing the day-to-day direction for the child's welfare. Where both parents are involved in a child's upbringing it will not be possible for one parent to demonstrate sole parental responsibility

The work permit holder must ensure that they can adequately accommodate and maintain their dependants without recourse to public funds. A work permit holder must consider the impact that moving a family to Jersey will have, including being away of limited housing stock and high rental prices.

Visas for dependants will not be granted if it cannot be demonstrated that suitable accommodation is in place which supports the wellbeing and health of the family and does not contravene statutory overcrowding legislation.

Dependants can:

- Take employment without a work permit subject to meeting the requirements of Control of Housing & Work legislation
- Enter education subject to meeting the requirements set out by the Children, Young People, Education and Skills department

Dependants cannot:

- Join a work permit holder who holds a 9-month or 1-year temporary work permit
- Join a work permit holder who holds a skilled work permit issued for 12-months or less
- Switch to work permit employment
- Remain in Jersey beyond the permissions of the work permit holder

General Agreement on Trade in Services (GATS)

Jersey is covered by the UK's World Trade Organisation ("WTO") membership from the end of the Brexit transition period on 31 December 2020. The General Agreement on Trade in Services ("GATS") is a treaty of the WTO. Since WTO membership applies to Jersey, the following provisions in relation to Contractual Service Suppliers and Independent professionals, including Intra-Company Transfers are in force.

Intra-Company Transfer

Applications may be considered for employees from the same organisation outside of Jersey who intend to be temporarily transferred (secondment) provided the following requirements are met:

- The intra-company transferee must have been working for the same company outside of Jersey for at least 12 months directly prior to the transfer
- The company in Jersey and the company outside of Jersey must be linked by common ownership and control
- The employment must require company-specific knowledge to undertake project work or for career development purposes
- All prospective employees must be aged 18 or over on the date of application. If the applicant is too young, the application will be refused
- The intra-company transferee cannot move into other work permit employment in Jersey
- The intra-company transferee will resume employment for the same company outside of Jersey at the end of the transfer period
- The intra-company transferee cannot return to Jersey in this capacity unless there has been an absence of at least 12 months
- The maximum period for which a work permit can be applied for on the basis of an intra-company transfer is 3 years, including any extension.

The intra-company transferee is exempt from the English language requirement

Your employee can:

- Work for the employer specified on the work permit
- Only carry out the duties for the post which the permit has been obtained for

Your employee cannot:

- Accrue time towards indefinite leave to remain
- Switch to other work permit employment
- Switch employer
- Extend the work permit beyond 3-years

Contractual Service Suppliers

Applications may be considered for persons provided the following requirements are met:

- the employer must be based outside the European Union in a country or territory which is a signatory to the trade agreement under which they are supplying services and the employee must be a national of that country;
- the person must have been an employee of the company for at least 12 months;
- the person must have a degree level or equivalent level qualification, unless they are:
 - supplying fashion model services, chef de cuisine services or entertainment services other than audio visual services under the EU - CARIFORUM economic partnership agreement; or
 - supplying advertising and translation services.
- where required by relevant Jersey legislation, regulations or sectoral requirements, the person must hold any specific professional qualifications or registrations to provide the services in Jersey.
- the person must have three years professional experience in the sector in which they are supplying services unless they are supplying chef de cuisine services under the EU – CARIFORUM economic partnership agreement, in which case, the person must have at least six years' relevant experience at the level of chef de cuisine and have an advanced technical qualification; and
- the maximum period for which a work permit can be applied for on the basis of a contractual service supplier is 2 years unless providing a service under the EU – CARIFORUM economic partnership agreement, the EU – Andean multiparty trade agreement and the EU European Union – Chile free trade agreement, when it is a maximum period of 6 months in any 12-month period.

Independent Professionals

Applications may be considered for persons provided the following requirements are met:

- the business must be established on the territory of the country which is signatory to the trade agreement under which they are supplying services and they must be a national of that country.
- they must have a university degree or technical qualification which demonstrates knowledge of a similar level.
- where required by relevant legislation, regulations or sectoral requirements, they must have specific professional qualifications to provide some services in Jersey.
- they must have six years professional experience in the sector in which they are supplying services
- the maximum period for which a work permit can be applied for on the basis of an independent professional is 2 years.

Termination of Employment

The period of a contract is determined by the employer and may not extend to the full validity of the work permit.

If the employment of a temporary or skilled work permit holder is terminated prematurely then the Customs & Immigration Service must be notified in writing before the employee's last working day as it may be necessary to cancel the employee's immigration permissions and the permissions of their dependents. The employer must set out the reasons for the employment being terminated.

If a work permit holder has their employment terminated because of not passing a probationary period, or are dismissed by their employer, then they will be unable to seek employment elsewhere and will have their immigration permissions cancelled. They will be required to leave the Common Travel Area (UK, Channel Islands, Isle of Man) along with their dependents.

If employers are found to be breaching worker rights, then this may have an adverse effect on future applications.

If a work permit holder resigns from their post without a work permit in place for another employer, then they will have their immigration permissions cancelled and will be required to leave the Common Travel Area.

Disputes

The Customs & Immigration Service generally will not get involved in disputes between an employer and a work permit holder however we must be made aware of the context of the conflict or disagreement as action may need to be taken against the employer or the work permit holder.

Work permit holders should contact the Jersey Advisory and Conciliation Service (JACS) if they enter into a dispute with their employer as this is not a matter for immigration to resolve.

If, as a result of employment being terminated, the employee enters into a dispute with the employer which goes to an employment tribunal there is no requirement for the employee to remain in the Island as their case can be submitted and heard from outside the Common Travel Area.

Requesting a Review of a Decision

If an employer has a work permit application refused because the employment is not covered by this work permit policy, then a business case will be required and should be submitted in the first instance to The Head of Service, Jersey Customs and Immigration Service – see appendix 6 Guidance for Submitting a Business Case

Employment outside of those detailed in this policy will only be considered after satisfying the Minister for Home Affairs that the labour cannot be found from within the CTA and the temporary or skilled worker criteria can be met.

If a work permit holder has their work permit and immigration permissions cancelled because they no longer meet the requirements for which the permissions were granted, they can apply in writing to The Head of Service, Jersey Customs and Immigration Service to have the decision reviewed – refer to Appendix 6.

Contravention of the Work Permit Policy

Where an employer believes that they may be in contravention of the work permit policy then they should contact Immigration as soon as possible at immigration@gov.je for advice.

Where an employer doesn't come forward and is found to act in contravention of this Work Permit Policy, either negligently or deliberately, the following will apply:

1st Negligent Contravention

The employer must provide a written explanation as to why the policy was not followed, how they have rectified the issue and what procedures they have put in place to avoid future contraventions of the work permit policy.

The employer will be sent a notice advising them of the consequences of future contraventions of the work permit policy.

2nd Negligent Contravention

The employer must provide a written explanation as to why the policy was not followed, how they have rectified the issue, why the procedures put in place in the 1st contravention have not worked and what procedures they have put in place to avoid future contraventions of the work permit policy.

The employer will be sent a notice advising them that all work permit applications will be subjected to additional scrutiny, and they will need to provide all supporting documentation for future work permit applications submitted over the following 2 years. Consequences of future contraventions of the work permit policy will be outlined.

Further Negligent Contraventions

Applications for work permits for the following 12 months will be considered ineligible.

Deliberate Contraventions

Where it is established that an employer has deliberately breached the work permit policy then any existing work permits will be revoked, and further work permit applications will be considered ineligible.

Processing Times

Applications should be submitted to allow sufficient time for the work permit application to be processed and where necessary sufficient time for the employee to apply for their visa.

- Work permit processing time is three weeks however this may take longer if the application is incomplete and additional documents requested
- Visa processing times are approximately three weeks from the date that the applicant attends the visa application centre (this may vary depending on the country of application)

Consequently, it is the applicant's responsibility to ensure a realistic start date is selected when applying for a work permit.

An employee must not travel to Jersey until their work permit and/or visa has been issued otherwise they may be refused entry at the border. This may jeopardise any future applications for immigration permissions.

Non-visa nationals, including EU nationals, do not require a visa for entry where a work permit has been issued for six months or less however they must not travel to the Common Travel before the start (issue) date on the work permit otherwise they may be refused at the Border.

Depending on the type of work permit originally issued, it may be extended, or granted for another employer, subject to meeting the conditions for the work permit route, the relevant application requirements, and payment of the relevant fee. Some work permit routes restrict extensions and the ability to switch employer.

An application for further leave to remain will also need to be submitted if the work permit application is successful.

Refunds

Work permit fees are non-refundable unless an application has been submitted for an individual who does not require a permit.

Adverse immigration history and criminal convictions

In general, a work permit application will not be approved to employ a person with an adverse immigration history, a criminal conviction, or their previous employment and conduct in the Island was unsatisfactory.

In Country Work Permit Applications

Applications may be considered for employees who are in authorised employment in the UK, Jersey, other Channel Islands or Isle of Man. In these cases, the same criteria applies, and a work permit may be granted for 3 years.

If the application is for an individual who is in employment in Jersey, the new employer may be informed that their application has been approved “in principle”. However, written confirmation of the resignation and their last working day will be required from the current employer before the permit can be issued. The new employer must also indicate in writing when they are to start. The work permit will be made valid from that start date.

Promotion

An employer, who wishes to promote an employee, must apply for a new work permit. A new work permit will not be required when the job and employment conditions have remained the same, but the employee has simply taken on additional responsibility within that role.

If an employer wishes to move an employee to another post, then an application must be made for a new work permit.

Acquisition or re-structuring of business or company

If a work permit holder is employed by a company that has been acquired by another business entity or re-structured to form a new enterprise, it will not be necessary for a fresh application to be made if the duties and responsibilities are the same. The company should notify the Jersey Customs and Immigration Service in writing of the change and details of those permit holders affected.

Holders of UK skilled worker or Tier 1, Tier 2 and Tier 5 visas

Holders of UK skilled worker, Tier 1, Tier 2 or Tier 5 visas may undertake work in Jersey for a period up to 1 month, without the need for a work permit, providing it is for the employer with a business interest in Jersey. This will also be applicable to locum doctors and consultants at the General Hospital.

The company or organisation in Jersey should notify the Jersey Customs and Immigration Service of the following:

- Explanation of why the UK migrant worker is needed.
- Copy of the biodata page of the passport and the page showing the current UK immigration endorsement.

Employment for periods in excess of 1 month will require a work permit and application for further leave to remain in Jersey.

Entertainers from UK and Overseas

Entertainers in possession of a UK Tier 5 Temporary Worker visa can work in Jersey as a performer for up to 1 month without the need for a work permit.

The employer in the Island should produce the following:

- Copy of the biodata page of the passport and the page showing the current UK Immigration endorsement. In the case when the entertainer has not yet entered the UK or applied for an entry clearance the certificate of sponsorship will suffice.
- Details of their performance in Jersey

If the entertainer is staying for longer than 1 month or is applying directly from overseas a work permit will be required.

The employer will need to:

- Provide details of the performance
- Ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing
- Ensure JCIS is notified if the migrant worker does not arrive or depart as planned or if employment is terminated early.

Student Medical Placements

There is no requirement for a work permit for student medical placements at the General Hospital which involves observation duties only.

Notification of such placements should be made to JCIS providing a copy of the student's biodata page of their passport and the page showing the current UK immigration permissions.

Appendix 1

Occupations eligible for the skilled work permit employment route

Occupation code	Related job titles	Salary Threshold ¹
1115 Chief executives and senior officials	· Chief executive	£30,000 or the going rate (whichever is the higher)
	· Chief medical officer	
	· Vice president	
1121 Production managers and directors in manufacturing	· Engineering manager	£30,000 or the going rate (whichever is the higher)
	· Managing director (engineering)	
	· Operations manager (manufacturing)	
	· Production manager	
1122 Production managers and directors in construction	· Building Services manager	£30,000 or the going rate (whichever is the higher)
	· Construction manager	
	· Director (building construction)	
1123 Production managers and directors in mining and energy	· Operations manager (mining, water & energy)	£30,000 or the going rate (whichever is the higher)
	· Quarry manager	
1131 Financial managers and directors	· Investment banker	£30,000 or the going rate (whichever is the higher)
	· Treasury manager	
1132 Marketing and sales directors	· Marketing director	£30,000 or the going rate (whichever is the higher)
	· Sales director	
1133 Purchasing managers and directors	· Bid manager	£30,000 or the going rate (whichever is the higher)
	· Purchasing manager	
1135 Human resource managers and directors	· Human resources manager	£30,000 or the going rate (whichever is the higher)
	· Personnel manager	
	· Recruitment manager	
1136 Information technology and telecommunication s directors	· IT Director	£30,000 or the going rate (whichever is the higher)
	· Technical director (computer services)	
	· Telecommunications director	
1150 Financial institution managers and	· Bank manager	£30,000 or the going rate (whichever is the
	· Insurance manager	

¹ Salary Thresholds are calculated on the basis of a 40-hour working week

directors		higher)
1172 Senior police officers	· Chief superintendent (police service)	£35,000 or the going rate (whichever is the higher)
	· Detective inspector	
	· Police inspector	
1173 Senior officers in fire, ambulance, prison and related services	· Fire service officer (government)	£30,000 or the going rate (whichever is the higher)
	· Prison governor	
	· Station officer (ambulance service)	
1181 Health services and public health managers and directors	· Director of nursing	£30,000 or the going rate (whichever is the higher)
	· Health Service manager	
	· Information manager (health authority: hospital service)	
1184 Social services managers and directors	· Care manager (local government: social services)	£30,000 or the going rate (whichever is the higher)
	· Service manager (welfare services)	
1190 Managers and directors in retail and wholesale	· Managing director (retail trade)	£30,000 or the going rate (whichever is the higher)
	· Retail manager	
	· Shop manager (charitable organisation)	
	· Wholesale manager	
1211 Managers and proprietors in agriculture and horticulture	· Farm manager	£30,000 or the going rate (whichever is the higher)
	· Nursery manager (horticulture)	
1221 Hotel and accommodation managers and proprietors	· Hotel manager	£30,000 or the going rate (whichever is the higher)
1223 Restaurant and catering establishment managers and proprietors	· Café manager	£30,000 or the going rate (whichever is the higher)
	· Restaurant manager	
	· Operations manager (catering)	
1224 Publicans and managers of licensed premises	· Landlady (public house)	£30,000 or the going rate (whichever is the higher)
	· Licensee	
	· Manager (wine bar)	
	· Publican	

1241 Health care practice managers	· Clinic manager	£30,000 or the going rate (whichever is the higher)
	· GP practice manager	
	· Veterinary practice manager	
1242 Residential, day and domiciliary care managers and proprietors	· Care manager	£30,000 or the going rate (whichever is the higher)
	· Day centre manager	
	· Residential manager (residential home)	
2111 Chemical Scientists	· Analytical chemist	£30,000 or the going rate (whichever is the higher)
	· Chemist	
	· Development chemist	
	· Industrial chemist	
	· Research chemist	
2112 Biological scientists and biochemists	· Biomedical scientist	£30,000 or the going rate (whichever is the higher)
	· Forensic scientist	
	· Horticulturist	
	· Microbiologist	
	· Pathologist	
2113 Physical scientists	· Geologist	£30,000 or the going rate (whichever is the higher)
	· Geophysicist	
	· Medical physicist	
	· Meteorologist	
	· Oceanographer	
	· Physicist	
	· Seismologist	
2114 Social and humanities scientists	· Anthropologist	£30,000 or the going rate (whichever is the higher)
	· Archaeologist	
	· Criminologist	
	· Epidemiologist	
	· Geographer	
	· Historian	
	· Political scientist	
	· Social scientist	
2121 Civil engineers	· Building engineer	£30,000 or the going rate (whichever is the higher)
	· Civil engineer (professional)	
	· Highways engineer	
	· Petroleum engineer	
	· Public health engineer	
	· Site engineer	
	· Structural engineer	

2122 Mechanical engineers	· Aeronautical engineer (professional)	£30,000 or the going rate (whichever is the higher)
	· Aerospace engineer	
	· Automotive engineer (professional)	
	· Marine engineer (professional)	
	· Mechanical engineer (professional)	
2123 Electrical engineers	· Electrical engineer (professional)	£30,000 or the going rate (whichever is the higher)
	· Electrical surveyor	
	· Equipment engineer	
	· Power engineer	
2124 Electronics engineers	· Avionics engineer	£30,000 or the going rate (whichever is the higher)
	· Broadcasting engineer (professional)	
	· Electronics engineer (professional)	
	· Microwave engineer	
	· Telecommunications engineer (professional)	
2126 Design and development engineers	· Clinical engineer	£30,000 or the going rate (whichever is the higher)
	· Design engineer	
	· Development engineer	
	· Ergonomist	
	· Research and development engineer	
2127 Production and process engineers	· Chemical engineer	£30,000 or the going rate (whichever is the higher)
	· Industrial engineer	
	· Process engineer	
	· Production engineer	
2133 IT specialist managers	· Data centre manager	£30,000 or the going rate (whichever is the higher)
	· IT manager	
	· IT support manager	
	· Network operations manager (computer services)	
	· Service delivery manager	
2134 IT project and programme managers	· Implementation manager (computing)	£30,000 or the going rate (whichever is the higher)
	· IT project manager	
	· Programme manager (computing)	
	· Project leader (software design)	
2135 IT business analysts, architects and systems designers	· Business analyst (computing)	£30,000 or the going rate (whichever is the higher)
	· Data communications analyst	
	· Systems analyst	
	· Systems consultant	
	· Technical analyst (computing)	
	· Technical architect	

2136 Programmers and software development professionals	· Analyst-programmer	£30,000 or the going rate (whichever is the higher)
	· Database developer	
	· Games programmer	
	· Programmer	
	· Software engineer	
2137 Web design and development professionals	· Internet developer	£30,000 or the going rate (whichever is the higher)
	· Multimedia developer	
	· Web designer	
2139 Information technology and telecommunications professionals not elsewhere classified	· Quality analyst (computing)	£30,000 or the going rate (whichever is the higher)
	· Software tester	
	· Systems tester (computing)	
	· Telecommunications planner	
2150 Research and development managers	· Creative manager (research and development)	£30,000 or the going rate (whichever is the higher)
	· Design manager	
	· Market research manager	
	· Research manager (broadcasting)	
2216 Veterinarians	· Veterinarian	£30,000 or the going rate (whichever is the higher)
	· Veterinary practitioner	
	· Veterinary surgeon	
2311 Higher education teaching professionals	· Fellow (university)	£30,000 or the going rate (whichever is the higher)
	· Lecturer (higher education, university)	
	· Professor (higher education, university)	
	· Tutor (higher education, university)	
	· University lecturer	
2317 Senior professionals of educational establishments	· Administrator (higher education, university)	£30,000 or the going rate (whichever is the higher)
	· Bursar	
	· Head teacher (primary school)	
	· Principal (further education)	
	· Registrar (educational establishments)	
2319 Teaching and other educational professionals not elsewhere classified	· Adult education tutor	£30,000 or the going rate (whichever is the higher)
	· Music teacher	
	· Nursery manager (day nursery)	
2412 Barristers and judges	· Advocate	£30,000 or the going rate (whichever is the higher)
	· Barrister	
	· Chairman (appeals tribunal, inquiry)	
	· Coroner	

	<ul style="list-style-type: none"> · Crown prosecutor · District judge 	
2413 Solicitors	<ul style="list-style-type: none"> · Managing clerk (qualified solicitor) · Solicitor · Solicitor-partner · Solicitor to the council 	£30,000 or the going rate (whichever is the higher)
2419 Legal professionals not elsewhere classified	<ul style="list-style-type: none"> · Attorney · Justice's clerk · Lawyer · Legal adviser · Legal counsel · Solicitor's clerk (articled) 	£30,000 or the going rate (whichever is the higher)
2421 Chartered and certified accountants	<ul style="list-style-type: none"> · Accountant (qualified) · Auditor (qualified) · Chartered accountant · Company accountant · Cost accountant (qualified) · Financial controller (qualified) · Management accountant (qualified) 	£40,000 or the going rate (whichever is the higher)
2423 Management consultants and business analysts	<ul style="list-style-type: none"> · Business adviser · Business continuity manager · Financial risk analyst · Management consultant 	£30,000 or the going rate (whichever is the higher)
2424 Business and financial project management professionals	<ul style="list-style-type: none"> · Chief knowledge officer · Contracts manager (security services) · Project manager · Research support officer 	£30,000 or the going rate (whichever is the higher)
2431 Architects	<ul style="list-style-type: none"> · Architect · Architectural consultant · Chartered architect · Landscape architect 	£30,000 or the going rate (whichever is the higher)
2433 Quantity surveyors	<ul style="list-style-type: none"> · Quantity surveyor · Surveyor (quantity surveying) 	£30,000 or the going rate (whichever is the higher)
2434 Chartered surveyors	<ul style="list-style-type: none"> · Building surveyor · Chartered surveyor · Hydrographic surveyor · Land surveyor 	£30,000 or the going rate (whichever is the higher)

2435 Chartered architectural technologists	· Architectural technologist	£30,000 or the going rate (whichever is the higher)
2436 Construction project managers and related professionals	· Contract manager (building construction)	£30,000 or the going rate (whichever is the higher)
	· Project manager (building construction)	
	· Transport planner	
2462 Quality assurance and regulatory professionals	· Compliance manager	£30,000 or the going rate (whichever is the higher)
	· Financial regulator	
	· Patent attorney	
	· Quality assurance manager	
	· Quality manager	
3111 Laboratory technicians	· Laboratory analyst	£30,000 or the going rate (whichever is the higher)
	· Laboratory technician	
	· Medical laboratory assistant	
	· Scientific technician	
	· Water tester	
3112 Electrical and electronics technicians	· Avionics technician	£30,000 or the going rate (whichever is the higher)
	· Electrical technician	
	· Electronics technician	
	· Installation engineer (Electricity Supplier)	
3113 Engineering technicians	· Aircraft technician	£30,000 or the going rate (whichever is the higher)
	· Commissioning engineer	
	· Engineering technician	
	· Manufacturing engineer	
	· Mechanical technician	
3114 Building and civil engineering technicians	· Building services consultant	£30,000 or the going rate (whichever is the higher)
	· Civil engineering technician	
	· Survey technician	
	· Technical assistant (civil engineering)	
3414 Dancers & Choreographers	· Ballet dancer	£30,000 or the going rate (whichever is the higher)
	· Choreographer	
	· Dancer	
	· Dance teacher	
3511 Air traffic controllers	· Civil engineering technician	£30,000 or the going rate (whichever is the higher)
	· Survey technician	
	· Technical assistant (civil engineering)	
	· Flight planner	

3532 Brokers	· Foreign exchange dealer	£30,000 or the going rate (whichever is the higher)
	· Insurance broker	
	· Investment administrator	
	· Stockbroker	
	· Trader (stock exchange)	
3537 Financial and accounting technicians	· Accounting technician	£30,000 or the going rate (whichever is the higher)
	· Business associate (banking)	
	· Financial controller	
	· Insolvency administrator	
	· Managing clerk (accountancy)	
3538 Financial accounts managers	· Accounts manager	£30,000 or the going rate (whichever is the higher)
	· Audit manager	
	· Credit manager	
	· Fund manager	
	· Relationship manager (bank)	
5235 Aircraft maintenance and related trades	· Aeronautical engineer	£30,000 or the going rate (whichever is the higher)
	· Aircraft electrician	
	· Aircraft engineer	
	· Aircraft fitter	
	· Aircraft mechanic	
	· Maintenance engineer (aircraft)	
5242 Telecommunications engineers	· Cable joiner	£30,000 or the going rate (whichever is the higher)
	· Customer service engineer (telecommunications)	
	· Installation engineer (telecommunications)	
	· Network officer (telecommunications)	
	· Telecommunications engineer	
	· Telephone engineer	
5245 IT engineers	· Computer repairer	£30,000 or the going rate (whichever is the higher)
	· Computer service engineer	
	· Hardware engineer (computer)	
	· Maintenance engineer (computer servicing)	
5311 Steel erectors	· Steel erector	£30,000 or the going rate (whichever is the higher)
	· Steel fabricator	
	· Steel worker (structural engineering)	
5312 Bricklayers and masons	· Bricklayer	£30,000 or the going rate (whichever is the higher)
	· Dry stone waller	
	· Stone mason	

5313 Roofers, roof tilers and slaters	· Mastic asphalt spreader	£30,000 or the going rate (whichever is the higher)
	· Roof tiler	
	· Roofer	
	· Roofing contractor	
	· Slater	
	· Thatcher	
5314 Plumbers and heating and ventilating engineers	· Gas engineer	£30,000 or the going rate (whichever is the higher)
	· Gas service engineer	
	· Heating and ventilating engineer	
	· Heating engineer	
	· Plumber	
	· Plumbing and heating engineer	
5315 Carpenters and joiners	· Carpenter	£30,000 or the going rate (whichever is the higher)
	· Carpenter and joiner	
	· Joiner	
	· Kitchen fitter	
	· Shop fitter	
5321 Plasterers	· Fibrous plasterer	£30,000 or the going rate (whichever is the higher)
	· Plasterer	
	· Plastering contractor	
5330 Construction and building trades supervisors	· Builder's foreman	£30,000 or the going rate (whichever is the higher)
	· Construction foreman	
	· Construction supervisor	
	· Maintenance supervisor	
	· Site foreman	
5432 Bakers and flour confectioners	· Baker	£30,000 or the going rate (whichever is the higher)
	· Baker's assistant	
	· Bakery Manager	
	· Cake decorator	
	· Confectioner	
6145 Care Workers & Home Carers (private households or individuals cannot apply)	· Care Assistant	£20,000 (see Appendix 3)
	· Care worker	
	· Carer	
	· Home care assistant	
	· Home carer	
	· Support worker (nursing home)	

6146 Senior care workers	· Senior care assistant	£30,000 or the going rate (whichever is the higher)
	· Senior carer	
	· Senior support worker (Local government: welfare services)	
	· Team leader (nursing home)	
6122 Childminders and related occupations	· Child care assistant	£30,000 or the going rate (whichever is the higher)
	· Child minder	
	· Nanny	
8124 Energy plant operatives	· Boilerman	£30,000 or the going rate (whichever is the higher)
	· Control room operator(electric)	
	· Hydraulic engineman	
	· Plant operator (electricity supplier)	
	· Power station operator	
8126 Water and sewerage plant operatives	· Controller (water treatment)	£30,000 or the going rate (whichever is the higher)
	· Plant operator (sewage works)	
	· Water treatment engineer	
	· Water treatment operator	
2211 Medical practitioners	· Anaesthetist	£30,000 or the going rate (whichever is the higher)
	· Consultant (Hospital Service)	
	· Doctor	
	· General practitioner	
	· Medical practitioner	
	· Paediatrician	
	· Psychiatrist	
	· Radiologist	
	· Surgeon	
2212 Psychologists	· Clinical psychologist	£30,000 or the going rate (whichever is the higher)
	· Educational psychologist	
	· Forensic psychologist	
	· Occupational psychologist	
	· Psychologist	
	· Psychometrist	
2213 Pharmacists	· Chemist (pharmaceutical)	£30,000 or the going rate (whichever is the higher)
	· Dispensary manager	
	· Pharmaceutical chemist	
	· Pharmacist	
	· Pharmacy manager	

2214 Ophthalmic opticians	· Ophthalmic optician	£30,000 or the going rate (whichever is the higher)
	· Optician	
	· Optologist	
	· Optometrist	
2215 Dental practitioners	· Dental surgeon	£30,000 or the going rate (whichever is the higher)
	· Dentist	
	· Orthodontist	
	· Periodontist	
2217 Medical radiographers	· Medical radiographer	£30,000 or the going rate (whichever is the higher)
	· Radiographer	
	· Sonographer	
	· Therapeutic radiographer	
	· Vascular technologist	
2218 Podiatrists	· Chiropodist	£30,000 or the going rate (whichever is the higher)
	· Chiropodist-podiatrist	
	· Podiatrist	
2219 Health professionals not elsewhere classified	· Audiologist	£30,000 or the going rate (whichever is the higher)
	· Dental hygiene therapist	
	· Dietician-nutritionist	
	· Family planner	
	· Occupational health adviser	
	· Paramedical practitioner	
2221 Physiotherapists	· Electro-therapist	£30,000 or the going rate (whichever is the higher)
	· Physiotherapist	
	· Physiotherapy practitioner	
2222 Occupational therapists	· Occupational therapist	£30,000 or the going rate (whichever is the higher)
2223 Speech and language therapists	· Language therapist	£30,000 or the going rate (whichever is the higher)
	· Speech and language therapist	
	· Speech therapist	

2229 Therapy professionals not elsewhere classified	· Art therapist	£30,000 or the going rate (whichever is the higher)
	· Chiropractor	
	· Cognitive behavioural therapist	
	· Dance movement therapist	
	· Family therapist	
	· Nutritionist	
	· Osteopath	
	· Psychotherapist	
2231 Nurses	· District nurse	£30,000 or the going rate (whichever is the higher)
	· Health visitor	
	· Mental health practitioner	
	· Nurse	
	· Practice nurse	
	· Psychiatric nurse	
	· Staff nurse	
2232 Midwives	· Midwife	£30,000 or the going rate (whichever is the higher)
	· Midwifery sister	
2312 Further education teaching professionals	· FE College lecturer	£35,270 or the going rate (whichever is the higher)
	· Lecturer (further education)	
	· Teacher (further education)	
	· Tutor (further education)	
2314 Secondary education teaching professionals	· Deputy head teacher (secondary school)	£35,270 or the going rate (whichever is the higher)
	· Secondary school teacher	
	· Sixth form teacher	
	· Teacher (secondary school)	
2315 Primary and nursery education teaching professionals	· Deputy head teacher (primary school)	£35,270 or the going rate (whichever is the higher)
	· Infant teacher	
	· Nursery school teacher	
	· Primary school teacher	
2316 Special needs education teaching professionals	· Deputy head teacher (special school)	£35,270 or the going rate (whichever is the higher)
	· Learning support teacher	
	· Special needs coordinator	
	· Special needs teacher	
2442 Social workers	· Psychiatric social worker	£30,000 or the going rate (whichever is the higher)
	· Senior practitioner (local government: social services)	
	· Social worker	

3213 Paramedics	· Ambulance paramedic	£30,000 or the going rate (whichever is the higher)
	· Emergency care practitioner	
	· Paramedic	
	· Paramedic-ECP	
3218 Medical and dental technicians	· Cardiographer	£30,000 or the going rate (whichever is the higher)
	· Dental hygienist	
	· Dental technician	
	· Medical technical officer	
	· Orthopaedic technician	
3219 Health associate professionals not elsewhere classified	· Acupuncturist	£30,000 or the going rate (whichever is the higher)
	· Homeopath	
	· Hypnotherapist	
	· Massage therapist	
	· Reflexologist	
	· Sports therapist	
6141 Nursing auxiliaries and assistants	· Auxiliary nurse	£30,000 or the going rate (whichever is the higher)
	· Health care assistant (hospital service)	
	· Health care support worker	
	· Nursing assistant	
	· Nursing auxiliary	
6143 Dental nurses	· Dental nurse	£30,000 or the going rate (whichever is the higher)
5234 Vehicle paint technicians	• Car paint sprayer	£30,000 or the going rate (whichever is the higher)
	• Coach painter	
	• Paint technician (motor vehicles)	
	• Vehicle refinisher	
3512 Aircraft pilots and flight engineers	· Airline pilot	£30,000 or the going rate (whichever is the higher)
	· First officer (airlines)	
	· Flight engineer	
	· Flying instructor	
	· Helicopter pilot	

Appendix 2

Occupations not eligible for the skilled work permit route

Occupation code	Related job titles
3314 Prison service officers (below principal officer)	· Prison custodial officer
	· Prison escort officer
	· Prison officer
	· Prison warden
3441 Sports players	· Cricketer
	· Footballer
	· Golfer
3442 Sports coaches, instructors and officials	· Referee
	· Riding instructor
	· Sports development officer
	· Swimming teacher
3233 Child and early years officers	· Child protection officer
	· Education welfare officer
	· Portage worker (educational establishments)
4113 Local government administrative occupations	· Administrative assistant (local government)
	· Administrative officer (police service)
	· Benefits assistant (local government)
	· Clerical officer (local government)
	· Local government officer
4121 Credit controllers	· Credit control clerk
	· Credit controller
	· Debt management associate
	· Loans administrator
4122 Book-keepers, payroll managers and wages clerks	· Accounts administrator
	· Accounts assistant
	· Accounts clerk
	· Auditor
	· Bookkeeper
	· Payroll clerk
4123 Bank and post office clerks	· Bank clerk
	· Cashier (bank)
	· Customer adviser (building society)

	<ul style="list-style-type: none"> · Customer service officer (bank) · Post office clerk
4124 Finance officers	<ul style="list-style-type: none"> · Deputy finance officer · Finance officer · Regional finance officer (PO)
4129 Financial administrative occupations not elsewhere classified	<ul style="list-style-type: none"> · Cashier · Finance administrator · Finance assistant · Finance clerk · Tax assistant · Treasurer · Valuation assistant
4131 Records clerks and assistants	<ul style="list-style-type: none"> · Admissions officer · Clerical officer (hospital service) · Filing clerk · Records clerk · Ward clerk
4132 Pensions and insurance clerks and assistants	<ul style="list-style-type: none"> · Administrator (insurance) · Claims handler · Clerical assistant (insurance) · Insurance clerk · Pensions administrator
4133 Stock control clerks and assistants	<ul style="list-style-type: none"> · Despatch clerk · Material controller · Stock control clerk · Stock controller · Stores administrator
4135 Library clerks and assistants	<ul style="list-style-type: none"> · Information assistant (library) · Learning resource assistant · Library assistant · Library clerk · Library supervisor
4138 Human resources administrative occupations	<ul style="list-style-type: none"> · Course administrator · Human resources administrator · Personnel administrator · Personnel clerk

4159 Other administrative occupations not elsewhere classified	· Administrative assistant
	· Clerical assistant
	· Clerical officer
	· Clerk Office administrator
4162 Office supervisors	· Administration supervisor
	· Clerical supervisor
	· Facilities supervisor
	· Office supervisor
4211 Medical secretaries	· Clinic coordinator
	· Clinic administrator
	· Medical administrator
	· Medical secretary
	· Secretary (medical practice)
4212 Legal secretaries	· Legal administrator
	· Legal clerk
	· Legal secretary
	· Secretary (legal services)
4213 School secretaries	· Clerical assistant (schools)
	· School administrator
	· School secretary
	· Secretary (schools)
4216 Receptionists	· Dental receptionist
	· Doctor's receptionist
	· Medical receptionist
	· Receptionist
	· Receptionist-secretary
4217 Typists and related keyboard occupations	· Audio typist
	· Computer operator
	· Typist
	· Typist-clerk
	· Word processor
5435 Cooks (covered by 'chefs' in eligible list)	· Cook
	· Cook-supervisor
	· Head cook

6132 Pest control officers	· Fumigator
	· Pest control officer
	· Pest control technician
	· Pest controller
6142 Ambulance staff (excluding paramedics)	· Ambulance care assistant
	· Ambulance driver
	· Ambulance technician
	· Emergency medical technician
6147 Care escorts	· Bus escort
	· Escort
	· Escort-driver
	· School escort
6148 Undertakers, mortuary and crematorium assistants	· Crematorium technician
	· Funeral director
	· Pall bearer
	· Undertaker
6211 Sports and leisure assistants	· Croupier
	· Leisure attendant
	· Lifeguard
	· Sports assistant
6212 Travel agents	· Reservations clerk (travel)
	· Sales consultant (travel agents)
	· Travel adviser
	· Travel agent
	· Travel consultant
6219 Leisure and travel service occupations not elsewhere classified	· Bus conductor
	· Holiday representative
	· Information assistant (tourism)
	· Steward (shipping)
	· Tour guide
6221 Hairdressers and barbers	· Barber
	· Colourist (hairdressing)
	· Hair stylist
	· Hairdresser
6222 Beauticians and related occupations	· Beautician Beauty therapist
	· Nail technician
	· Tattooist

6231 Housekeepers and related occupations	· Cook-housekeeper
	· House keeper
	· Lifestyle manager
6232 Caretakers	· Caretaker
	· Janitor
	· Porter (college)
	· Site manager (educational establishments)
6240 Cleaning and housekeeping managers and supervisors	· Butler
	· Cleaner-in-charge
	· Cleaning supervisor
	· Domestic supervisor
	· Head house keeper
	· Supervisor (cleaning)
7111 Sales and retail assistants	· Retail assistant
	· Sales adviser
	· Sales assistant
	· Sales consultant (retail trade)
	· Shop assistant
7112 Retail cashiers and check-out operators	· Check-out operator
	· Forecourt attendant
	· General assistant (retail trade: check-out)
	· Till operator
7113 Telephone salespersons	· Sales adviser (telephone sales)
	· Telesales executive
	· Telesales operator
7114 Pharmacy and other dispensing assistants	· Dispenser
	· Health care assistant (retail chemist)
	· Optical assistant
	· Pharmacy assistant
7115 Vehicle and parts salespersons and advisers	· Car sales executive
	· Car salesman
	· Parts adviser (retail trade)
	· Parts salesman (motor vehicle repair)
7121 Collector salespersons and credit agents	· Agent (insurance)
	· Canvasser
	· Collector (insurance)
	· Distributor (door-to-door sales)
	· Insurance agent

7122 Debt, rent and other cash collectors	· Collecting agent
	· Collector (gas supplier)
	· Debt collector
	· Meter reader
	· Vending operator
7123 Roundspersons and van salespersons	· Dairyman (retail trade: delivery round)
	· Ice-cream salesman
	· Milkman (milk retailing)
	· Roundsman
	· Van salesman
7124 Market and street traders and assistants	· Market assistant
	· Market trader
	· Owner (market stall)
	· Stall holder
	· Street trader
7129 Sales related occupations not elsewhere classified	· Demonstrator
	· Hire controller
	· Sales representative (retail trade)
7211 Call and contact centre occupations	· Call centre agent
	· Call centre operator
	· Customer service adviser (call centre)
	· Customer service operator
7213 Telephonists	· Call handler (motoring organisation)
	· Operator (telephone)
	· Switchboard operator (telephone)
	· Telephonist
	· Telephonist-receptionist
7214 Communication operators	· Call handler (emergency services)
	· Communications operator
	· Control room operator (emergency services)
	· Controller (taxi service)
7219 Customer service occupations not elsewhere classified	· Customer adviser
	· Customer service administrator
	· Customer service adviser
	· Customer service assistant
	· Customer services representative

8111 Food, drink and tobacco process operatives	· Baker (food products mfr)
	· Bakery assistant
	· Factory worker (food products mfr)
	· Meat processor
	· Process worker (brewery)
	· Process worker (dairy)
8118 Electroplaters	· Electroplater
	· Galvaniser
	· Metal sprayer
	· Powder coater
8119 Process operatives not elsewhere classified	· Melting pot assistant (electric cable)
	· Mixing plant foreman (asphalt mfr)
	· Process worker (electrical engineering)
	· Stone finisher (cast concrete products mfr)
8121 Paper and wood machine operatives	· Box maker (cardboard)
	· Guillotine operator (printing)
	· Machinist (paper goods mfr)
	· Sawyer
	· Wood machinist
8123 Quarry workers and related operatives	· Derrickman (oil wells)
	· Diamond driller (well sinking)
	· Plant operator (quarry)
	· Quarry operative
8125 Metal working machine operatives	· Engineer, nos
	· Machinist (metal trades)
	· Metal polisher
	· Process worker (metal trades)
8127 Printing machine assistants	· Finishing operative (printing)
	· Lithographer (printing)
	· Machinist (printing)
	· Print operator
	· Printer's assistant
8129 Plant and machine operatives not elsewhere classified	· Bench hand (metal trades)
	· Cable maker (spring mfr)
	· Laser operator
	· Manufacturer (metal goods mfr)
	· Saw doctor

8131 Assemblers (electrical and electronic products)	· Assembler (electrical, electronic equipment mfr)
	· Line operator (electrical)
	· Solderer
	· Team leader (electrical, electronic equipment mfr: assembly)
	· Technical operator (circuit board mfr)
8132 Assemblers (vehicles and metal goods)	· Assembler (metal trades)
	· Lineworker (vehicle mfr)
	· Manufacturing operator (metal trades)
	· Process worker (metal trades: assembly)
	· Team leader (motor vehicle mfr: assembly)
8133 Routine inspectors and testers	· Quality assurance inspector
	· Quality auditor
	· Quality controller
	· Quality inspector
	· Test engineer
8134 Weighers, graders and sorters	· Grader (food products mfr)
	· Metal sorter
	· Selector (ceramics mfr)
	· Weighbridge clerk
	· Weighbridge operator
8135 Tyre, exhaust and windscreen fitters	· Tyre and exhaust fitter
	· Tyre fitter
	· Tyre technician
	· Windscreen fitter
8137 Sewing machinists	· Overlocker
	· Seamstress
	· Sewing machinist
	· Stitcher
	· Upholstery machinist
8139 Assemblers and routine operatives not elsewhere classified	· Assembler
	· Gluer (furniture mfr)
	· Paint line operator
	· Production assistant
	· Riveter (soft toy mfr)

8141 Scaffolders, staggers and riggers	· Bell hanger (church bells)
	· Stage rigger (shipbuilding)
	· Tackleman (steelworks)
8142 Road construction operatives	· Asphalter
	· Concrete finisher (building construction)
	· Highways maintenance hand
	· Paver
	· Road worker
8149 Construction operatives not elsewhere classified	· Asbestos remover
	· Cable layer
	· Demolition worker
	· Dry liner
	· General handyman
	· Maintenance man
	· Thermal insulation engineer
8211 Large goods vehicle drivers	· Haulage contractor
	· HGV driver
	· Lorry driver
	· Owner (heavy goods vehicle)
	· Tanker driver
8212 Van drivers	· Courier driver
	· Delivery driver
	· Driver
	· Parcel delivery driver
	· Van driver
8213 Bus and coach drivers	· Bus driver
	· Coach driver
	· Coach operator
	· Minibus driver
	· PSV driver
8214 Taxi and cab drivers and chauffeurs	· Chauffeur
	· Mini cab driver
	· Taxi driver
	· Taxi owner
8221 Crane drivers	· Crane driver
	· Crane operator
	· Haulage engine driver
	· Winchman

8222 Fork-lift truck drivers	· Fork lift driver
	· Fork lift truck driver
	· Fork truck operator
	· Stacker-driver
8223 Agricultural machinery drivers (see temporary employment category)	· Agricultural machinist
	· Attendant (agricultural machinery)
	· Operator (agricultural machinery)
	· Tractor driver (agriculture)
8229 Mobile machine drivers and operatives not elsewhere classified	· Digger driver
	· Dredger
	· Excavator driver
	· JCB driver
	· Plant operator
	· Rig operator
8233 Air transport operatives	· Aircraft dispatcher
	· Baggage handler
	· Cargo handler (airport)
	· Ramp agent
	· Refueller (airport)
8239 Other drivers and transport operatives not elsewhere classified	· Bus inspector
	· Operations assistant (freight handling)
	· Test driver (motor vehicle mfr)
	· Transport supervisor
	· Yard foreman (road transport)
9111 Farm workers	· Agricultural worker
	· Farm labourer
	· Farm worker
	· Herdsman
	· Shepherd
9119 Fishing and other elementary agriculture occupations not elsewhere classified	· Horticultural worker
	· Labourer (landscape gardening)
	· Mushroom picker
	· Nursery worker
9120 Elementary construction occupations	· Electrician's mate (building construction)
	· Ground worker (building construction)
	· Hod carrier
	· Labourer (building construction)

9132 Industrial cleaning process occupations	· Cleaner and greaser
	· Factory cleaner
	· Hygiene operator
	· Industrial cleaner
9134 Packers, bottlers, canners and fillers	· Factory worker (packing)
	· Packaging operator
	· Packer
	· Paint filler
9139 Elementary process plant occupations not elsewhere classified	· Factory worker
	· Fitter's mate
	· Labourer (engineering)
	· Material handler
9211 Postal workers, mail sorters, messengers and couriers	· Courier
	· Leaflet distributor
	· Mail sorter
	· Messenger
	· Postman
9219 Elementary administration occupations not elsewhere classified	· General assistant
	· Office junior
	· Office worker
	· Reprographic technician
9231 Window cleaners	· Window cleaner
	· Window cleaning contractor
9232 Street cleaners	· Cleansing operative (street cleaning)
	· Road sweeper
	· Street cleaner
9233 Cleaners and domestics	· Chambermaid
	· Cleaner
	· Domestic
	· Home help
	· School cleaner
9234 Launderers, dry cleaners and pressers	· Carpet cleaner
	· Dry cleaner
	· Garment presser
	· Laundry assistant
	· Laundry worker

9235 Refuse and salvage occupations	· Binman (local government: cleansing department)
	· Hopper attendant (refuse destruction)
	· Refuse disposal operative
	· Salvage worker
9236 Vehicle valeters and cleaners	· Car wash assistant
	· Carriage service man (railways)
	· Motor car polisher (garage)
	· Vehicle valeter
9239 Elementary cleaning occupations not elsewhere classified	· Amenity block attendant
	· Chimney cleaner
	· Sweep (chimney)
	· Toilet attendant
9241 Security guards and related occupations	· CCTV operator
	· Park keeper
	· Private investigator
	· Security guard
	· Security officer
9242 Parking and civil enforcement occupations	· Car park attendant
	· Community warden
	· Parking attendant
	· Traffic warden
9244 School midday and crossing patrol occupations	· Dinner lady (schools)
	· Lollipop man
	· Lunchtime supervisor
	· Midday supervisor
	· School crossing patrol
9249 Elementary security occupations not elsewhere classified	· Bailiff
	· Commissionaire
	· Court usher
	· Door supervisor
	· Doorman
9251 Shelf fillers	· General assistant (retail trade)
	· Grocery assistant
	· Shelf filler
	· Shelf stacker

9259 Elementary sales occupations not elsewhere classified	· Code controller (wholesale, retail trade)
	· Home shopper
	· Order picker (retail trade)
	· Trolley assistant (wholesale, retail trade)
9260 Elementary storage occupations	· Labourer (haulage contractor)
	· Order picker
	· Warehouse assistant
	· Warehouse operator
	· Warehouse supervisor
	· Warehouseman
9271 Hospital porters	· Hospital porter
	· Porter (hospital service)
	· Portering supervisor (hospital services)
9272 Kitchen and catering assistants	· Catering assistant
	· Crew member (fast food outlet)
	· Kitchen assistant
	· Kitchen porter
9273 Waiters and waitresses	· Head waiter
	· Silver service waiter
	· Steward (catering)
	· Waiter
	· Waitress
9274 Bar staff	· Bar supervisor
	· Barmaid
	· Barperson
	· Bartender
	· Glass collector (public house)
9275 Leisure and theme park attendants	· Arcade assistant
	· Cinema attendant
	· Ride operator
	· Steward (sports ground)
	· Usher
	· Usherette
9279 Other elementary services occupations not elsewhere classified	· Bingo caller
	· Hotel assistant
	· Night porter
	· Porter (residential buildings)
	· Stage hand (entertainment)

Appendix 3

Exceptions to the skilled worker criteria where the minimum salary threshold of £30,000 has not been met

Occupation	Salary Threshold
Executive Chef Head Chef Sous Chef Pastry Chef Specialist Chef Chef de Partie	£25,000 or the going rate (whichever is the higher)
Digital (technical roles such as developer)	£25,000 or the going rate (whichever is the higher)
Professional Rugby Player	£25,000 or the going rate (whichever is the higher)
Trainee Accountants with contracts leading to a professional qualification	£21,000 or the going rate (whichever is the higher)
Health Care Assistants (where it can be demonstrated that the migrant worker has the relevant qualifications and/or experience for the role)	£20,000 or the going rate (whichever is the higher)
Care workers & home carers (private households or individuals cannot apply) - where it can be demonstrated that the migrant worker has the relevant qualifications and/or experience for the role	Minimum salary of £20,000 No requirement for the position to be at RQF Level 3 or higher

Ayurvedic Practitioners & Therapists	£18,000 or the going rate (whichever is the higher)
Foreign language teacher employed by a charity that supports Jersey's cultural links to another country (employee must hold a master's degree or equivalent)	Minimum salary of £20,000

Appendix 4

English Language

On 1 March 2012 an English language requirement was introduced as part of the qualifying criteria for the issue of a work permit.

The following categories of people are exempt from the English language requirement:

- temporary agriculture / fishing / hospitality and construction workers
- short term work permit holders of up to 12 months (if the permit is extended past 12 months, the person must meet the language requirement)
- work permits issued to Intra-company transferees

Meeting the language requirement

To meet the English language requirement, you must show that your employee meets one of the following. They must:

- have passed an English language test as described below
- be a national of one of the countries listed below
- have a degree from one of the countries listed below
- have a recognised academic qualification as detailed below

English language test

If your employee has passed an English language test that incorporates reading, writing, listening and speaking, they must provide the certificates. The test must be:

- on the list of approved English language tests (approved by the Home Office) to level B1, or for sports persons and coaches level A1, of the Common European Framework of Reference) (CEFR)

For a list of approved English language test providers, see the UK Visas and Immigration website.

Nationals of certain countries

Your employee will meet the English language requirement if they are a national of:

- Antigua and Barbuda
- Australia
- the Bahamas
- Barbados
- Belize
- Canada
- Dominica
- Grenada
- Guyana
- Jamaica
- Malta
- New Zealand
- St Kitts and Nevis
- St Lucia
- St Vincent and the Grenadines
- Trinidad and Tobago
- USA

Degrees from majority English speaking countries

If your employee has a degree from one of the following countries, (Canada is not on this list) they will meet the English language requirement by providing:

- their degree certificate and
 - an Academic Qualification Level Statement (AQUALS) from ECCTIS (UK ENIC) confirming the qualification is equivalent to a Bachelors or Master's degree or PhD in the UK.
-
- Antigua and Barbuda
 - Australia
 - the Bahamas
 - Barbados
 - Belize
 - Dominica
 - Grenada
 - Guyana
 - Ireland
 - Jamaica
 - Malta
 - New Zealand
 - St Kitts and Nevis
 - St Lucia
 - St Vincent and the Grenadines
 - Trinidad and Tobago
 - USA

Other academic qualifications

If your employee has a degree that was taught or researched in English in a non-majority English speaking country, they will meet the English language requirement by providing the following:

- their degree certificate
- an Academic Qualification Level Statement (AQUALS) from ECCTIS (UK ENIC) confirming the qualification is equivalent to a Bachelors or Master's degree or PhD in the UK and
- an English Language Proficiency Statement (ELPS) from ECCTIS (UK ENIC), which will confirm that the degree was taught in English

GCSE or A Level English

An employee will also meet the English language requirement if they have a GCSE, A level, Scottish National Qualification at level 4 or 5 or, Scottish Higher or Advanced Higher, in English (language or literature), that was awarded:

- by an Ofqual (or SQA, Qualifications Wales or CCEA) regulated awarding body; and
- following education in either a UK, Channel Islands or Isle of Man school undertaken while they were aged under 18.

APPENDIX 5

Part time work - guidelines for temporary work permit holders

If you have a temporary work permit you may take part time work in addition to your main job provided that

- you have the written consent of your main employer (the employer for whom you have a work permit); and
- the part time work is also in the same sector that your permit has been issued for; and
- the part time employment should not impact on the employee's ability to fulfil their commitment to their main employer; and
- it is work for which a work permit would normally be granted.

What if my employer won't let me take a part time job?

You must have your employer's consent in writing. You should tell your main employer how many extra hours you intend to work and who you will be working for. If you cannot persuade your employer to give you that consent then you are not allowed to take on extra work. The Customs and Immigration Service is not able to assist you if your employer will not give consent.

Can I work in a shop, an office or wherever I wish?

No. You may only take a part time job of a type for which a work permit is normally issued.

How many hours can I work part time?

There is no fixed limit but you should not work more than 20 extra hours a week above a normal working week. A normal working week may be regarded as 40 hours. Remember you have a duty to your main employer to be fit and able to carry out the job for which you have a permit.

Do I need to have another work permit for a part time job?

No. As long as you meet the conditions set out in these guidelines you do not need another permit and there is no need to tell the Customs and Immigration Service.

What will happen if I take a part time job without my employer's consent?

If you take a part time job without your employer's consent you risk having your permit cancelled. You will then be required to return abroad and may well not be granted another work permit.

Should my part time employer give me a contract of employment?

If you work eight hours or more a week for your part time employer then you should be given a written statement of the terms and conditions of your part time job. Further advice on this and other employment matters may be obtained from the Jersey Advisory and Conciliation Service, 3rd Floor, 1 Seale Street, St Helier. JE23QG, telephone 730503.

APPENDIX 6

Guidance on Submitting a Business Case

Employers may submit robust business cases to the Minister for Home Affairs (addressed to the Head of Service – Jersey Customs & Immigration Service) if they wish any of the following to be considered by the Minister:

- A particular skilled worker vocation, to be included into Annex 3 of the WPP with a reduced annual salary
- The introduction of a new temporary worker sector to allow those who do not meet the skilled worker criteria to undertake temporary work in the island
- The expansion of existing temporary worker sectors to include more diverse vocations.

Any business case should include the following in order to allow the Minister to fully consider the circumstances:

- Relevant data to show the current lack of resources within the sector/vocation
- Evidence to demonstrate that recruitment within the permit-free CTA has been exhausted
- Evidence that alternative business models have been tested or reasons why an alternative business model is not deemed appropriate, specifically covering local recruitment
- Support from sector stakeholders/representatives/employers
- Data to demonstrate the need for the sector/vocation in the Island
- Data from comparable sectors/vocations in the UK to support the business case
- Predictions as to the potential outcome should a new immigration route not be introduced
- Proposal to include specifically what is being requested in relation to the above 3 bullet points.
- Any other relevant data or information that may assist the Minister in his considerations
- Current salary being offered and whether any consideration has been given to adjusting this

Business cases will be required in writing and should be submitted in the first instance to The Head of Service, Jersey Customs and Immigration Service.

APPENDIX 7

NOTICE TO EMPLOYERS AND WORK PERMIT HOLDERS

This document sets out the conditions by which a work permit has been issued and must be shared by the employer with the work permit holder (employee)

Work permits for overseas nationals are issued in accordance with the Immigration (Work Permits) (Jersey) Rules 1995 made by the Minister for Home Affairs and are administered by the Customs and Immigration Service. Employers and employees should familiarise themselves with the Jersey work permit policy available on GOV.JE

In granting any work permit, the Minister for Home Affairs does so on the expectation that all employers give due consideration to the welfare of their employees both in and outside the workplace. In particular, the Minister for Home Affairs would expect all employees relocating to Jersey to live in accommodation of a standard which supports their health and wellbeing and, most importantly, that of their dependent children. The Minister expects employers holding work permits to take reasonable steps to ensure that their employees and their employees' dependents are suitably housed.

- During the period of employment, a work permit holder must only carry out the duties of the post for which the permit is obtained
- Should an employer wish to promote or otherwise move a work permit holder to another post then an application must be made for a new permit. The normal qualifying criteria will have to be met for the new post if the application is to succeed.
- The employer must notify the Customs and Immigration Service if the person does not take up the post or the employment of the work permit holder ends prematurely.
- The period of a contract is determined by the employer and may not extend to the full validity of the work permit, and should this end prematurely then the employee will be required to leave
- The work permit holder must notify the Customs and Immigration Service if their employment is terminated prematurely as it may be necessary to curtail their stay, and the stay of any dependents, in Jersey.
- The work permit holder cannot switch employment in the first 12 months of their work permit period. During this period should a migrant worker fail their probationary period or have their employment terminated prematurely they will not be able to switch employer; will have their leave to enter / remain cancelled; and will be required to leave the Common Travel Area (UK, Channel Islands, Isle of Man)
- The work permit holder must apply for an entry clearance online via the GOV.UK website or if already in the UK/Jersey, apply for further leave to remain online via the GOV.JE website.
- There is no free health care in Jersey beyond emergency treatment for the first six months of a work permit holders, and any dependants, time in Jersey, having adequate health insurance is strongly advised
- Dependents may only accompany the work permit holder if the work permit holder has been granted leave to enter or remain for more than 12 months. This does not apply to those on temporary work permit routes in Agriculture, Construction, Hospitality, and the Fishing industry.

- Dependents may take employment in Jersey without the need of a work permit however their employment is only permitted within the validity of the work permit issued to the holder.
- A work permit holder must not take employment other than that specified on the permit.
- Temporary work permit holders, with the written consent of their employer, can take similar part-time work in their sector.
- Skilled work permit holders can do unpaid voluntary work for a charity that is registered under the Charities (Jersey) Law 2014, or registered with either the Charity Commission for England and Wales; the Charity Commission for Northern Ireland; or the Office of the Scottish Charity Regulator
- If a work permit has been issued on the basis of an Intra Company Transfer, then time spent in Jersey in this capacity does not count towards the qualifying period for indefinite leave to remain.
- An Intra Company Transferee is limited to a maximum of three years in Jersey; cannot move into other work permit employment; will resume employment for the same company outside of Jersey at the end of the transfer period; and cannot return to Jersey in this capacity unless there has been an absence of 12 months.
- Work permit holders employed on a temporary basis in the hospitality, agriculture, construction (general) and fishing industries are limited to a maximum period of 9 months; cannot switch employment into another temporary route; cannot bring dependants to the island; this route does not lead to settlement; and they must leave for a minimum period of 3 months on the expiry of the work permit
- Work permit holders employed on a temporary basis in the construction industry (specific project) are limited to a maximum of 12 months but can be extended annually up to a maximum period of 4 years; work permits are issued in line with the duration of the specific project they are being employed on; this route does not lead to settlement; cannot bring dependants to the island; and they must leave for a period of time equivalent to the period of any permissions granted or the total of any consecutive periods

APPENDIX 8

Tuberculosis test for visa applicants

Migrant workers coming to the UK for more than 6 months and are resident in one of the below countries will need to take a tuberculosis (TB) test and include their TB certificate with their visa application – failure to do so will delay the processing of the visa application

More information can be found on the [Tuberculosis tests for visa applicants: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/tuberculosis) webpage.

Countries where you need a TB test for your UK visa application

- Afghanistan
- Algeria
- Angola
- Armenia
- Azerbaijan
- Bangladesh
- Belarus
- Benin
- Bhutan
- Bolivia
- Botswana
- Brunei
- Burma
- Burkina Faso
- Burundi
- Cambodia
- Cape Verde
- Central African Republic
- Chad
- Cameroon
- China
- Congo
- Cote D'Ivoire
- Democratic Republic of Congo
- Djibouti
- Dominican Republic
- East Timor
- Ecuador
- Equatorial Guinea
- Eritrea
- Ethiopia
- Gabon
- Gambia
- Georgia
- Ghana
- Guatemala
- Guinea
- Guinea Bissau
- Guyana
- Haiti
- Hong Kong
- India
- Macau
- Madagascar
- Malawi
- Malaysia
- Mali
- Marshall Islands
- Mauritania
- Micronesia
- Moldova
- Mongolia
- Morocco
- Mozambique
- Namibia
- Nepal
- Niger
- Nigeria
- North Korea
- Pakistan
- Palau
- Papua New Guinea
- Panama
- Paraguay
- Peru
- Philippines
- Russia
- Rwanda
- Sao Tome and Principe
- Senegal
- Sierra Leone
- Solomon Islands
- Somalia
- South Africa
- South Korea
- South Sudan
- Sri Lanka
- Sudan
- Suriname
- Swaziland
- Tajikistan
- Tanzania
- Togo
- Thailand

- Indonesia
- Iraq
- Kazakhstan
- Kenya
- Kiribati
- Kyrgyzstan
- Laos
- Lesotho
- Liberia
- Turkmenistan
- Tuvalu
- Uganda
- Ukraine
- Uzbekistan
- Vanuatu
- Vietnam
- Zambia
- Zimbabwe

APPENDIX 9

Frequently Asked Questions

Can I apply for a work permit for myself?

No. An application submitted by a prospective employee will be refused. Application must be submitted by a prospective employer who needs to demonstrate that all the application criteria is met.

What happens if the application criteria are not met?

The application will be refused, and no refund will be issued as it will already have been assessed

I have been issued with a work permit but want to change employer?

You cannot change employer in the first 12 months of employment with an employer

Can I employ a person under the age of 18 under work permit conditions?

No, work permits will only be issued to those employees who are aged 18 or over on the date the application is submitted

Can I extend a 9-month temporary work permit?

No, these are issued for a maximum period of 9 months and cannot be extended

Can I extend a skilled work permit?

Yes, these can be extended by the employer who must demonstrate that the employee is still required for the employment

Can I extend an Intra Company Transfer (ICT) work permit?

The maximum time an ICT work permit holder can stay in Jersey is three years and cannot be extended beyond this period

As an Intra Company Transfer (ICT) work permit holder can I switch into skilled work permit employment?

No, there are restrictions on ICT work permits that prevent the employee switching into other work permit categories

Can I apply for a work permit for someone who is in Jersey as a visitor?

There is no provision in the immigration rules to allow a visitor to switch into work permit employment. If you wish to pursue an application, then they must first leave the Common Travel Area (UK, Channel Islands, Isle of Man) and await the issue of the work permit and visa.

Do I need to apply for a work visa once the work permit has been issued?

Visa nationals* need to apply for a visa regardless of how long your work permit has been issued for. Non-visa nationals with work permits issued for more than 6 months need to apply for a visa. Non-visa nationals with work permits issued for 6 months or less do not need to apply for a visa.

[Immigration Rules Appendix Visitor: Visa national list \(www.gov.uk\)](http://www.gov.uk)

How do I apply for a visa?

Visas are applied for via the Home Office visa portal and the visa must be granted before you travel. Instructions on how to apply will be sent out to the employer with the work permit to be forwarded onto the employee

How do I apply for further leave to remain if my work permit has been extended?

If a work permit has been extended, then you must apply to the Jersey Immigration office to extend your visa by applying for further leave to remain. Instructions on how to apply will be sent out to the employer with the work permit to be forwarded onto the employee

Can I report an employer for not complying with the work permit policy or if an employer is mistreating their employees who are under work permit conditions?

Yes, you can report this either directly to Jersey Immigration at Maritime House (immigration@gov.je) or confidentially via our freephone (0800 735 5555 or complete the [Report a customs or immigration offence \(gov.je\)](#) on line form)

What if I have a dispute with my employer?

If you enter into an employment dispute with your employer you should contact the Jersey Advisory and Conciliation Service (JACS). Immigration would not normally get involved in disputes between an employer and employee however it is important that Immigration are advised of the circumstances of the dispute as it may be necessary to take action against either the employer or employee or both.

What should I do if I want to change employer?

You cannot switch employer unless you have completed a continuous 12-month period of employment with your current employer. If you wish to switch you should ensure that your new employer has had work permit approved in principle for you before resigning from your current employer.

Once we have received notification of your last working with your current employer and a start date for your new employer then the permit will be issued, and you will be required to apply for further leave to remain to align your immigration permissions with the new work permit. Failure to follow this process may result in you breaching your immigration permissions.

Can I switch from temp to skilled?

Yes, subject to a successful application by an employer who is able to demonstrate that all the application criteria have been met

If I resign or fail my probation, can I stay in Jersey while I look for other employment?

If you resign from your position, you will no longer meet the requirements for which your immigration permissions were granted, and you will therefore have to attend the Immigration Office at Maritime House to have your permissions cancelled and leave Jersey.

If I have my permissions cancelled how long can I stay in Jersey?

Your permissions will be cancelled to align with your last working day with the employer and you must arrange to leave on or before this date. You may be permitted to remain for up to a week after your last working day to sort out your affairs however this is determined on a case-by-case basis.

If I come to the end of my work permit period how long can I stay in Jersey? Can I stay as a visitor?

You must leave the Common Travel Area on or before the expiry date on your work permit and visa. You cannot stay in Jersey as a visitor.

If my work permit and permissions are cancelled what happens to my dependants?

Your dependants' permissions are tied to the work permit holders permissions and as such they will have their permissions cancelled and they will need to leave the Common Travel Area. Dependants cannot switch into work permit employment.

I am waiting for my visa but haven't heard anything

Jersey Immigration have no influence over UKVI processing times. Published processing times for work visas is three weeks from the date the applicant attends the visa application centre. We are unable to provide updates on the progress of visa applications.

Do I need to get an overseas criminal records check?

Those employed on temporary work permits or on Health and Education work permits will require translated overseas criminal record certificates from each country that they have lived/worked in for more than 12 months in the last 10 years (except where you have lived in the UK, Channel Islands or Isle of Man)

Will I get a work permit if I have a criminal record?

If a prospective employee has an adverse criminal history they will not be issued a visa therefore a work permit will be refused under Part 9 of the [Jersey Immigration Rules](#)

Can I volunteer in addition to the role for which a work permit has been issued?

Yes, with the consent of your primary employer and as long as it is unpaid and for no more than 20 hours per week.

Can I bring my dependants?

Yes, if you are on skilled work permit employment and you have a work permit issued for 12 months or more. Those on temporary work permits cannot bring their dependants to Jersey.

What happens if I cannot find suitable accommodation for me and my dependants?

If you do not have suitable accommodation to accommodate yourself and any dependants without recourse to public funds or the accommodation will be deemed to be overcrowded, then any visa application for them to join you in the Island will be refused.

How long will a visa take?

Visas for work permit employment normally take 3 weeks to process from the date the applicant attends the Visa Application Centre. Visa processing times are out of the control of Jersey Immigration and published processing times may vary depending on how UKVI deploy their resources to deal with things like humanitarian visa applications or pandemics. We are unable to provide updates on visa applications

Do I need to get a TB certificate for my visa?

Depending on your nationality and your country of residence prior to moving to the Common Travel Area you may be required to submit a TB certificate with the supporting documents for your visa. Failure to provide this may result in your visa being delayed or refused (see Appendix 8)

I have not had sight of my work permit?

Your employer should give you a copy of your work permit along with a notice to employers and employees (see Appendix 7)