

***Submission from the Irish Council for International Students (ICOS) to the Department of Enterprise, Trade & Employment (DETE) on the issue of the proposed introduction of work permits for non-EEA students.***

**Background:**

The Irish Council for International Students (which retains the acronym ICOS) is an independent, non-profit organisation formally established by representatives of Irish universities, with the encouragement of the government, in 1970. Its stated aims remain as they were then: to promote the general welfare of international students (and trainees) in Ireland, and to encourage the best possible policy and practice at national and at institutional level. It can be seen, and has largely seen itself, as a specialised student service agency, which provides direct services to students, to third-level institutions and to government

**International Education in Ireland**

Income from tuition fees provided by international students studying in Ireland, as reported by the IEBI, is €140 million for the 2004-05 academic session. Other living expenses for students generate an estimated €62 million bringing the total estimated revenue from international students to over €300 million. (IEBI – Report International Students in Higher Education in Ireland 2005)

It is against this background and in recognition of the important contribution that international students make to the third level education sector that this submission is lodged.

**Submission**

This submission is made on foot of a meeting between Department officials and a delegation from ICOS on 2 November, 2006. While the DETE made it clear to ICOS that regulations providing for the introduction of work permits for non-EEA students will be introduced in 2007, the detailed arrangements have yet to be worked out. This submission is a response to DETE's invitation to ICOS to expand on some the points raised at the meeting and to suggest some ways in which the institutions could cooperate with the Department to facilitate the operation of the new scheme.

Three main areas are discussed as follows:

**1. Work permits for full-time non-EEA students**

Full-time non-EEA students on long-term courses recognised by the Department of Education & Science currently enjoy the right to work for up to 20 hours per week during term time and full-time during vacation. Proof of qualification to work is contained on a student's GNIB registration card i.e Stamp 2 indicates that the holder is a full-time student with entitlement to work.

Under the new arrangements, ICOS understands that non-EEA students in this category will **not** be allowed to work unless they are in possession of a work permit. Work permit applications will be processed by DETE from its Dublin Office and applications will be accepted from:

- (a) non-EEA students on their own behalf
- (b) employers on behalf of non-EEA students

ICOS further understands that work permits will be valid for one employment only.

It is ICOS' view that these constraints will cause considerable hardship to some non-EEA students who depend on being able to work part-time during term time in order to pay towards their living costs whilst studying in Ireland. Jobs for students tend to be in the retail and hospitality sectors where staff turnover is very high or seasonal at best and students are often forced to move from one job to another. Tying qualifying students' permission to work to one employer will also potentially lead to exploitation of those students by employers. Evidence of the exploitation of migrant labour in lower paid jobs in the Irish labour market is already available.<sup>1</sup>

ICOS members also feel that a centralised application process will disadvantage students from outside the capital who will incur travel expense and also lose valuable time if they are required to lodge applications in person in a Dublin office.

### **Recommendations:**

***The Department of Enterprise Trade & Employment should give consideration to the introduction a special category of work permit for qualifying non-EEA students which is transferable between jobs.***

***Work permit applications should be accepted from all legitimate full-time non-EEA students. Currently non-EEA semester /study abroad students who are on registered full-time programmes of study in their home institutions (typically US and Australia) are not allowed to work while studying in Ireland. Study abroad elements are integral parts of these students' award programmes and are fully supervised and assessed by host institutions. Students in this category represent a significant and growing segment of the international student market and should be afforded the opportunity to work as well as study while in Ireland for educational as well as economic reasons.***

***The Department should also consider a decentralised / on-line application process to facilitate students who are not based in the capital. Dedicated local Employment/FAS Offices, for example, could act as local processing centres. ICOS members are willing to work with DETE on developing systems.***

***The cost of a non-EEA student work permit should not be prohibitive. Prohibitive costs and cumbersome procedures attached to the attainment of work permits will lead to evasion and more risk taking by both students and employers.***

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<sup>1</sup> Migrants Rights Centre of Ireland - work with migrant mushroom workers & domestic workers

## **2. Position of non-EEA students undertaking internships with employers while studying in Ireland**

The current situation is that non-EEA students on traineeships and internships which are integral parts of graduate/undergraduate programmes are not required to obtain a work permit. However, in recent months, some students – especially undergraduate students in this category - have been experiencing immigration difficulties even in situations where they have appropriate supporting documentation from well established institutions.

The need for a strong relationship between higher education provision and actual careers available in the labour market is not disputed. More and more higher level courses contain an element of supervised work placement / internship, assessment of which contributes to students' final awards. While interns bring considerable skills and benefits to employers, it is not always easy to find appropriate placements for students as their contribution is limited by virtue of the time-limited nature of placements. Any requirement for non-EEA students in this category to have a work permit before undertaking an internship would place an impossible burden on those students and on the institutions who are trying to negotiate placements on their behalf.

### **Recommendation:**

*ICOS recommends that non-EEA students in employment on properly supervised internships which form integral parts of recognised HEI programmes, both at graduate and undergraduate level, be exempted from the requirement to have work permits.*

## **3. Graduate Employment**

Non-EEA graduates of Irish HE institutions are currently not allowed to change their visa status (ie from student visa to working visa) while still in the country although exceptions are made on a case by case basis and there are some special schemes for researchers and those in certain professions.

Ireland faces stiff competition in the international student market from countries where there are schemes which allow for graduates to remain in the country to gain work experience after graduation. Examples are the Fresh Talent Scheme in Scotland (2 years) and the Science and Engineering Graduates Scheme in England (SEGS – 1 year

Earlier this year the Irish Government raised expectations that similar measures would be introduced in this country<sup>2</sup> and Ireland's 2005 Progress Report to the EC on the Implementation of the "Education and Training 2010" work programme also indicates "a new strategy of easing access to Irish higher education (through new visa and work permit arrangements) ....with a medium term target of much greater overseas student participation in Irish higher education generally."<sup>3</sup> In addition, projections on Ireland's future skills needs to 2020<sup>4</sup> indicate an increasing demand for higher skilled labour which it will not be possible to supply from the internal labour market alone.

### **Recommendations**

*In order to achieve coherence with Ireland's Education & Training objectives and future skills needs projections, the Government should introduce special scheme(s) which would allow non-EEA graduates of Irish higher education institutions to remain in Ireland for a limited period after graduation in order to contribute to the economy and to gain work experience. Examples of such schemes are readily available from other jurisdictions. The attraction, to Irish employers, of resident Irish graduates who are immediately available for interview and work over those recruited internationally through expensive and time consuming recruitment drives is self evident.*

*Qualifying jobs under any graduate employment scheme should not be unduly restrictive and should take account of the many positions that are available in specified sectors of the labour market. Account should also be taken of the wide variation in starting salaries for graduates across sectors and the impact of location on salaries. For example, starting salaries in Dublin tend to be higher than those in the rest of the country. A minimum qualifying salary for the non-EEA graduate employment scheme of €30K<sup>5</sup> is regarded by ICOS members as too high and does not reflect current market rates for many newly qualified graduates.*

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<sup>2</sup> Speeches delivered by the Minister for Education in India (Jan 06) and China (Feb 06) and widely reported

<sup>3</sup> European Commission – 2005 Progress Report, Ireland "Implementing the "Education and Training 2010" Work Programme

<sup>4</sup> "Ireland's Future Skills Needs to 2020", M. Shanahan – Head of Forfás Expert Group on Future Skills Needs

<sup>5</sup> This figure was earlier mooted by the DETE in a public forum on this issue