

The NERA Inspector is coming Are you ready?

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- How confident are you that your organisation is fully compliant with Irish immigration and employment permit legislation?
- Would your organisation's employment records pass with flying colours in the event of an inspection from the National Employment Rights Authority (NERA)?

A simple quiz should give you an idea of how compliant you are:

	Yes	No	Unsure
Do you currently have any non-EEA ¹ nationals working in your organisation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do these non-EEA employees hold an employment permit? If so, are you confident that the type of employment permit held is the correct one?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If a non-EEA employee does not hold an employment permit are you confident he/she has appropriate permission to work legally in Ireland?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you plan to hire a non-EEA national or a Bulgarian/Romanian national who is currently living in Ireland? Does he/she have the appropriate permission to work for you?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you bring employees of your overseas organisation to Ireland on business trips? Are you sure they have the correct permission to be here?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
For all non-EEA employees, do you hold the employer copy of each employee's employment permit or a copy of each employee's appropriate permission to work for you on file?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

¹ The European Economic Area (EEA) comprises of the EU Member States together with Norway, Iceland and Liechtenstein. Restrictions to the Irish labour market continue to be in place for Bulgarian and Romanian nationals, who should therefore be treated as non-EEA for the purpose of this quiz.

How well did you score?

If you were unsure or answered “No” to any of the questions, your business may be exposed to high penalties for non-compliance with Irish immigration and employment permit legislation.

It is an offence under the Employment Permits Acts 2003 and 2006 if a non-EEA national is in employment without an appropriate employment permit. Inspectors of the National Employment Rights Authority (NERA) are authorised to carry out employment permit compliance checks as part of their routine inspections. In 2009, NERA inspectors undertook 1,115 employment permit compliance inspections of Irish organisations. Breaches of employment permit legislation were detected in 40% of cases.

In light of the increase in inspections, it is time for all organisations to review their level of compliance with immigration policy and employment permit legislation. As not all NERA inspections are announced, employers need to consider their compliance now rather than wait to receive notification of an impending inspection.

What is NERA?

The National Employment Rights Authority (NERA) is an office of the Department of Enterprise, Trade and Employment. NERA's aim is to secure compliance with employment rights legislation and to foster a culture of employment rights compliance in Ireland.

How can PwC assist?

The growth of a globally mobile workforce brings with it increased challenges for organisations in ensuring immigration and employment permit requirements are identified and managed. Our experience shows that many organisations do not have the knowledge, experience or resources required to ensure compliance in this area as identified by NERA in their routine inspections.

Our team has assisted organisations to achieve a high level of employment permit and immigration compliance by undertaking detailed reviews of employment records, identifying gaps in the system and suggesting measures to identify and obtain the correct employment and immigration clearance for the organisation's non-EEA employees, thereby minimising the risk of non-compliance.

We also ensure that the interaction of the employment permit with labour law, social security, taxation and pension requirements is not overlooked. We can arrange regular seminars and provide tailored advice to suit your needs.

Our services are designed to assist organisations to minimise risk, identify process improvement and maintain compliance with employment permit and immigration legislation and policy.

Our Services

PricewaterhouseCoopers' Global Immigration Services Group is the

largest provider of immigration services worldwide. In Ireland, our dedicated team of immigration specialists provides immigration advisory and processing services to organisations in relation to all entry, employment and residence permit requirements. In bringing our experience and knowledge of the immigration system to bear, we ensure that our clients comply with their immigration obligations.

Our team of immigration specialists provide expert advice in relation to all corporate immigration matters including:

- Employment permit compliance reviews and immigration health checks;
- Employment permit and employment permit extension applications;
- Entry clearance advice for employment permit holders and their dependant family members;
- EU family permit and residence card applications;
- Irish citizenship applications;
- Strategic planning for start-ups;
- Inward investors;
- Business visitor visas;
- Graduate schemes;
- Advice in relation to Schengen visa applications;
- Advice in relation to Van Der Elst applications.

For further information please contact our specialist Global Immigration Services team listed or your usual PwC contact.