



An Roinn Fiontar,
Trádála agus Fostaíochta
Department of Enterprise,
Trade and Employment

Sea-Fishers in the Irish Fleet

General Employment Permit Checklist

Prepared by Employment Permits
Department of Enterprise, Trade and Employment

This checklist has been produced by the Employment Permits Section in the Department of Enterprise, Trade and Employment to assist with applications for General Employment Permits for the role of Sea-Fisher in the Irish Fleet.

To make an online application please log onto the Employment Permits Online System at: [Employment Permits Online System - DETE](#) but please read this document in full before beginning your application.

Whilst making the application you might find it useful to refer to our [User Guide](#) which can assist you step-by-step through the process

The occupation of Sea-Fisher in the Irish Fleet must have an annual remuneration of at least €34,000. The employer must also provide a copy of a declaration (signed by the employer) stating that the employer will ensure the foreign national concerned has access to suitable accommodation and training (including language training).

When applying for a General Employment Permit for these occupations a [Labour Market Needs Test](#) (LMNT) must be carried out.

The User Guide for employment permits online system (EPOS) is available here: [UserGuide_v2.pdf \(djei.ie\)](#)

Below is a checklist of the documentation required to apply for an employment permit for a Sea-Fisher in the Irish Fleet. The applicant can be either the employer or the prospective employee.

Employer Details

- Employer Registered Number (ERN) and Company Name Registered Number.
- Registered Name of Company/Business and Trading Name (if different).
- Type of Company (Sole Trader, Limited etc.).
- Nature of Business (Manufacturing, Software etc.).
- Number of EEA and/or Swiss Nationals (including Irish) currently in your employment
- Number of non-EEA Nationals currently in your employment
- Confirm if any redundancies have taken place in the last 6 months for the same role.
- Name, position in company, telephone number and email address for contact person.

Employee Details

- Name, date of birth, gender, nationality, current address, telephone number, email address and PPS number (if you already have one).
- Passport number and expiry date. Passport must be valid for at least 6 months for a new employment permit and 3 months for a renewal employment permit.
- If you are resident in the State, you must confirm on what basis and provide your GNIB/Irish Resident's Permit Pin. This 6-digit registration number is located on the back of the Residence Permit Card.
- Confirm details of qualifications relevant to the role.
- Details of previous visa permissions or employments in the State.

Details of Employment

- Title of job.
- Detailed duties and responsibilities of role.
- Location of employment. (Prospective employee can only work at locations of employment as stated on application and noted on employment permit).
- Proposed period of employment and proposed start date
- Details of qualifications/skills/knowledge or experience required for this role.
- Details of qualifications/skills/knowledge or experience of the non-EEA national.

Pay Details

- Total annual salary amount.
- Hourly and weekly rates of pay.
- Number of hours of work each week.
- Details any deductions from salary and what deductions are for.
- Confirm if deductions are taken for health insurance.

Note on Pay: General Employment Permits for Sea-Fisher in the Irish Fleet have a minimum basic salary of at least €34,000 per annum based on a 39-hour week, payable over 52 weeks. This is an hourly rate of pay of €16.77. (A 40-hour week must have a minimum salary of €34,881.60).

For the purposes of an employment permit, the minimum annual salary is refers to basic pay that must be paid to the permit holder, and can include guaranteed components such as shift allowance but not irregular or premium payments such as bonuses, overtime etc.

Paying for Permit

- Name of person making the payment, their company name (if applicable) telephone number and email address.
- Credit card details.

The cost of the employment permit must be paid for by the applicant, further information available here: [Fees for Employment Permits](#)

Agent Details (If Applicable)

- Name, Address, email, telephone number and contact person for Agent
(If using an agent to assist in the application process please include details)

Advertisement

- Provide Department of Social Protection Employment Services/EURES Employment Network Reference Number of the advertisement for the job. Advert must run for 28 days before the application can be made.
- A copy of the advertisement for the job in a national newspaper for each of the 3 days.
- A copy of the advertisement for the job in a local newspaper for each of the 3 days (if the paper is published weekly only 1 advertisement is required) or a copy of ad on a job's website (separate to Department of Employment Affairs and Social Protection/EURES website) for 3 days.
- Please ensure all advertisements provide the following information: A description of the employment; The name of the employer; The location(s) at which the employment will be carried out; The number of hours to be worked per week; The minimum annual remuneration.

Other Information Required

- Signature pages signed by employer and employee. The 'Work ID' on the signature pages **MUST** match the 'Work ID' on the application form.
- Copy of employee's passport clearly showing his/her picture, personal details, date and signature. Passport must be valid for at least a further 6 months for a new employment permit and a further 3 months for a renewal employment permit.
- If the Foreign National is in the State but does not have a GNIB/Irish Resident's Permit pin, please provide a clear copy of employee's current immigration stamp and visa (if applicable).
- A passport photo of employee.

- Copy of employee's relevant qualifications, English translations to be provided (if necessary).
- A statement issued by Revenue Commissioners showing the monthly statutory return made by the employer dated within the 3-month period preceding the application, or a receipt for such a return whether issued through ROS ([Revenue Online Service](#)) or evidence of payments made to the Revenue Commissioners through SEPA monthly direct debit payments made within the 3-month period preceding the application.
- If the application is supported by the [IDA](#) or [Enterprise Ireland](#), provide a copy of the letter of support from the relevant body.
- Copy of contract of employment or work agreement signed by employer and employee. This contract must:
 - be in English and include a certified translation in a language understood by the foreign national
 - include details of the periodic payments to be made
 - include all deductions to be made which includes for food and accommodation while on the fishing vessel.
 - include the particulars required under the Fisherman's Work Agreement provided for under Regulation 7 of the European Union (International Labour Organisation Work in Fishing Convention) (Crew List and Fisherman's Work Agreement) Regulations 2020, and
 - Include the particulars required under Section 3(1) and Section 3(1A) of the Terms of Employment (Information) Act 1994 (No. 5 of 1994),
[See guidance note below.]
- Name, position in company, telephone number and e-mail address for contact person.
- An application in respect of a Sea-Fisher must include a copy of a declaration (signed by the employer) stating that the employer will ensure the foreign national concerned has access to suitable accommodation and training (including language training).
- The employer must provide a declaration that they will enrol the crew member in a Bord lascaigh Mhara (BIM) Safety Training Scheme prior to commencement of employment in accordance with the Fishing Vessel (Basic Safety Training) Regulations 2001 (S.I. No. 587 of 2001).

Guidance Document

Details which should be included in a contract of employment/work agreement for fishers based on Sections 3(1) and 3(1A) of the Terms of Employment (Information) Act 1994 and Regulation 7 of the European Union (International Labour Organisation Work in Fishing Convention) (Crew List and Fisherman's Work Agreement) Regulations 2020

- 1) the full names of the employer or owner and the fisher;
- 2) the address of the employer in the State or, where appropriate, the address of the principal place of the relevant business of the employer in the State or the registered office (within the meaning of the Companies Act 2014);
- 3) the fisher's date of birth or age, and birthplace;
- 4) the name of the fishing vessel and the registration number of the fishing vessel on board which the fisher undertakes to work;
- 5) other places of work, if applicable, or, where there are no such fixed or main other places of work, a statement specifying that the fisher is employed at various places or is free to determine his or her place of work or to work at various places;
- 6) the capacity in which the fisher is to be employed or engaged;
- 7) if possible, the place at which and date on which the fisherman is required to report on board for service;
- 8) the date of commencement of the fisher's contract of employment/work agreement;
- 9) in the case of a temporary contract of employment, the expected duration thereof or, if the contract of employment is for a fixed term, the date on which the contract expires;
- 10) the place at which and date on which the agreement/terms were concluded;
- 11) the provisions to be supplied to the fisher;
- 12) the voyage or voyages to be undertaken, if this can be determined at the time of the fisherman's work agreement/contract of employment;
- 13) the remuneration, including the initial basic amount, any other component elements, if applicable, indicated separately, the frequency and method of calculation and payment of the remuneration to which the employee is entitled, any agreed minimum wage in accordance with the National Minimum Wage Act 2000 and the pay reference period for the purposes of the National Minimum Wage Act 2000;

- 14) a reference to the fact that that the fisher may, under section 23 of the National Minimum Wage Act, 2000, request from the employer a written statement of the fisher's average hourly rate of pay for any pay reference period as provided in that section;
- 15) the length of the intervals between the times at which remuneration is paid, whether a week, a month or any other interval;
- 16) any terms or conditions relating to hours of work (including overtime);
- 17) the number of hours which the employer reasonably expects the employee to work—
 - (i) per normal working day, and
 - (ii) per normal working week;
- 18) the minimum periods of rest, in accordance with the European Union (International Labour Organisation Work in Fishing Convention) (Working Hours) Regulations 2019;
- 19) either—
 - (i) the title, grade, nature or category of work for which the fisher is employed, or
 - (ii) a brief specification or description of the work;
- 20) where a probationary period applies, its duration and conditions;
- 21) a reference to any registered employment agreement or employment regulation order or collective bargaining agreements which applies to the fisher or which directly affect the terms and conditions of the fisher's employment including, where the employer is not a party to such agreements, particulars of the bodies or institutions by whom they were made and confirmation of where the fisher may obtain a copy of such agreement or order;
- 22) any terms or conditions relating to, and the amount of, paid leave (other than paid sick leave) including the formula used for calculating leave, where applicable;
- 23) any terms or conditions relating to—
 - (i) incapacity for work due to sickness or injury and paid sick leave, and
 - (ii) pensions and pension schemes,
- 24) provisions relating to the termination of the fisherman's work agreement/terms of employment and the conditions thereof, namely:
 - (i) if the fisher's work agreement/terms of employment have been made for a definite period, the date fixed for its expiry;
 - (ii) if the fisher's work agreement/terms of employment have been made for a voyage, the port of destination and the time which has to expire after arrival before the fisher shall be discharged;
 - (iii) if the fisher's work agreement/terms of employment have been made for an indefinite period, the conditions which shall entitle either party to terminate it, as well as the required period of notice of termination, provided that such period shall not be less for the employer, or owner or other party to the fisher's work agreement/terms of employment;

- 25) reference to the period of notice which the fisher is required to give and entitled to receive (whether by or under statute or under the terms of the fisher's contract of employment) to determine the fisher's contract of employment or, where this cannot be indicated when the information is given, the method for determining such periods of notice;
- 26) the training entitlement, if any, provided by the employer;
- 27) in the case of a temporary contract of employment, the identity of the user undertakings (within the meaning of Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008⁵ on temporary agency work), when and as soon as known;
- 28) the health and social security coverage and benefits to be provided to the fisher by the employer, owner, or other party or parties to the fisher's work agreement/terms of employment, as applicable; and
- 29) particulars of the fisher's entitlement to repatriation.

This information attempts to consolidate the requirements arising from the 1994 Act and the 2020 Regulations but should be used as a guide only. Employer applicants would need to satisfy themselves that all the requirements under the Terms of Employment (Information) Act 1994 and Regulation 7 of the European Union (International Labour Organisation Work in Fishing Convention) (Crew List and Fisherman's Work Agreement) Regulations 2020 are complied with insofar as the content of the contract of employment/work agreement is concerned.

Contact details

Telephone queries to the Call Centre will be dealt with by Workplace Relations Customer Services.

Phone: +353 1 417 5333

0818 80 80 90

OPENING HOURS

Monday to Friday

9:30am – 5:00pm

Email: employmentpermits@enterprise.gov.ie

This document is intended solely to assist the applicant in applying for an employment permit and is not a substitute for the relevant legislation and regulations governing employment permits.