

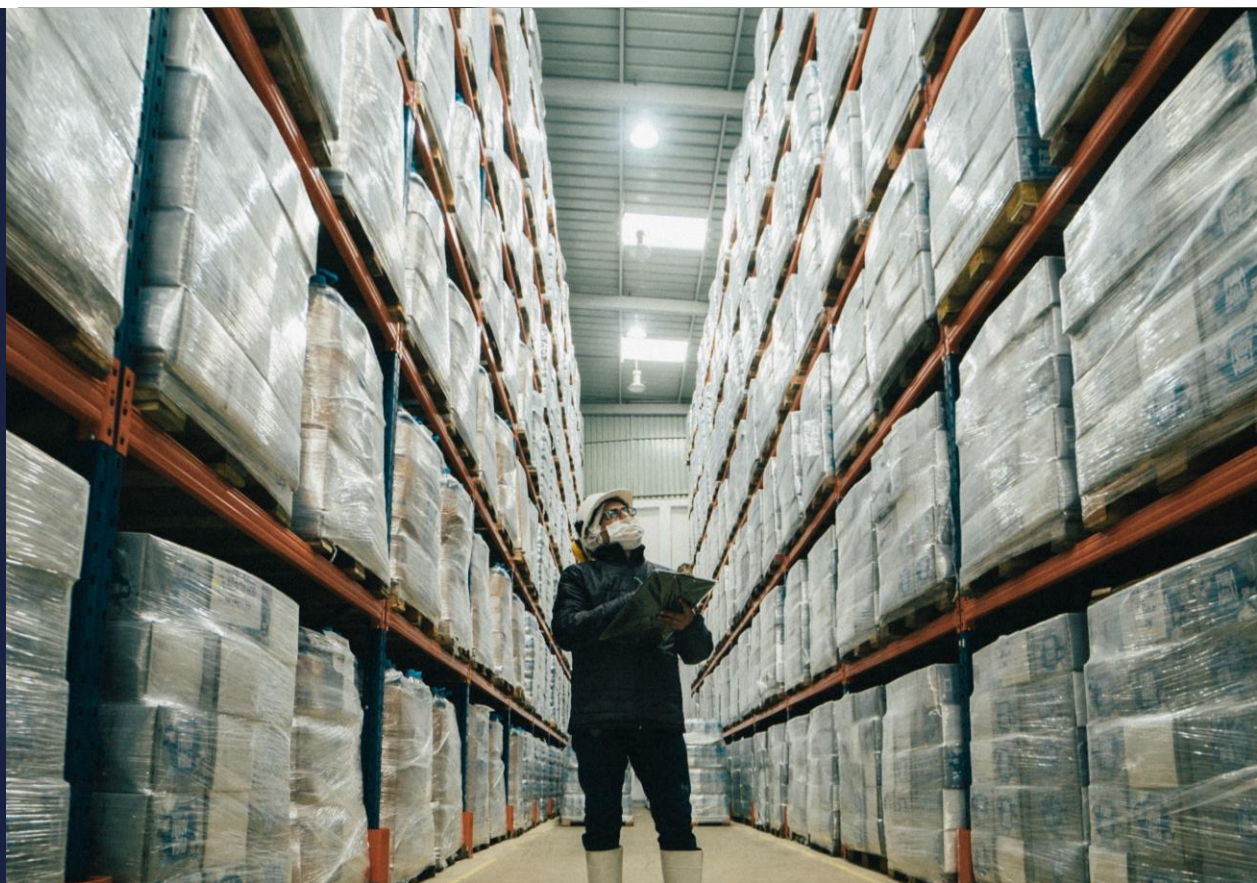
Labour market integration of international protection applicants in Ireland

Emily Cunniffe
Michał Polakowski

EMN Ireland

30 March 2023

Twitter:
#EMNIreland
#MigrantIntegration



1. Background



Background

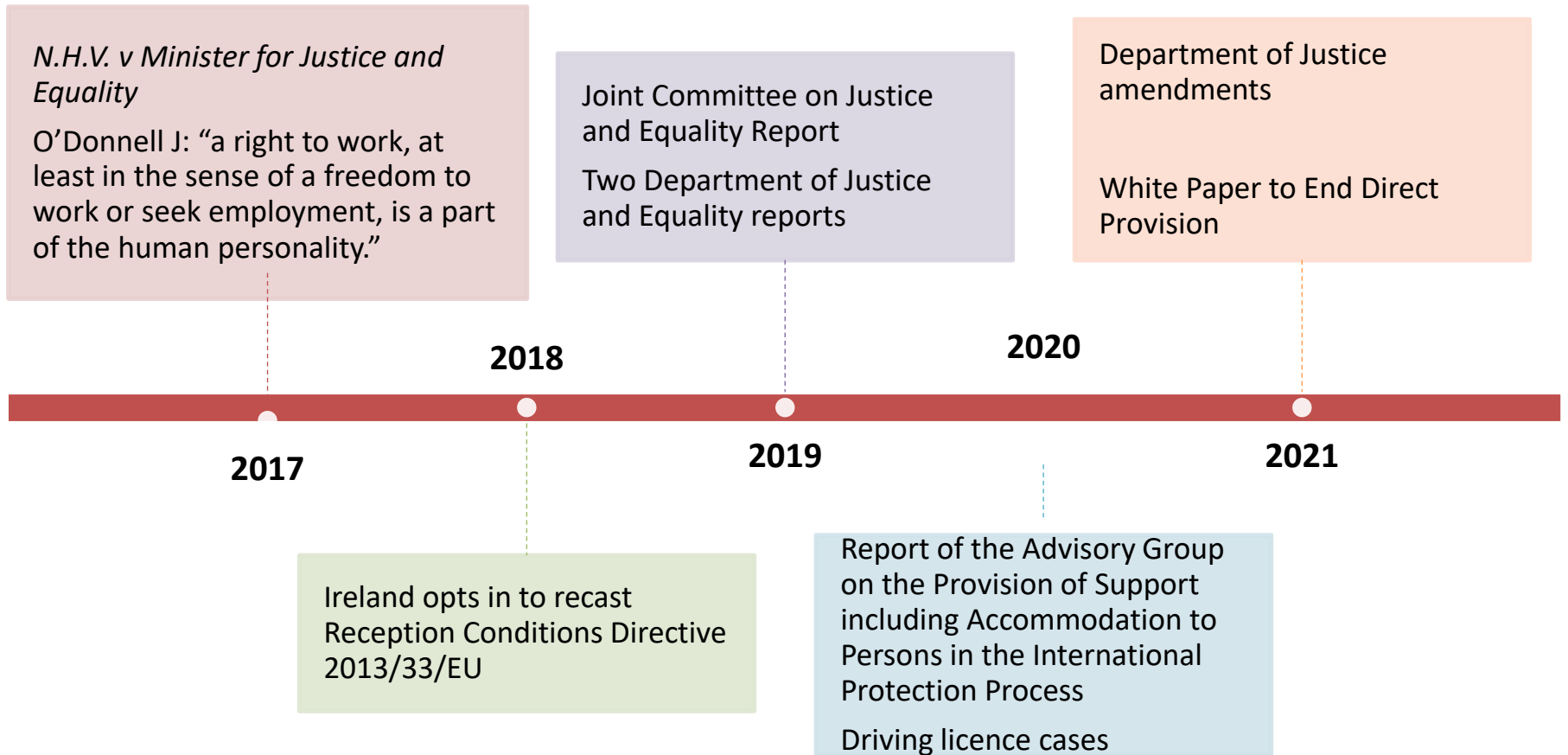
- Long history of campaigns for a 'right to work' for international protection applicants in Ireland (Loyal and Staunton, 2001).
 - The ban on the right to work was explicitly stated in asylum legislation in Ireland, including Refugee Act 1996, International Protection Act 2015.
 - Brief amnesty where applicants granted the right to work after 12 months in 1999.
- Right to work introduced in mid-2018.
 - Since then: over 12,000 international protection applicants have been granted labour market access in Ireland.



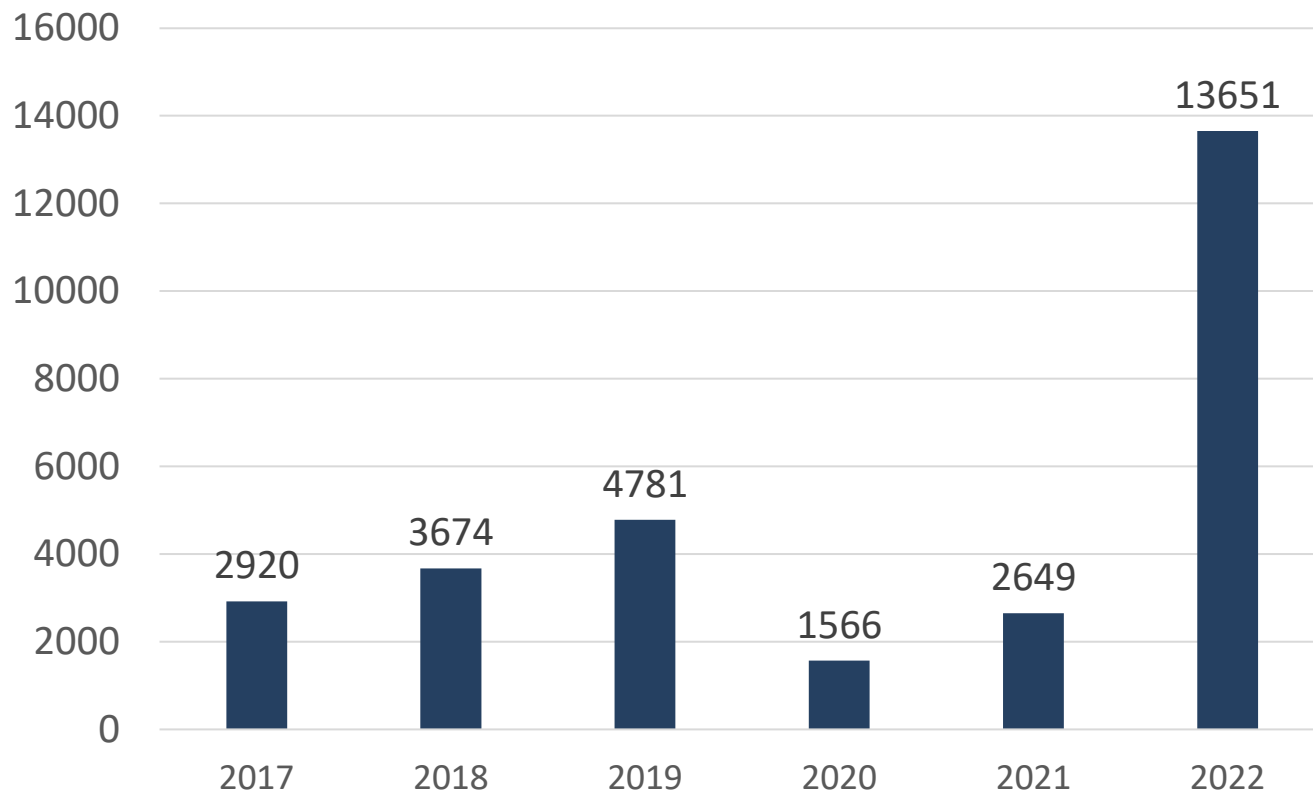
Source: The Journal (27 June 2018). 'Asylum seekers will be allowed to work in Ireland under new rules'.



Timeline of developments



International protection applicants in Ireland



Resident in IPAS
accommodation:

July 2018: just
under 5,500.

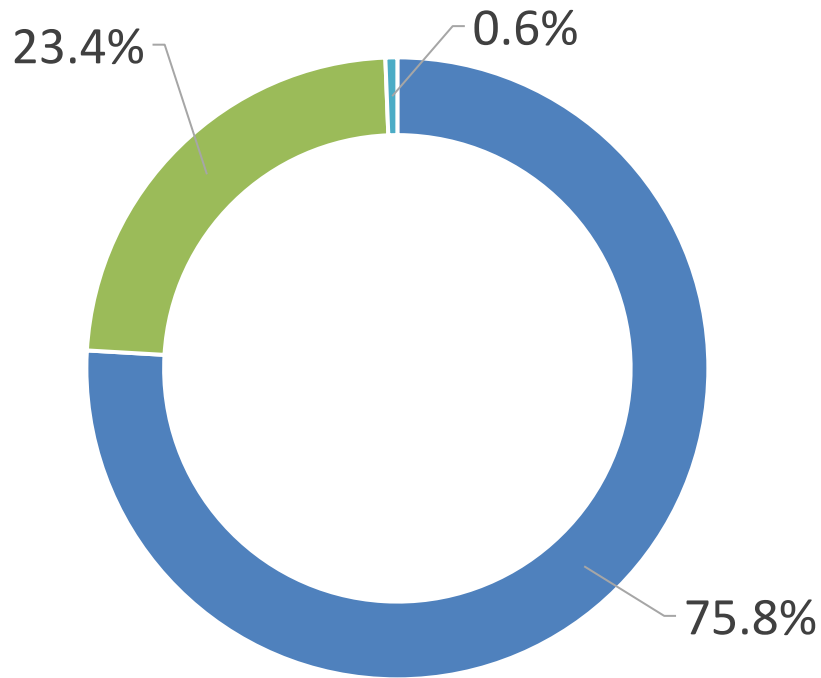
December 2022:
over 19,000.

Source: International Protection Office



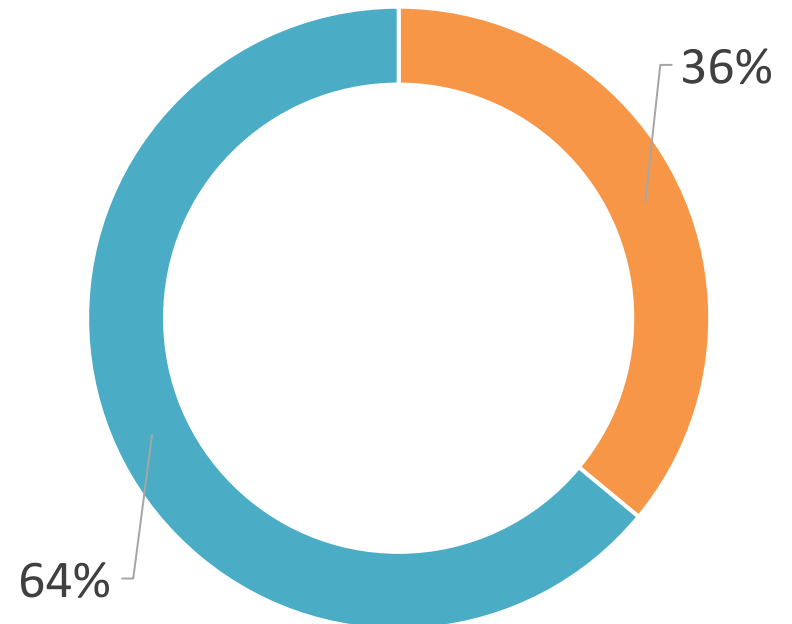
International protection applicants: General profile (Average, 2017-2022)

Age



- Working age (18-64)
- Less than 18
- 65 and over

Sex



- Female
- Male



2. Methodology



Methodology

- This report examines how international protection applicants are faring in the labour market in Ireland and the integration measures in place to support their inclusion.
- Based on an Irish submission to an EMN-wide study comparing labour market access across EMN countries (EMN, forthcoming).
- Limited research on the implementation of labour market access in Ireland.
 - Doras (2021), AkiDwA (2022).



Methodology

Interviews with key stakeholders:

1. AkiDwA
 2. Department of Social Protection
 3. Department of Justice (Labour Market Access Unit)
 4. Doras
 5. EPIC (Business in the Community)
 6. IHREC
 7. Irish Refugee Council
- Data sourced from: International Protection Office, Eurostat, Labour Market Access Unit in Department of Justice.
 - Does not include beneficiaries of temporary protection. Ukrainians are included where they applied for international protection in Ireland.



3. Legal framework and procedure



Legal framework

Article 15 **Employment**

1. Member States shall ensure that applicants have access to the labour market **no later than 9 months** from the date when the application for international protection was lodged if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant.
2. Member States shall decide the **conditions for granting access** to the labour market for the applicant, in accordance with their national law, while ensuring that applicants have **effective access** to the labour market.

For reasons of labour market policies, Member States may give **priority to Union citizens and nationals of States parties to the Agreement on the European Economic Area, and to legally resident third-country nationals.**

3. Access to the labour market **shall not be withdrawn during appeals procedures**, where an appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified.



Legal framework

In Ireland, the recast Reception Conditions Directive is transposed in the *European Communities (Reception Conditions) Regulations 2018, S.I. No. 230 of 2018.*

S.I. No. 52 of 2021.

S.I. No. 178 of 2021.

Regulation 11

- Waiting period: Six months (application can be submitted five months after lodging an international protection application).
- No first instance decision within the first six months.
- Cooperating with the international protection process.
 - Any delay in issuing a first instance decision is not attributable to the applicant (regulation 27).
- Sectors of employment (Schedule 6, Reception Conditions Regulations).
 - Public sector positions excluded



Procedure for access

(1) First-time labour market access permissions:

- A completed Labour Market Access (**LMA3**) form.
- A copy of their Temporary Residence Certificate (TRC).

(2) Renewals: an applicant must submit a completed **LMA4 form**.

Average processing time: 4 weeks, currently 6 weeks.

Section 1: Initial Information

All fields within this section are mandatory.

1.1 Surname(s)
[Grid of 20 empty boxes]

1.2 Forename(s)
[Grid of 20 empty boxes]

1.3 Personal ID No.
[Grid of 10 empty boxes]

1.4 Application Received Date
[Grid of 10 empty boxes with slashes in the 3rd and 6th positions]

Note:
The details provided here should match those shown on your Temporary Residence Certificate card (Blue Card)
Please do not apply less than 5 months after your "Application Received" date.

Section 2: Contact details

2.1 Email address
[Grid of 30 empty boxes]

2.2 Phone number
[Grid of 10 empty boxes]

2.3 Address
[Grid of 30 empty boxes]

Postcode: [Grid of 10 empty boxes]

Note:
If the address you give here does not match the address on your IPO record you will be asked to update your IPO record before your permit application is processed.

5



Other EU Member States

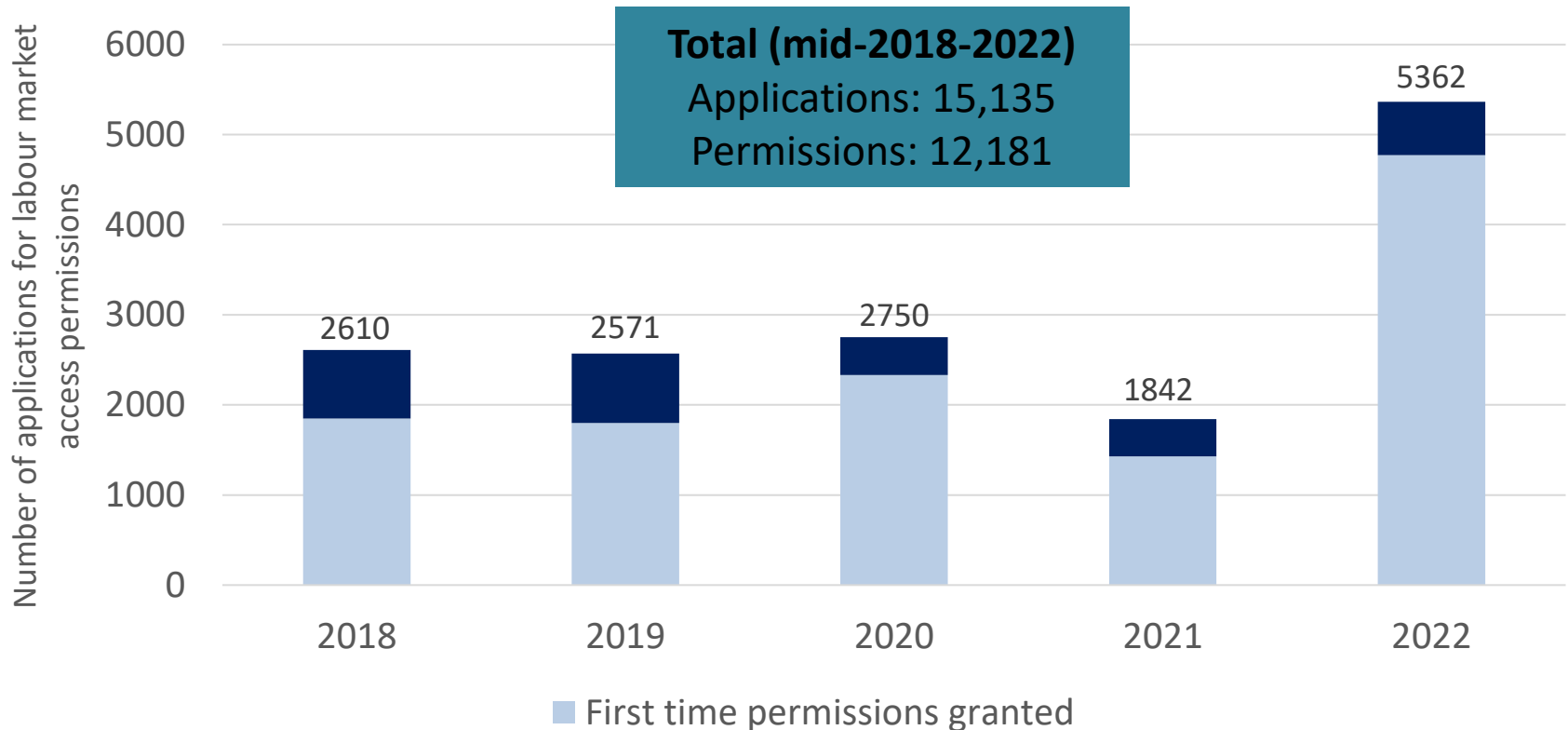
- One area of divergence is the **minimum waiting period**:
 - Sweden: no minimum waiting period.
 - Italy: two months (60 days).
 - The Netherlands: six months.
 - Finland: Identity documents provided, three months; No identity documents, six months.
- Conditions also differ, although many apply the condition of **establishing identity**.
- **Application forms and documentation** must be submitted in some MS.
 - Others (e.g. Finland and Sweden), require no further documentation, beyond an international protection application and the establishment of identity.
- In some MS: validity of access to the labour market is the same as application for international protection (after expiry of waiting period).



4. Data on access to the labour market



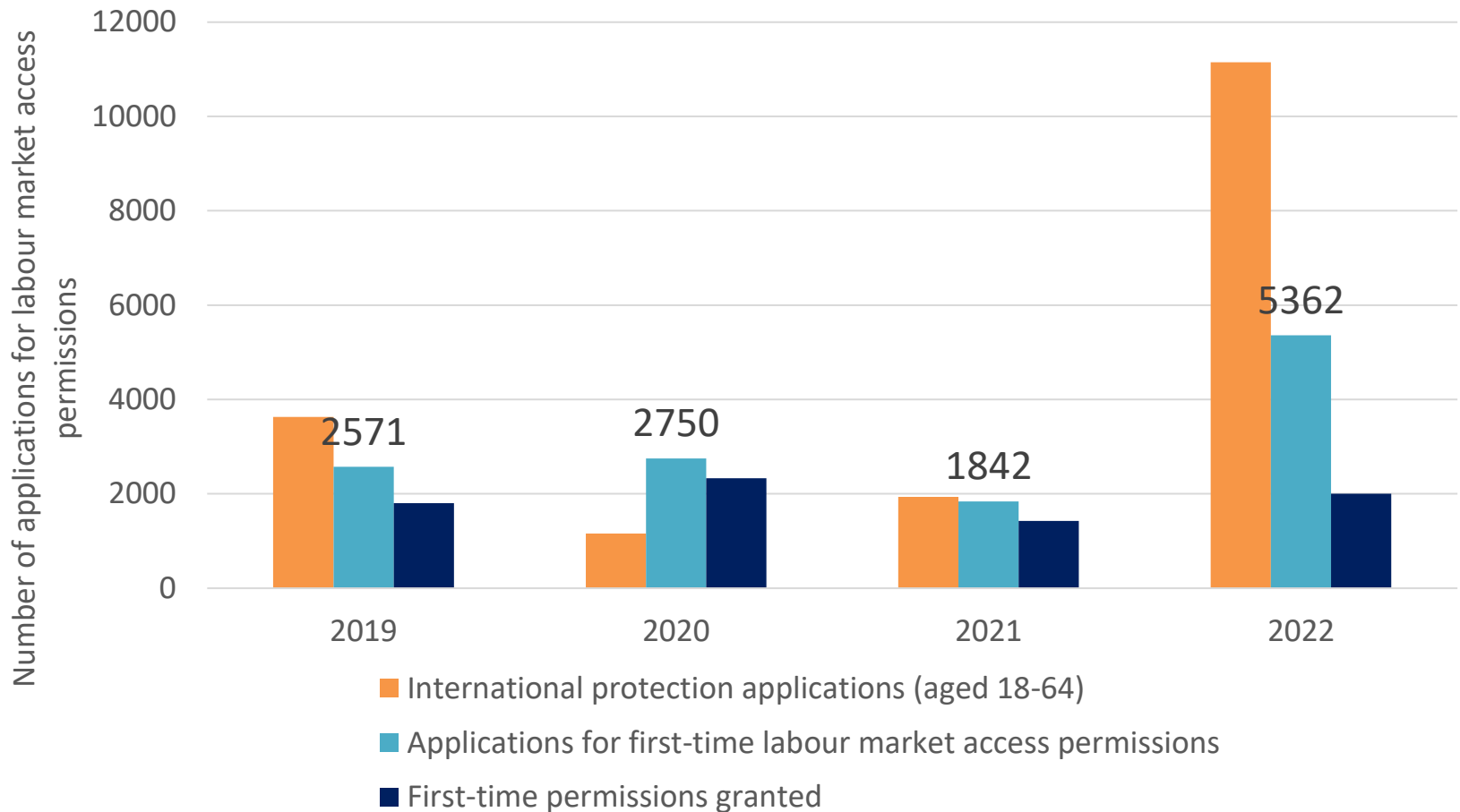
First-time labour market access applications (June 2018-December 2022)



Source: Labour Market Access Unit, Department of Justice



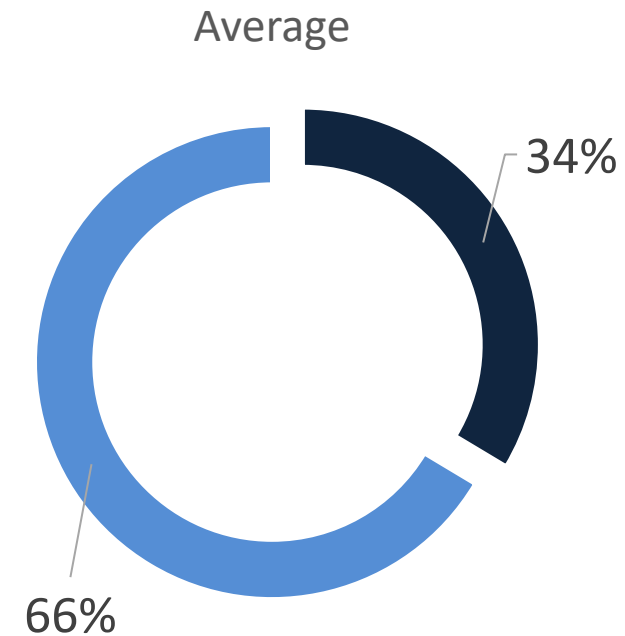
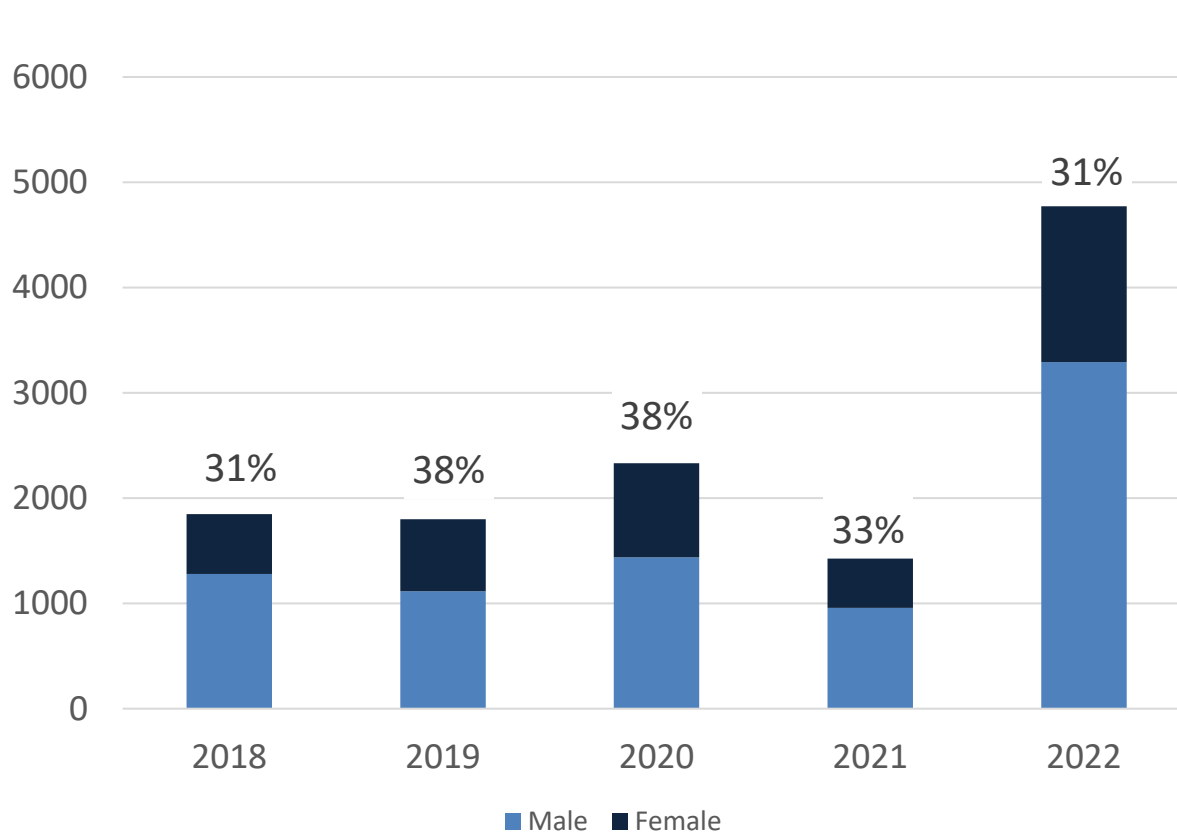
First-time labour market access applications (2019 - 2022)



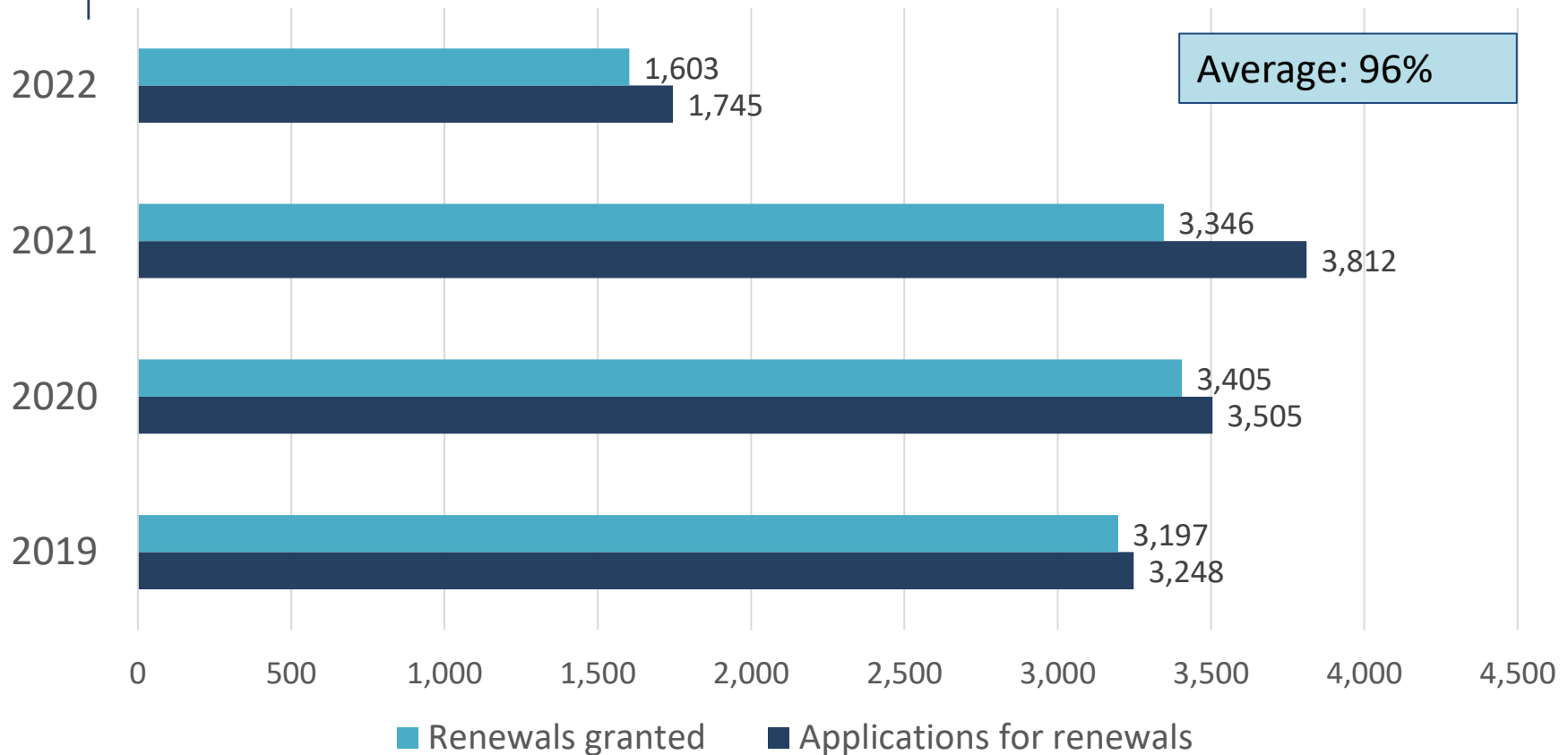
Source: Labour Market Access Unit, Department of Justice



Labour market access permissions: % female (June-2018 – 2022)



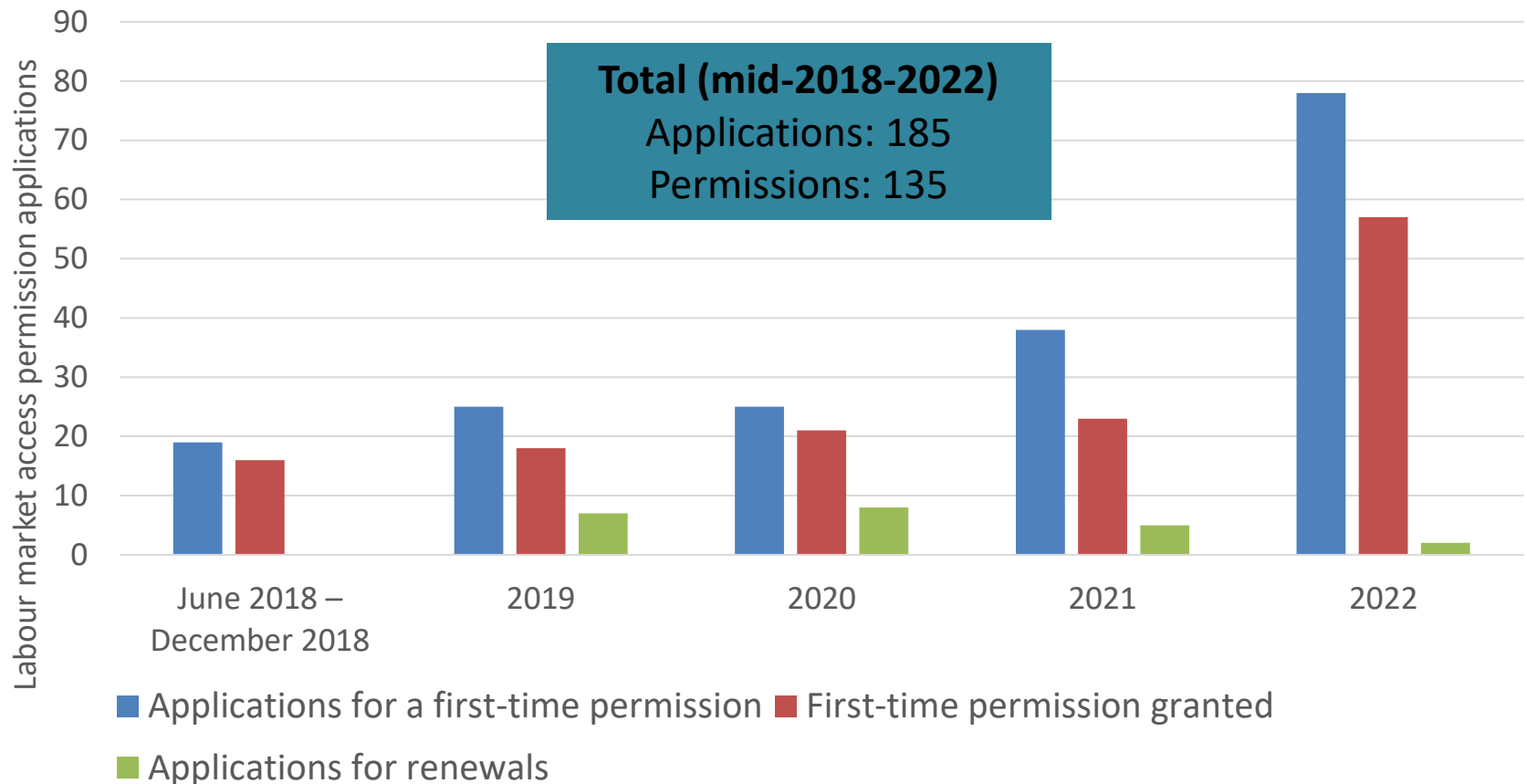
Applications for renewals (2019-2022)



Source: Labour Market Access Unit, Department of Justice



Young people accessing the labour market (June 2018- December 2022)



Source: Labour Market Access Unit, Department of Justice



Reported job titles (July 2018 – October 2022)

Return of LMA5 forms between mid-2018 and end of 2022: **5,428**.

**45% of those granted
permission**

Literature: Migrant wage gap (Laurence et al., 2023), precarious work (Lewis et al., 2015), secondary labour market (Schenner and Neergaard, 2019).

| Job title reported | Number of applicants |
|---|----------------------|
| General Operative (including warehouse general operative) | 890 |
| Healthcare Assistant | 424 |
| Kitchen Porter | 337 |
| Cleaner | 322 |
| Chef | 283 |
| Security Officer | 242 |
| Retail Assistant | 204 |
| Accommodation Assistant | 179 |
| Waiting Staff | 96 |

Source: Labour Market Access Unit, Department of Justice



5. Labour market integration strategies, opportunities and challenges



Labour market integration: Strategies and policies

No specific strategy/policy for the labour market integration of international protection applicants.

Mainstreamed approach

(1) Migrant Integration Strategy 2017 – 2020 (extended to 2021)

- Employment and Pathways to Work (Actions 38 – 47).

(2) Pathways to Work Strategy 2021 – 2025

- Lists international protection applicants among groups that face particular barriers to work.
- Measures include, among others:
 - English language and integration classes; Further training and education
 - Paid work internships and apprenticeships, including in the public service
 - Reserved places on State Employment Schemes, such as Community Employment and Tús.



Labour market integration: Strategies and policies

Cooperation but no overarching governance structure

- Planning and delivering of integration policies involves several actors, both state and non-state (such as civil society organisations).
- Funding (e.g. SICAP funds).
- Lack of governance structures and targeted measures noted.

NGOs

- Support measures that are targeted – such as language classes, counselling or one-to-one training.
- Sensitive to experiences such as trauma, experiences of racism and concerns related to their protection applications more generally.
- But: short-term funding, undermines sustainability.



Labour market integration: Supports

Mainstream measures:

1. Access to Intreo.
2. Language acquisition supports.
3. Vocational training and re-/up-skilling.
4. Recognition of qualifications.
5. Incentives for employers/self-employed applicants.



Labour market integration: Challenges

1. Structural integration challenges

- Discrimination and racism.
- Accommodation and remote location (spatial mismatch).
- Underemployment/Funnelling into positions that do not match qualifications.

2. Procedural integration challenges

- Delays with issuance of TRC cards.
- Establishment of identity.

3. Practical integration challenges

- Language barriers: Access to English language classes.
- Mental health.
- Childcare.
- Access to transport.
- Format of the permission to access the labour market.



Labour market integration: Opportunities

EPIC, Business in the Community (Dublin)

- Pre-employment Training (six weeks, training on job applications, support on CVs, identification of skills, interview preparation and identification of potential employment opportunities).
- Individual support from Career Counsellors (career guidance and planning, tailored assistance).
- Supported **over 200 applicants (as of end of November 2022)**.
 - 82 have progressed to employment.
 - 38 have progressed to internships, skills training or educational opportunities.
 - Currently in EPIC Programme (November 2022): 25



Labour market integration: Opportunities

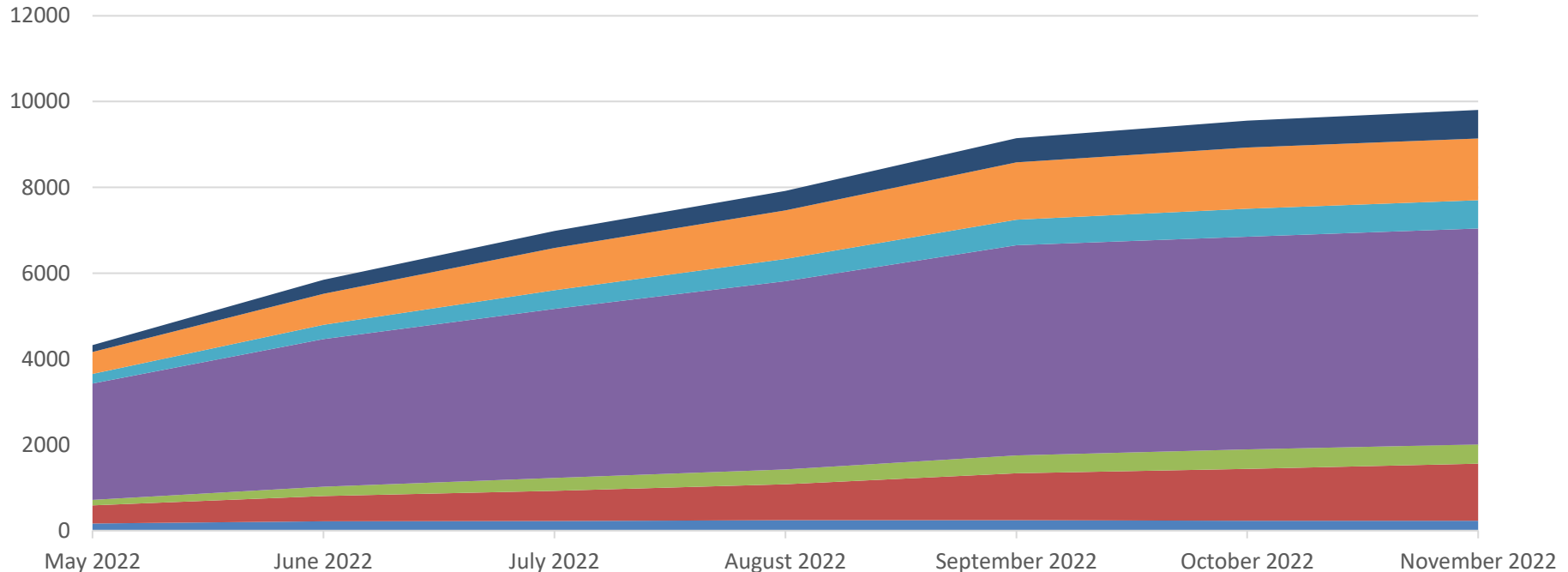
Data monitoring of Beneficiaries of Temporary Protection

- The Central Statistics Office (CSO) publishes monthly information on the situation of Ukrainians and other third country nationals who have fled Ukraine after Russia's invasion on 24 February 2022 and are beneficiaries of the Temporary Protection Directive (TPD).
- The labour market situation of this group in terms of labour market activity – sector of employment, county of employment, and wages – has been analysed since March 2022.
- The CSO has also published data on the number of engagements with Intreo by beneficiaries as well their education levels, previous occupation and assessed barriers to employment.



Labour market integration: Opportunities

Data monitoring of Beneficiaries of Temporary Protection



■ Agriculture, Forestry and Fishing
■ Construction
■ ICT, Scientific and Recreation

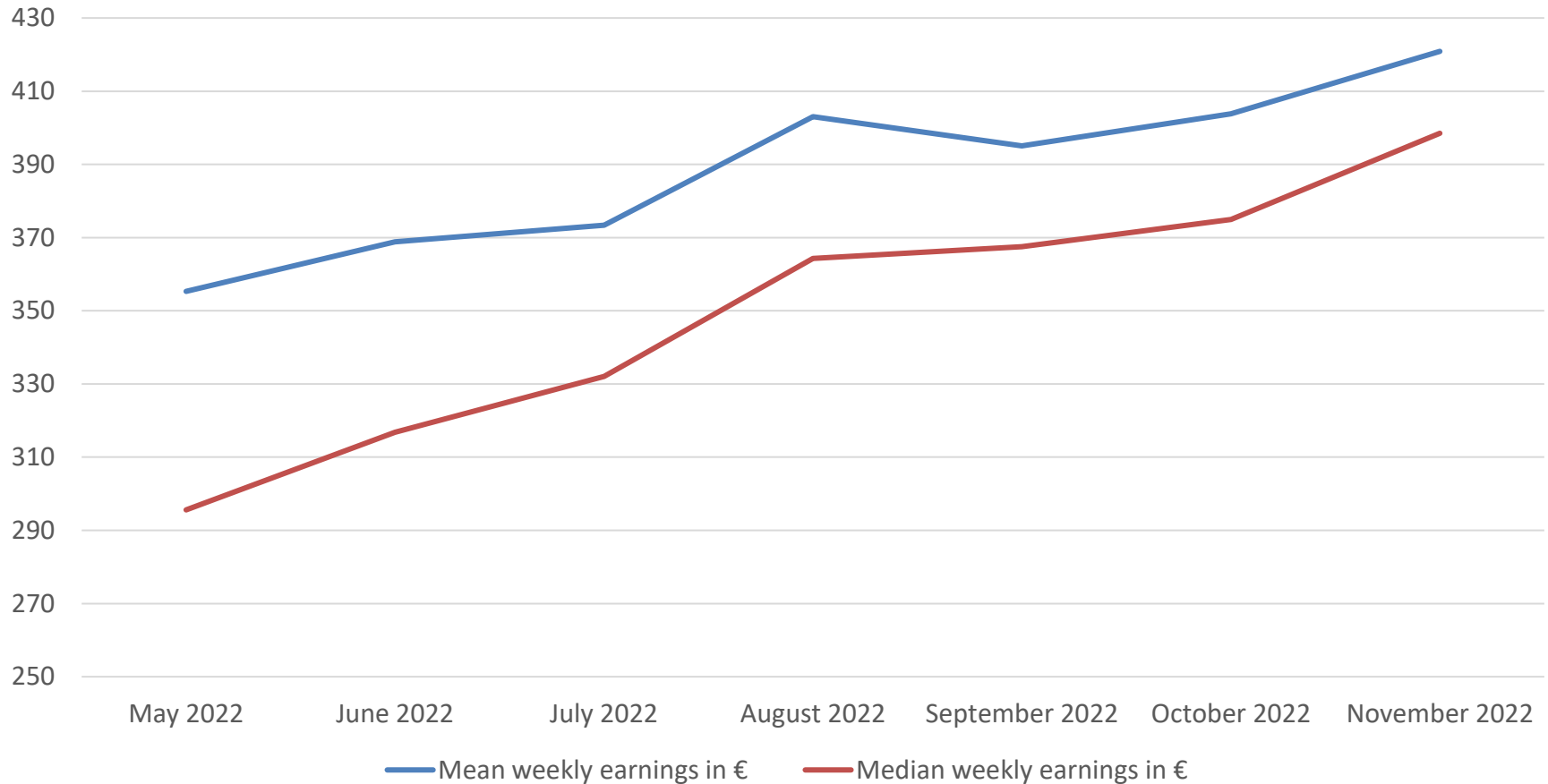
■ Industry
■ Wholesale, Transport and Accommodation
■ Financial, Real Estate, Administrative

Source: CSO (December 2022), *Arrivals from Ukraine in Ireland Series 8*.



Labour market integration: Opportunities

Data monitoring of Beneficiaries of Temporary Protection



Source: CSO (December 2022), Arrivals from Ukraine in Ireland Series 8.



6. Conclusions and policy implications



Conclusions

- Strong take up of 'right to work' since introduction of labour market access in mid-2018.
 - But types of jobs indicate primarily in secondary labour market.
- Procedure to access labour market relatively straightforward.
- Mainstreamed integration, no tailored strategy for labour market integration of international protection applicants.
- NGOs provide many targeted supports, sensitive to needs to needs of applicants, but short-term funding, undermines sustainability.
- **Challenges:** structural, procedural and practical.
 - Importance of addressing racism and discrimination (NAPAR).
- **Opportunities:** EPIC Programme and improved data monitoring.





Thanks for listening.

Any questions?

Report available at

www.emn.ie

EU level synthesis report
coming soon

Appendix 1

| | 2018 | 2019 | 2020 | 2021 | 2022 | Total |
|---|------|------|------|------|------|-------|
| Applications for first time permissions | 2610 | 2571 | 2750 | 1842 | 5362 | 15135 |
| Female | 712 | 866 | 995 | 589 | 1630 | 4792 |
| Male | 1898 | 1705 | 1755 | 1253 | 3732 | 10343 |
| Per cent female | 27% | 34% | 36% | 32% | 30% | 32% |
| First time permissions granted | 1848 | 1800 | 2332 | 1428 | 4773 | 12181 |
| Female | 567 | 684 | 894 | 469 | 1478 | 4092 |
| Male | 1281 | 1116 | 1438 | 959 | 3294 | 8088 |
| First-time permission grant rate | 71% | 70% | 85% | 78% | 89% | 80% |
| First-time permission applications refused/deemed closed | 759 | 764 | 414 | 399 | 569 | 2905 |
| Female | 144 | 181 | 101 | 114 | 148 | 688 |
| Male | 615 | 583 | 313 | 285 | 421 | 2217 |
| Applications for renewals | 0 | 3248 | 3505 | 3812 | 1745 | 12310 |
| Female | 0 | 911 | 1173 | 1354 | 543 | 3981 |
| Male | 0 | 2330 | 2324 | 2453 | 1200 | 8307 |
| Renewals granted | 0 | 3197 | 3405 | 3346 | 1603 | 11551 |
| Renewal rate | 0% | 98% | 97% | 88% | 92% | 94% |
| Applications for self-employment | 0 | 79 | 25 | 11 | 0 | 115 |
| Female | 0 | 10 | 1 | 1 | 0 | 12 |
| Male | 0 | 69 | 24 | 10 | 0 | 103 |

Appendix 2: BTPs - Previous occupations

