



WORK PERMIT - SEASONAL HOSPITALITY

The work permit seasonal hospitality exemption has been reintroduced for the period, 1st March 2022 to 31st October 2022. This allows employers within the Hospitality sector to make a request to the Department for Enterprise for specific roles to be exempted, on the basis that no suitable Isle of Man workers are available to fill the roles.

KEY POINTS OF THE EXEMPTION ARE:

THE EMPLOYER:

- ☞ must pre-register to use the exemption, indicating how many positions they are likely to require and confirm they agree to and understand the requirements;
- ☞ must only use this for genuine seasonal vacancies;
- ☞ employ the seasonal worker under a contract, it does not cover zero hours, casual or agency workers;
- ☞ check that all potential employees are vetted and relevant background checks are completed;
- ☞ must continue to make all vacancies available to Isle of Man workers;
- ☞ must only use this exemption for workers who are British, Irish or EU nationals who hold a 'settled status';
- ☞ Must comply with all Isle of Man employment law.

THE EMPLOYEE:

- ☞ must have a minimum of 12 months' previous hospitality experience;
- ☞ cannot be covered under an exemption if they have a criminal conviction.

SEASONAL EXEMPTION APPLICATION

If you are planning to employ a seasonal member of staff you will need to complete the following steps to apply for the exemption:

APPLICATION PROCESS

You must complete a Seasonal Exemption form¹, providing:

- ☞ Business details (Name, Address, Phone, E-mail etc.)
- ☞ Responsible Officer details.
- ☞ Expected numbers of persons to be covered by the exemption, categorised by job title and the period of employment to be covered.
- ☞ Expected total number of employees to be employed during the season, including Isle of Man workers and those on existing work permits.
- ☞ Statement outlining the reason for seeking the exemption, details of advertising undertaken and why the vacancies cannot be filled by Isle of Man workers
- ☞ Completed declaration confirming acceptance of the exemption conditions.

Within 3 working days the Department for Enterprise will review the registration form and, subject to approval, issue the relevant authorisation, which will set out the exempted employments and conditions.

LOCATE
ISLE OF MAN



EMPLOYMENT PROCESS

Once you have offered a worker a seasonal role and have verified that they are entitled to work on the Island, you must notify the Department for Enterprise, in advance of them starting. You will need to provide the following information:

- 🔄 Full Name
- 🔄 Address
- 🔄 Date of Birth
- 🔄 National Insurance Number
- 🔄 Nationality
- 🔄 Job Title / Role Description
- 🔄 Dates of Employment
- 🔄 Confirmation of whether the individual was resident in the Island prior to commencing employment and, if not, whether any relevant persons intend to join them upon commencing employment
- 🔄 Declaration that the worker complies with any conditions attached to the exemption (i.e. EEA national, no criminal convictions etc.)

You must maintain full and accurate records of all workers employed under the exemption, making it available for inspection by the Department for Enterprise, who will conduct one compliance visit during the season.

You must notify the Department for Enterprise if the exempted worker ceases work for you or there is a material change to their employment.

Guidance notes² have been made available

¹ <https://www.gov.im/media/1355630/hospitality-exemption-request-2022.pdf>

² <https://www.gov.im/media/1355632/seasonal-hospitality-exemption-guidance-2022.pdf>