GETTING RIGHT TO WORK

ACCESS TO EMPLOYMENT AND DECENT WORK FOR INTERNATIONAL PROTECTION APPLICANTS IN IRELAND

Doras
PROMOTING & PROTECTING HUMAN RIGHTS
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The views expressed in this publication are those of the authors and do not necessarily represent those of the Irish Human Rights and Equality Commission.
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<th>Abbreviation</th>
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<td>ALMP</td>
<td>Active Labour Market Programmes</td>
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<tr>
<td>AMIF</td>
<td>Asylum, Migration and Integration Fund</td>
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<td>BPFI</td>
<td>Banking &amp; Payments Federation Ireland</td>
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<td>BTEA</td>
<td>Back to Education Allowance</td>
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<td>CERD</td>
<td>Committee on the Elimination of Racial Discrimination</td>
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<td>CIF</td>
<td>Community Foundation for Ireland</td>
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<td>CIPD</td>
<td>Chartered Institute of Personnel and Development</td>
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<td>DCEDIY</td>
<td>Department of Children, Equality, Disability, Integration and Youth</td>
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<td>ECRE</td>
<td>European Council on Refugees and Exiles</td>
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<td>EEA</td>
<td>European Accession Area</td>
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<td>HAP</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>Irish Residence Permit</td>
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<td>Immigration Service Delivery</td>
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<td>Post Leaving Certificate</td>
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This report contributes to the realisation of the right to decent work for international protection applicants in Ireland. It does so by documenting the barriers they face to obtaining employment and decent work, examining the effectiveness of employment support programmes, and identifying measures to be taken to ensure access to decent work for this target group.

Decent work is a multidimensional concept that is concerned with the availability of employment in conditions of freedom, equity, security, and human dignity. It was introduced by the International Labour Organisation in 1999 and involves opportunities for work that is productive and delivers a fair income; provides security in the workplace and social protection for families; offers increased prospects for personal development and social integration; affords freedom for people to express their concerns; provides people with the opportunity to organize and participate in the decisions that affect their lives; and ensures equality of opportunity and treatment for all women and men.

Employment provides opportunities for social relations and community participation, while unemployment contributes to social exclusion and loss of self-confidence and poor health. Furthermore, employment is considered to be the single most important indicator of integration as it provides a source of income and confers social standing with respect to the host-country population.

The goal of decent work is not just the creation of jobs and employment, but the creation of jobs of acceptable quality.

Review of Existing Practice and Experience

Research over the last decade has shown that migrants’ experiences in the labour market is one of underemployment. Lack of recognition of qualifications and experience; poor pay rates, as well as terms and conditions; lack of promotional opportunities; lack of social capital; and discrimination all hinder access to work and/or progression. Several key problems have been identified. These include the intertwinement of employment and immigration enforcement; workers’ lack of awareness of employment rights; the ineffectiveness of labour inspections; the uncertain impact of undocumented status on employment rights; and difficulties with enforcing employment awards. And across the continuum of exploitation from relatively minor employment violations to forced labour and trafficking, vulnerability is at least partly created by a person’s irregular or precarious status.

International protection applicants’ experiences are broadly similar. They must apply to the Immigration Service Delivery unit of the Department of Justice for permission to work, and if successful they are granted a permit in the form of a letter for a fixed period. This was extended from six to 12 months at the start of 2021. They also face other significant administrative barriers when it comes to getting work. These include difficulty opening bank accounts, and not being allowed to apply for driving licenses.
This report highlights how the range of employment schemes and supports operated by the Department of Social Protection to assist long-term unemployed people to return to work do not include the Daily Expenses Allowance paid to protection applicants living in Direct Provision. It also outlines the crucial role played by refugee/migrant support and other non-governmental organisations in facilitating successful labour market access for refugees and protection applicants. It provides a non-exhaustive list of NGO-run employment support programmes targeted at assisting refugees and protection applicants in Ireland. One of the main problems with these is the temporary and short term nature of the funding streams. This, combined with the relatively few evaluations of the services (linked to the nature of the funding provided) means there has been little opportunity to learn from and build on the work done to date in this area.

Another key aspect of supporting protection applicants to access employment is the need for appropriate training for support workers and service providers. Understanding how trauma and displacement affects those who use the services is vital, as is knowing the appropriate responses. Working in a trauma-informed way is therefore vital for anyone delivering supports and services for protection applicants, as is an understanding of cultural, linguistic and other areas of diversity.

From a review of policy, practice and experiences across Europe, a number of key aspects emerge as being of particular importance for the labour market integration of refugees and protection applicants. These are language; recognition of skills and qualifications; the coordination of services to address other needs that are crucial for employment, including health care and housing; social networks; and employer engagement.

A number of action areas were identified by the OECD and UNHCR as key to facilitating the employment of refugees. Their proposed 2018 action plan recommends enhanced cooperation between employers, employment services and immigration authorities. They highlight the need for public authorities and employment services to provide up-to-date, comprehensive information to employers who want to hire protection applicants and refugees; to educate employment service staff; to provide support for employers around skills assessment; and to raise awareness about discrimination, xenophobia and stereotyping through awareness raising campaigns and training. They note that civil society organisations have a role to play by establishing information services for refugees and employers in relation to work rights and by providing training and other services that prepare refugees for entry into the workplace.
Research Findings

This study adopted a mixed method approach to examining the effectiveness of employment support programmes for protection applicants and refugees in Ireland. Drawing on the findings from the review of existing literature and good practice, their experiences were captured through focus group discussions and an online survey. These findings were supplemented by interviews with labour market access support services and NGOs running employment support services or programmes. The research also drew on the experiences and evidence base built up by Doras through its direct support work.

The findings indicate that employment choices are disproportionately restricted for protection applicants and refugees. They routinely have difficulty finding employment in sectors of their choice and tend towards a small number of employment sectors which experience has shown they are more likely to get work in. These include childcare, healthcare and security work. The importance of employment for wellbeing, personal development and integration into society was highlighted with both education and employment seen as beneficial, not least because they afford people the opportunity to engage with other people in the community.

Findings are categorised as follows:

1. **Barriers to Employment and Decent Work**
   A range of inter-related barriers to obtaining meaningful or preferred work were articulated. These included a lack of networks and knowledge of how to navigate the system or find work; discrimination; social or economic disadvantage (as a result of living in Direct Provision); lack of access to childcare (particularly for women); poor recognition of qualifications and experience; lack of references; work permit restrictions; other administrative barriers (including bank accounts and driving licenses); and language. These are compounded by other factors including the length of time spent in the asylum process, leading to loss of knowledge currency and confidence, coping with displacement and trauma, and age.

2. **Employer Attitudes and Awareness**
   Here the need for enterprises and organisations to take a planned and systematic approach to equality and human rights are highlighted. Employers’ legal obligations, and the growing recognition that promoting and maintaining diversity in the workplace is beneficial from a business perspective also emerged as important findings.

3. **Knowing Your Rights**
   Rights holders may not always be aware of or may be reluctant to assert their rights when looking for work. Out of necessity they are often focused on finding any employment rather than decent employment opportunities. As a result of the barriers faced when trying to get work, they are not focused on the standards of the employment, rather their main goal is often to source an income regardless of employment standards.

4. **Employment Support Services**
   While general employment support programmes can help to address some of the barriers that rights holders face when trying to access employment, they are generally not equipped to address the particular barriers faced by protection applicants. The need for additional, dedicated support services is essential, starting with the understanding that people seeking employment for the first time in Ireland may have gone through trauma and displacement, or lack confidence as a result of their many years in Direct Provision without a right to work.

5. **Pathways to Employment**
   Most of the research survey respondents were not working in their preferred employment or in roles commensurate with their skills or qualifications. Taking whatever work is available is seen as a route to building social networks, as well as securing essential income. It is also a consequence of the fatigue and resignation that comes from spending years in Direct Provision.
Recommendations

The following high level recommendations are proposed in relation to the right to decent work for protection applicants in Ireland. They are underpinned by two key principles:

(1) equality of access to services for protection applicants and refugees; and

(2) recognition of their unique needs and vulnerabilities, collectively and individually, while appreciating the diversity and the richness of talent and expertise within the refugee population.

A. Government, Public Authorities and Services

1. Remove the administrative and legislative barriers that restrict international protection applicant’s real and effective access to work.

2. Provide early access to dedicated and targeted employment supports and training for international application applicants.

3. Ensure equal access to mainstream employment supports, training and further education for all protection applicants and refugees.

4. Put adequate measures in place to ensure protection applicants and refugees are not forced into work that is precarious or does not respect their fundamental rights or their rights as workers.

B. Employers and Employer Associations

5. Employers should ensure equal opportunities are provided for protection applicants and refugees seeking employment.

6. Implement measures to eliminate discrimination, exploitation and harassment from workplaces.

7. Employer associations should monitor and assess the performance of employers.

C. Non-Governmental Organisations / Civil Society

8. Provide services aimed at achieving suitable and sustainable employment for protection applicants and refugees.

Each of these recommendations are outlined in greater detail in the final section of the report.

A February 2021 government commitment to put employment supports at the core of a new model to replace Direct Provision, alongside health, housing and education supports, is encouraging. According to the White Paper to end Direct Provision that was introduced by the Department of Department of Children, Equality, Disability, Integration and Youth, the new model will come into effect on a phased basis between February 2021 and December 2024. The government has said that under the new model, protection applicants will be entitled to access employment activation supports and to link with employer networks after an initial four month period in a Reception and Integration Centre. It also promises to provide early intensive orientation and English language programmes, as well as employment supports, and to address some of the other administrative and legislative barriers to employment that currently exist.

As the evidence in this report shows, these are urgently needed.
The right to work is a fundamental right, recognised in several human rights instruments, including the International Covenant on Economic, Social and Cultural Rights (ICESCR). This right is essential for the realisation of other human rights, and it forms an inseparable and inherent part of human dignity. It contributes to the survival of the individual and his/her family, and where work is freely chosen or accepted, it contributes to personal and professional development, and to recognition within the community.

Work is a vital source of self-fulfillment, identity and dignity and is important as a source of income to satisfy basic needs such as food, housing, education, and health care. Employment provides opportunities for social relations and community participation, while unemployment contributes to social exclusion, loss of self-confidence and poor health. It also impacts negatively on families and on communities. It is considered to be the single most important indicator of integration for migrants and refugees, as work provides a source of income and confers social standing with respect to the host-country population. However, while employment in itself is important, job quality is also a strong determinant, shaping how new arrivals find their place in a society.

In 1999 the International Labour Organisation (ILO) introduced the concept of “full employment and decent work”. They described it as the most widespread of needs, shared by people, families and communities in every society, and at all levels of development. The ILO recognised that quality of employment can mean many things. It can relate to different forms of work and to different conditions of work, as well as to feelings of value and satisfaction. The goal of decent work is therefore not just the creation of jobs, but also the creation of jobs of acceptable quality. The ILO’s decent work agenda is based on an integrated and gender-mainstreamed approach. It consists of four elements:

- **Job creation**: everyone has the right to work that is productive and delivers a fair income. In recognition of this right, national labour policies should aim to provide dignified, local employment and sustainable livelihoods.
- **Rights at work**: workers rights include the right to just and favourable conditions, time off, non-discrimination and living wages for them and their families.
- **Social Protection**: all workers should have safe working conditions, adequate free time and rest, access to benefits like healthcare, pension, and parental leave, among others.
- **Social Dialogue**: workers should be free to express their concerns, organise and participate in the decisions that affect their lives.

Ensuring access to productive and freely chosen work has a positive effect on both individual and societal wellbeing. At a societal level, access to decent work is directly linked to

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economic growth and poverty reduction while contributing to social cohesion. At individual level, the opportunity to take up positions of paid employment provides people with a source of income and has a direct impact on their standard of living. While this contributes significantly to personal wellbeing, decent employment can also provide a sense of dignity, professional identity, societal status, and important social interaction. People who are employed tend to show higher levels of life satisfaction in comparison to those who are unemployed, whereas unemployment lowers self-esteem, is detrimental for health and wellbeing, undermines a person’s place in society (Green, 2011; OECD, 2017) and can have long–lasting deleterious effects on wellbeing (Hahn et al, 2012).

What is Decent Work?

Decent work is a multidimensional concept that is concerned with the availability of employment in conditions of freedom, equity, security, and human dignity. It was introduced by the International Labour Office (ILO) in 1999 and involves opportunities for work that is productive and delivers a fair income; provides security in the workplace and social protection for families; offers increased prospects for personal development and social integration; affords freedom for people to express their concerns; provides people with the opportunity to organize and participate in the decisions that affect their lives; and ensures equality of opportunity and treatment for all women and men. The ILO Framework on the measurement of decent work covers ten substantive elements:

- Employment opportunities
- Adequate earnings and productive work
- Decent working time
- Combining work, family, and personal life
- Work that should be abolished
- Stability and security of work
- Equal opportunity and treatment in employment
- Safe work environment
- Social security
- Social dialogue, employers, and workers representation

The ILO’s Decent Work Agenda is an integrated programmatic approach to pursuing the objectives of full and productive employment and decent work for all at global, regional, national, sectoral and local levels. It has four pillars: standards and rights at work, employment creation and enterprise development, social protection, and social dialogue, with gender equality as a crosscutting objective.

Ensuring access to productive and freely chosen work has a positive effect on both individual and societal wellbeing. At a societal level, access to decent work is directly linked to economic growth and poverty reduction while contributing to social cohesion. At individual level, the opportunity to take up positions of paid employment provides people with a source of income and has a direct impact on their standard of living. While this contributes significantly to personal wellbeing, decent employment can also provide a sense of dignity, professional identity, societal status, and important social interaction. People who are employed tend to show higher levels of life satisfaction in comparison to those who are unemployed, whereas unemployment lowers self-esteem, is detrimental for health and wellbeing, undermines a person’s place in society (Green, 2011; OECD, 2017) and can have long–lasting deleterious effects on wellbeing (Hahn et al, 2012).
Protection applicants who have not yet received a final decision on their application are offered accommodation by the State in residential institutions under a reception system known as Direct Provision, which is operated by the International Protection Accommodation Service (IPAS). Direct Provision residents are provided with essential services including medical care, accommodation and board, plus a weekly allowance of €38.80 per adult and €29.80 per child.

Many protection applicants experience lengthy stays in Direct Provision. This is associated with declining physical and mental health, self-esteem and skills. The impact on people’s lives has been criticised by a range of national and international bodies including the UN Committee on the Elimination of Racial Discrimination (CERD), the Irish Human Rights and Equality Commission (IHREC), the Special Rapporteur on Child Protection, the Joint Oireachtas Committee on Justice and Equality, UN High Commission for Refugees (UNHCR), the Ombudsman, and several non-governmental organisations (NGOs). One of the many criticisms noted in the 2020 report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process chaired by Dr Catherine Day is the isolated location of many Direct Provision centres. Some are located in urban areas with good access to transport, health care, educational and employment services, but others are in remote locations and suffer from poor services including transport and telecommunications. The 2019 CERD review of Ireland highlighted this as a barrier for protection applicants in obtaining work. It also noted that lengthy stays under inadequate living conditions in Direct Provision centres has significant impact on mental health and family life for protection applicants.

As of the end of July 2020, there were 8,812 applicants for international protection awaiting decision. Of these, 63.7% were male and 36.3% were female. 79.1% were between the ages of 18 and 65. There were 7,151 applicants in Direct Provision at the end of July 2020, and while the majority were in the system for less than two years, 14% of residents had spent over 4 years in Direct Provision.

Since 1990, a total of 141,268 protection applicants have been granted refugee status in Ireland. In 2019 there were 4,781 new applicants. 585 were granted refugee status, 120 got subsidiary protection, and 265 got humanitarian leave to remain.

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5 Not all applicants for international protection avail of the Direct Provision system of accommodation.

6 Figures from the Day Advisory Group report.

7 Data from http://www.asylumineurope.org/reports/country/republic-ireland/statistics.
In additional to people who apply for international protection in Ireland, over 3,000 refugees from almost 30 nationalities have been resettled to Ireland as part of the Irish Refugee Resettlement Programme since 2000. These ‘programme refugees’ had already been determined by UNHCR to meet the 1951 Refugee Convention definition of a refugee and were therefore not required to apply for international protection in Ireland.

In February 2021, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) published a White Paper to end Direct Provision and to establish a new International Protection support service, that it aims to have fully implemented by the end of 2024. The new model proposes a two-phase approach to accommodating protection applicants. They will be accommodated in a Reception and Integration Centre for four months (Phase One), during which time the focus will be on identifying needs, orientation support, defining pathways, and linking applicants to appropriate services. After that (Phase Two), the emphasis will be on “fostering an independent life within the community”. The intention is that all accommodation in Phase Two will be own-door, self-contained houses or apartments for families, and either own-door or own-room accommodation for single people. The proposed model also commits to providing accommodation “that will be located in an urban area with access to services and public transport”.

The White Paper promises that protection applicants will be linked to appropriate services, including employment services during their first four months in the State. The intention is that after that, applicants will have access to assigned integration support that will link them with local employment services. Integration from day one is a stated intent of the White Paper, as is supporting people to live independently.

One of the recommendations of the White Paper is that after Phase One reception, protection applicants should have access to social welfare allowances that are aligned with mainstream income supports. This is crucial in order to avoid exploitation and ongoing poverty amongst protection applicants.

In a 2012 Irish Refugee Council report on children living in Direct Provision (Arnold, 2012), the system was described as state sanctioned poverty. Institutionalisation and exploitation of children were highlighted in this report, but the exploitation of adults, particularly women, in Direct Provision has also been an ongoing concern throughout the existence of the system. This vulnerability to exploitation is linked to the lack of access to decent work experienced by protection applicants.

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8 An applicant who is adjudged to match the legal definition of a Convention Refugee (someone who matches the definition of a refugee in the Geneva Convention on Refugees) is given refugee status. If she/he does not qualify to be a refugee but is at risk of serious harm if sent home, they may be given a status called Subsidiary Protection. Refugees and people with Subsidiary Protection can stay in Ireland indefinitely and will have many of the same rights as an Irish citizen including the right to work, education and social protection. A person who does not qualify for refugee status or Subsidiary Protection may be given permission to stay in Ireland for humanitarian or other reasons. This is called Permission to Remain.


In recent years, increased inward flows of migrants into the European Union (EU) have resulted in greater attention being given to integration policies, outcomes and measures, including the area of labour market access. In its 2016 action plan on the integration of third-country nationals, the European Commission identified employment and vocational training, including actions to promote early entry into the labour market as crucial for integration. It also noted that effective inclusion of migrants into the labour market requires the active collaboration of a large variety of actors. These include public authorities; local, regional, and national agencies; civil society organisations; economic and social partners; and employers.

Ireland pursues a policy of mainstreaming service provision in the area of integration, with focused initiatives to meet the specific needs of the migrant population (Arnold et al., 2019). The vision of Ireland’s current strategy, ‘The Migrant Integration Strategy - A Blueprint for the Future’ is that migrants are facilitated to play a full role in Irish society, that integration is a core principle of Irish life, and that Irish society and institutions work together to promote integration. One of the key elements of the strategy is that migrants are enabled and expected to participate in economic life through employment and self-employment. Nonetheless, Arnold et al (2019) note that migrants face several challenges in the Irish labour market. These have been documented by the Migrants Rights Centre Ireland (MRCI), Kingston et al (2015), O’Connell (2018), McGinnity et al (2018) and others. The challenges include higher rates of work-related discrimination than Irish nationals, low pay, over-qualification for their jobs, lack of progression, exploitation, an insufficient level of English language, weak networks, lack of recognition of qualifications, and a potential need to up-skill. Employment permit systems and government policy regarding the right to work for family members and international protection applicants exacerbate the problems faced in accessing employment.

There is also evidence of race-based stratification in the Irish labour market. Joseph (2018) found that some groups are more likely to be at the bottom and others at the top of the ladder when it comes to attaining paid employment, depending on their nationality and race. In particular, she found that migrants of

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12 The Migrant Integration Strategy was published in 2017 and sets out the Government’s approach to the issue of migrant integration for the period up to 2020. This strategy has been extended for a further year. See http://www.justice.ie/en/JELR/Migrant_Integration_Strategy_English.pdf.

Nigerian descent had a lower progression rate into paid employment in proportion to their population that Polish or Spanish migrants. Labour market participation of a high proportion of migrants in Ireland is without financial remuneration, with a much higher proportion of Nigerian migrants (more than half) caught in this category.

There are similar trends across Europe, with third-country nationals often being overqualified or overskilled for the jobs they are in. They also have to work in less favourable conditions when it comes to wages, employment protection and career prospects. Migrants living in rural areas tend to fare particularly badly in terms of employment (as well as other indicators of integration such as education, poverty, social exclusion and housing), not only compared to non-migrants but also with respect to migrants living in cities and towns. There is also a striking gap in employment and labour market participation between male and female migrants coming from third countries. This gender divide is particularly pronounced amongst people seeking protection in the EU and in countries that have recently seen a large influx of refugees (Barslund et al, 2017). It has also been found to persist in labour markets over time.

The MRCI’s 2015 report ‘All work and low pay: The experience of migrants working in Ireland’ highlighted how migrant workers made up a significant proportion of low-paid workers in the country. These were primarily in the hotel, catering, restaurant, wholesale and retail sectors. The level of precarity experienced in these sectors was high, many of the people in low paid jobs struggled financially, and up to one-third experienced deprivation. Migrant workers were found to be concentrated in service sectors where jobs are often undervalued, underpaid and in some cases exploitative. The reports also noted that 70% of migrants were overqualified for the jobs they were employed in. Despite having a better educational profile that the Irish population as a whole, migrants were – and still are - over represented in lower-paid jobs.

A 2020 research report from the MRCI that focused on migrants’ experiences in the labour market and their progression within it showed that underemployment (working in jobs that did not fully utilise their skills and qualifications) was a key feature of people’s experiences. So too was frustration at the lack of progression despite their best efforts (MRCI, 2020). Lack of recognition of qualifications and experience (outside of Ireland) by employers; pay rates, and terms and conditions; lack of promotional opportunities; and lack of social capital were evident in people’s ability to get ahead at work, to get a foothold on the housing market, or to set up a new business. Experiences of discrimination, both racially and in terms of gender, were also highlighted in the report.

Overall the question of how to better protect the rights of migrants at work has attracted quite a bit of commentary in recent years (Murphy et al, 2020). Key problems include the intertwinment of employment and immigration enforcement; workers’ lack of awareness of employment rights; the ineffectiveness of labour inspections; and the uncertain impact of undocumented status on employment rights. Across the continuum of exploitation from relatively minor employment violations to forced labour and trafficking, vulnerability is at least partly created by a person’s irregular or precarious migration status.

14 See the EU’s 2016 Action Plan on the Integration of Third-country Nationals.
In July 2018, Ireland opted into the EU (recast) Reception Conditions Directive 17 which provides minimum standards that all EU countries must adhere to in the reception of protection applicants. The decision to opt in followed a Supreme Court declaration in February 2018 that found Ireland’s ban on employment was unconstitutional. The Supreme Court case was taken by a Burmese national who had spent eight years living in Direct Provision. The Directive obliges Member States to grant protection applicants access to the labour market no later than nine months after lodging a protection claim. The Irish government opted to only grant access to people who have been waiting more than nine months for a first instance decision, and to restrict the permission to a six-month, renewable period. However, IHREC have noted that the short term nature of the work permits act as a barrier to finding employment, and particularly in accessing professional or skill-based jobs for which protection applicants would otherwise be qualified 18.

In January 2021 the Minister for Justice and Equality reduced the waiting time before applying for permission to work to six months, and extended applicants’ permission to work to 12 months 19. In doing so, the Minister recognised the importance of giving protection applicants the opportunity to work earlier, saying it would ”help even more people to integrate into Irish society while providing for themselves and their families outside of the State’s directly provided services and supports”. She also noted that access to employment “helps people to plan and prepare for their future if they receive a positive decision on their application for international protection.” 20

Protection applicants’ permission to work, referred to as Labour Market Access Permission (LMAP), can be renewed if the holder has not received a final decision 21 on their international protection application. In other words, once a person has been granted permission to work, that permission lasts throughout any subsequent appeal process. However, if a person has already received a first instance decision, they cannot access the labour market, regardless of how long they have been waiting for a resolution to an appeal. This means that protection applicants who had been in Ireland for a long time and who had already received a first instance decision are not permitted to work.

While the right to work for people still in the international protection process consists of permission to be self-employed or to be employed in most sectors of the economy, there is an absolute ban on employment in public bodies such as the Civil Service, Local Authorities, or companies/entities that are majority owned by the Government or established by way of legislation 22.

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20 Ibid.
While all EU member states with the exception of Lithuania allow protection applicants to work, the length of time before they can access the labour market varies. In France for example, access to the labour market is allowed if a ruling has not been made on the protection application within six months after the lodging it, and only if this delay cannot be attributed to the applicant. In Belgium, protection applicants may have access to the labour market four months after lodging their protection application if they have not yet received a first instance decision. They are then permitted to work in all sectors and for any employer, and can register as job seekers at the regional office for employment. This grants them access to a free assistance programme and vocational training.

Nonetheless, even with supportive legislation in place, it is still very difficult for protection applicants to enter the labour force in Belgium. According to the European Council on Refugees and Exiles (ECRE) 2018 report for the Asylum Information Database (AIDA) 23, this is due to the provisional and precarious residence status, the very limited knowledge of the national languages, the fact that many foreign diplomas are not considered equivalent to national diplomas, and high discrimination in the labour market.

In Sweden, protection applicants are permitted to work immediately after arrival until a decision is made on their application. This is done by exempting them from the need for a work permit. In order to obtain the exemption, they just need to have identity documents or proof of identity.

Akari (2019) notes that there is a tendency in some EU member states of only offering employment support to protection applicants that the authorities think are likely to get status (principally on the basis of their nationality) thereby creating a hierarchy between protection applicants. In Germany, for example, protection applicants from countries that are considered safe countries of origin are obliged to stay in initial reception centres for the whole duration of their procedure. And since protection applicants are barred from access to the labour market as long as they are obliged to stay in an initial reception centre, these provisions mean that they are effectively excluded from employment for the duration of their stay there.

In Ireland, protection applicants must apply to the Immigration Service Delivery (ISD) 24 for permission to work. If their application is successful they are issued with a letter indicating that they can take up employment. Once they begin working, their employer must complete a declaration form with details of the person’s permission to work, the duration of employment, and remuneration paid. Organisations providing support to protection applicants routinely receive reports of employers not accepting or being suspicious about the work permit, as it is currently in the form of a letter. There are also reports of employers being unwilling to employ protection applicants, particularly in higher paid positions, because of the time restriction on the work permit.

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21 A final decision occurs when a protection applicant has completed all appeal procedures.

22 From the Asylum Information Database (AIDA) managed by the European Council on Refugees and Exiles (ECRE) at https://asylumineurope.org/reports/country/republic-ireland/reception-conditions/employment-and-education/access-labour-market/.


24 Formerly the Irish Naturalisation and Immigration Service (INIS)
When it comes to getting work, protection applicants also face other significant administrative barriers. The first is a difficulty opening bank accounts. The reason given by banks is usually lack of satisfactory identity documents to meet anti-money laundering requirements. However in a letter sent to Banking & Payments Federation Ireland (BPFI) in January 2021 IHREC stated that protection applicants should be allowed to open an account using their Temporary Residence Certificate (TRC) for identification 25. This is an essential requirement for protection applicants intending to work as employers typically only pay salaries into bank accounts for tax compliance reasons.

A further barrier for many protection applicants trying to get work, particularly those living in remote Direct Provision centres, is that they are not allowed to apply for driving licenses. In 2019, the Workplace Relations Commission found that the refusal to grant a learner driver permit to a protection applicant constitutes indirect discrimination. However the Road Safety Authority appealed that decision and it was overturned by the Circuit Court in Dublin in July 2020. Denying protection applicants the opportunity to drive limits their ability to take up work or to become involved in other aspects of social and economic life in Ireland.

Following the announcement in January 2021 that protection applicants could apply to access the labour market after six months rather than waiting nine months, IHREC warned that discriminatory barriers such as accessing a driving licence and opening a bank account continue to undermine the Supreme Court’s recognition of protection applicants’ right to work 26.

Prior to the introduction of the right to work for protection applicants, IHREC argued that while states are entitled to ‘decide the conditions for granting access to the labour market’ under Article 15.2 of the EU (recast) Reception Conditions Directive, it also provides that states ensure “effective access” to the labour market for protection applicants 27. The imposition of legislative and administrative barriers impedes effective access to the labour market. As IHREC noted 28, concerns regarding the potential impact of restrictions on effective access have also been raised by the UNHCR in its guidance notes on transposition and implementation of the Directive. Furthermore the UNCHR and IHREC both raise concerns that discriminatory practices may not be in keeping with states’ obligations under the 1951 Refugee Convention, or Article 6 of the ICESCR.

In light of the particular vulnerabilities in the workplace faced by migrants, IHREC conclude that effective safeguards against discrimination are important in ensuring effective access to the labour market for protection applicants 29.

By July 2020, work permits had been granted to 5,109 protection applicants. Employers reported employing 2,539 applicants for international protection i.e. less than 50% of those who had permission to work 30. This highlights the difficulty that protection applicants have getting employment.

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28 Ibid.
In its report, the Day Advisory Group noted that applicants for international protection can make an important economic contribution to Ireland and that their health and wellbeing can also benefit from being able to take up employment. This is supported by numerous reports indicating that lack of access to the labour market not only damages the psychological, economic and social situation of protection applicants, it is also likely to lead to the loss and/or squandering of skills and competences that are needed in the labour market. In addition it leads to increased risks of depression, anger and frustration due to inactive waiting periods; exclusion from cultural and social life; prevention of personal development; as well as dependence on State funding that could be reduced if protection applicants were more economically independent. The Day Advisory Group thus recommended that the right to work be extended to any applicant for protection who has not received a final decision on their application within three months of making it. They also recommended that the employment permission stamp provided to an international protection applicant should be equivalent to the stamps granted to other non-EU nationals.

Protection applicants who have been granted international protection (refugee status or subsidiary protection) or permission to remain have the same right to live and work in Ireland as Irish citizens. However, in order to fully realise these rights they must first contend with a range of interrelated issues associated with moving out of Direct Provision, including housing, social welfare and employment. They must find somewhere to live, either in social (public) housing or in the private rental market. To do so they can avail of the Housing Assistance Payment (HAP), which is intended as a form of social housing support for people who have a long-term housing need. However, the difficulties faced in finding a house within a suitable price range, coupled with the reluctance of some landlords to accept HAP payments (even though it is illegal to discriminate against people on rent subsidy under the Equal Status Acts 2000-2015) and the preference for tenants who are working, means that protection applicants feel compelled to accept any work that becomes available while still in Direct Provision. Without a rental history or references to provide to landlords, they are seen as a less attractive prospect as tenants.

For people with refugee status, subsidiary protection or permission to remain, the need to apply in person at a registration office to renew their immigration permission presents further ongoing uncertainty and difficulties. These have been exacerbated by the Coronavirus pandemic. The government made a succession of announcements that immigration and international protection permissions that were due to expire would be automatically extended, but there are indications that the lack of visible evidence of a valid status has presented problems for some people seeking work or renewing contracts. The introduction of an online registration renewal system in Dublin helped, but administrative problems compounded the challenges faced, particularly for people in precarious employment.

29 Ibid.
30 From Day Advisory Group report
31 See for example Akari (2019)
32 A registration certificate called the Irish Residence Permit (IRP) is provided to indicate the type of permission to stay in Ireland that an individual has.
There are a range of employment schemes and supports operated by the Department of Social Protection to assist long-term unemployed people to return to work in Ireland. These are listed in table 1. They are aimed at people who have been unemployed or in receipt of other social welfare payments for a specific period of time. The qualifying payments for the schemes and supports typically include some or all of the following: Jobseeker’s Benefit, Jobseeker’s Allowance, One-Parent Family Payment, Disability Allowance and Supplementary Welfare Allowance. They are therefore available to people who have refugee status, subsidiary protection or leave to remain. However the qualifying social payments do not include the Daily Expenses Allowance paid to protection applicants living in Direct Provision. This means that they are not available to them.

<table>
<thead>
<tr>
<th>PROGRAMME</th>
<th>ELIGIBILITY</th>
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<tbody>
<tr>
<td>Community Employment (CE) Programme</td>
<td>Designed to help people who are long-term unemployed (or otherwise disadvantaged) to get back to work by offering part-time and temporary placements in jobs based within local communities.</td>
</tr>
<tr>
<td>Tús</td>
<td>A community work placement scheme providing short-term working opportunities for unemployed people. The work opportunities are provided by community and voluntary organisations. For people who unemployed for a minimum of 12 months and in receipt of Jobseekers Allowance or Jobseekers Benefit for the duration.</td>
</tr>
<tr>
<td>JobsPlus</td>
<td>An employer incentive to employ job seekers. It is designed to encourage employers and businesses to employ people who have been out of work for long periods. People with refugee status who are getting Jobseekers Allowance are eligible (no qualifying period applies).</td>
</tr>
<tr>
<td>Youth Employment Support Scheme (YESS)</td>
<td>Supports long-term unemployed young people between the ages of 18 and 24 who have been unemployed for at least 12 months back into the workplace. Provides the opportunity to learn basic work and social skills in a supportive environment, while on a work placement in a host organisation</td>
</tr>
<tr>
<td>Part-Time Job Incentive (PTJI) Scheme</td>
<td>Allows certain people getting Jobseeker’s Allowance to take up part-time work and get a special weekly allowance instead of their jobseeker’s payment.</td>
</tr>
<tr>
<td>Community Services Programme (CSP)</td>
<td>Supports community businesses to provide local services and create employment opportunities for disadvantaged people. It provides financial support to help with the cost of hiring staff to community companies and co-operatives.</td>
</tr>
</tbody>
</table>
The Department of Social Protection also provide a range of employment services to non-EEA (European Economic Area) nationals. These are available through local Intreo Centres or Social Welfare Branch Offices. In principle, any protection applicant with a Personal Public Services (PPS) number can register for these employment services:

- Training Support Grant (TSG) this is designed to fund quick access to short term training or related interventions, obtain or renew certification and permits for individual jobseekers that have identified work opportunities or where case officers have identified an immediate skills gap that represents an obstacle to taking up a job offer.

- A Jobseeker information booklet that gives practical advice on CVs, job application letters, interviews, recruitment channels and summarises the employment and training supports that may help you in your job search.

<table>
<thead>
<tr>
<th>Table 1: Employment Support Schemes, Supports and Incentives</th>
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<tbody>
<tr>
<td>Back to Work Enterprise Allowance (BTWEA)</td>
</tr>
<tr>
<td>Scheme to encourage people on Jobseeker's Benefit or Jobseeker's Allowance continuously for at least 9 months to become self-employed.</td>
</tr>
<tr>
<td>Short-Term Enterprise Allowance</td>
</tr>
<tr>
<td>Provides support to people who have lost their job and want to start their own business. To qualify one must be getting Jobseeker’s Benefit. There is no qualifying period.</td>
</tr>
<tr>
<td>JobPath</td>
</tr>
<tr>
<td>An employment activation programme that is intended to help long-term unemployed people to find and retain full-time employment. Operated in specific parts of the country only.</td>
</tr>
</tbody>
</table>

The Department of Education offer a range of education and training programmes for people who are leaving school, unemployed, looking for their first job, or hoping to change direction in their career. These are funded by SOLAS, the Education and Training Boards (ETBs) and various government departments and agencies. They include:

- Jobs Ireland website lists jobs available in Ireland and abroad. It also lists internships and employment programme vacancies.

- Job Clubs provide supports for jobseekers including a ‘drop in’ service and formal workshops.

The Department of Social Protection also provide a range of employment services to non-EEA (European Economic Area) nationals. These are available through local Intreo Centres or Social Welfare Branch Offices. In principle, any protection applicant with a Personal Public Services (PPS) number can register for these employment services:

- Post Leaving Certificate (PLC) courses: protection applicants with permission to work are entitled to free tuition on these.

- Back to Education Programme: this provides an opportunity for people in receipt of certain social welfare payments to return to part-

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33 Intreo is a single point of contact for all employment and income supports. Their offices offer practical, tailored employment services and supports for jobseekers and employers.

34 For more information on these see https://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/unemployed_people/employment_supports.html.

35 SOLAS was established to develop and give strategic direction to the Further Education and Training Sector in Ireland.

36 There are 16 ETBs across Ireland. For a full list see https://www.etbi.ie/etbs/directory-of-etbs.
time or full-time education while continuing to get income supports such as the Back to Education Allowance (BTEA).

- Further Education and Training (FET) courses: these provide people who are unemployed with an opportunity to develop or upgrade their skills in the commercial and industrial sectors. People are eligible to take part in a FET training course if they are unemployed, redundant or no longer in full-time education. They may also be eligible if they are getting a disability-related social welfare payment or a One-Parent Family Payment. To apply for a place on a FET training course, a person needs to register with their local employment services office or Intreo centre. Most courses are free.

- Springboard: provides free higher education places for unemployed people. To qualify, a person must be unemployed, be actively seeking work and available to take up work.

- Skills for Work: provides training and educational opportunities for those in part-time or full-time employment. It helps people to improve basic skills needed in the workplace such as literacy, numeracy and IT skills. Skills for Work is delivered by the ETBs.

- Skillnet Ireland: enables groups of private sector companies to set up training networks to deliver a range of accredited and/or industry-recognised programmes. The programme offers some training to unemployed people.

Access to work is also linked to education. While primary and secondary education is provided free, the cost of access to third level education is generally prohibitive for protection applicants.

The Department of Further and Higher Education, Research, Innovation and Science has a Student Grant Scheme for students who are in the protection system or at the leave to remain (but not deportation order) stage and who are pursuing an approved Post Leaving Certificate course or an approved undergraduate course. There are a number of other education funds that provide grants to help students enter education, and many universities and colleges provide scholarships and other supports to enable protection applicants to attend courses through the University of Sanctuary Ireland (UoSI) initiative.

For most adult protection applicants, direct entry into degree programmes is still very difficult. Partially completed degree programmes in their home country are not recognised, nor are existing qualifications in many cases. As a result they must complete a certificate course that is the equivalent of the Leaving Certificate in order to gain access to undergraduate programmes at universities and colleges. There are numerous full-time and part-time courses that aim to provide mature students (aged 23 or over) with the opportunity to prepare for an undergraduate course of full-time study. A number of third level education education institutions around the country also provide access certificate programmes.

As noted by UNHCR/OECD (2018), relevant civil society organisations play a crucial role in facilitating successful labour market access for refugees and protection applicants. In Ireland there are a number of NGO-run employment support programmes targeted at assisting refugees and protection applicants. Table 2 provides a sample of these programmes.

38 UoSI encourages the welcoming of refugees, asylum seekers and other migrants into university and college communities. See https://ireland.cityofsanctuary.org/universities-and-colleges-of-sanctuary.
<table>
<thead>
<tr>
<th>NAME</th>
<th>OPERATED BY</th>
<th>DESCRIPTION</th>
<th>LOCATION(S)</th>
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<tbody>
<tr>
<td>Gateway Women's Project</td>
<td>Nasc, the Migrant and Refugee Rights Centre</td>
<td>For migrant and refugee women who need support to access education, integration and employment opportunities. This is a holistic programme that works to dismantle the barriers that prevent women from achieving their goals. Each woman receives a package of supports tailored to her own specific needs and goals.</td>
<td>Cork</td>
</tr>
<tr>
<td>Women's Employment Programme</td>
<td>Irish Refugee Council</td>
<td>Assists protection applicants and refugee women to navigate Ireland's employment systems. Provides pre-employment training and employment-readiness supports including English language training, one-to-one mentoring, supported work experience and volunteering placements.</td>
<td>Dublin</td>
</tr>
<tr>
<td>Employment for People from Immigrant Communities (EPIC)</td>
<td>Business In the Community Ireland</td>
<td>Employment and training for migrants, refugees and protection applicants. Works in partnership with businesses to provide specialised supports.</td>
<td>Dublin</td>
</tr>
<tr>
<td>Foundations for Work</td>
<td>Doras</td>
<td>Designed to increase basic competences of young immigrants to improve their job prospects and ability to benefit from mainstream training. Part of a European collaboration to improve vocational &amp; educational training services; delivered as part of programme refugee resettlement support.</td>
<td>Limerick, Laois &amp; Wexford</td>
</tr>
<tr>
<td>Migrant Access Programme (MAP)</td>
<td>New Communities Partnership</td>
<td>Free nationwide service to support migrants to overcome cultural and personal barriers and empower them to outline their career future in order to access employment opportunities.</td>
<td>Nationwide</td>
</tr>
<tr>
<td>NAME</td>
<td>OPERATED BY</td>
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<tr>
<td>Net-WORK Project</td>
<td>Cultúr</td>
<td>Collaboration with Meath Partnership aimed at addressing the barriers to employment experienced by migrant women. Aimed at enhancing the skills of women with leave to remain or refugee status to stay and progress in employment.</td>
<td>Meath</td>
</tr>
<tr>
<td>Recruit Refugees Ireland</td>
<td></td>
<td>Specialist recruitment service for refugees, protection applicants and migrants. Helps connect them to the jobs they want, while also supporting employers in shaping the future of diversity in Ireland.</td>
<td>Nationwide</td>
</tr>
<tr>
<td>Open Doors Initiative</td>
<td></td>
<td>A group of companies and NGOs who work with government to create pathways to employment for marginalised people including refugees, protection applicants and migrants, people with disabilities and disadvantaged youth (including those from a traveller background, LGBTIQ+ etc).</td>
<td>Nationwide</td>
</tr>
</tbody>
</table>

Table 2: NGO-run employment support programmes for refugees and protection applicants

There are also a number of other programmes intended to provide migrants and refugees with labour market access. An example is the 13 week ‘Welcome to Work’ programme run by Seetec which included language training, social skills and mentoring to assist in gaining long-term employment or further training and was taken by a total of 193 people in Castlebar, Galway and Monaghan. Migrant and refugee support NGOs also provide employment advice and information as part of their general support for protection applicants and refugees.

In addition, migrant support networks and community based groups provide important peer support, and work with local providers including employers, NGOs and further education institutions to support people in the international protection system. Several reports, including one by the Open Doors Initiative in 2020, highlight the importance of role models from within the migrant community when it comes to transferring their skillsets from home countries to host countries.

39 Seetec delivers employability and skills programmes across Ireland. See https://www.seetec.ie/.

40 Report by The Open Doors Initiative, prepared by Professor Thomas M. Cooney (Sept 2020) entitled ‘Supporting People from Marginalised Communities into Employment’. Available at: https://assets.website-files.com/5bf6d2421bb6831cca5d8ab5/5f6ca7025f72542aa3b9f85_ODI%20Research%20Report%202020_WEBFINAL.pdf
One of the main problems with the majority of NGO-led employment support programmes is the temporary and short term nature of the funding. Projects are funded from a variety of sources including the Community Integration Fund (CIF); National Funding to Promote the Integration of Immigrants, European Social Fund (ESF), Programme for Employability, Inclusion and Learning (PEIL); and the European Asylum, Migration and Integration Fund (AMIF) fund. However the project-based nature of funding restricts the effectiveness and sustainability of the work. This, combined with relatively few evaluations of the services (linked to the nature of the funding provided) means there has been little opportunity to learn from and build on the work done to date.

Another key aspect of supporting protection applicants to access employment or any other services is the need for appropriate training for support workers and service providers. Understanding how trauma and displacement affects those who use the services is vital, as is knowing the appropriate way to respond. Working in a trauma-informed way is therefore vital for anyone delivering supports and services for protection applicants, as is an understanding of cultural, linguistic and other areas of diversity.

One model for such service provision that merits investigation is that of a social enterprise. This can potentially help create a self-sustaining and independent service with profits reinvested in the company, thus ensuring a continuous, uninterrupted service.
Across Europe, third-country nationals face barriers to accessing the labour market. They are more at risk of poverty or social exclusion compared to host-country nationals, even when they are in employment. Even when they get work, refugees face particularly low employment rates. A 2016 EU/OECD report showed that their average employment rate was 56% in 2014. A review of integration of refugees into the labour market conducted for the European Commission in 2017 noted that it takes time. The review estimated that between five and six years would be needed to integrate more than 50% of refugees into the workplace, and 15 years to reach a 70% employment rate. In addition to missing language skills, they are challenged by a lack of social networks and knowledge about the society in the host country according to the review. Traumatic experiences in their home country and during flight, as well as uncertainty about family and friends who still live in their home country form other potential barriers to labour market integration for refugees. In addition, legal restrictions to labour market access present further restrictions, as do the long duration of the asylum procedure and the related uncertainty about residence status. A 2019 report from an EU funded SIRIUS project also identified legal and administrative barriers as significant inhibitors of migrant labour market integration for protection applicants. The report cited difficult to comprehend, ineffective and slow administrative procedures in asylum application and work permit processing as a barrier. Administrative barriers are also closely connected to the issue of a lack of (institutional) coordination, according to the report. Furthermore, it noted that as a rule, protection applicants that have not yet received refugee status are excluded from most migrant labour integration programmes, as are undocumented migrants.

There are a number of key aspects that are seen as being of particular importance for the labour market integration of refugees and protection applicants. These are:

- **Language**: Language skills assessment and tuition should be made available to protection applicants as early as possible after their arrival. The language tuition should be tailored to the personal situation,

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44 The SIRIUS project (https://www.sirius-project.eu/sirius-project) was coordinated by Glasgow Caledonian University and looked at enablers and barriers to migrants’, refugees’ and asylum seekers’ integration via the labour market. The WP3 report entitled ‘Policy Enablers and Barriers’ is available at https://www.sirius-project.eu/sites/default/files/attachments/SIRIUS%20WP3%20-%20D3.2_O.pdf.
skills and qualifications of the individual refugee, and ideally it should be combined with work practice. For ‘work-ready’ individuals, flexible on-the-job/combined language training should be available to make ‘work first’ pathways a true and sustainable alternative for refugees according to the European Network of Public Employment Services (PES) 45.

**Skills and Qualifications:** Recognition of foreign credentials including alternative methods of assessing informal learning and work experience is an essential first step towards providing access to their work of choice for protection applicants and refugees (Konle-Seidl & Bolits, 2016). Cooperation between employment services and the educational, vocational system and social partners is needed to determine if further skills and qualifications can be acquired through the employment services or further education, or in employment. The PES Network also draw attention to the need for consideration to be given to cultural differences, staff capacities and competencies in all approaches to assessing skills and qualifications.

**Coordination of Services:** Employment services should work with other actors to establish well-functioning processes and define roles in order to cater for different needs in the timing and sequencing of services 46. The aim should be to provide support as early as possible and to address other needs that are crucial for employment, including health care and housing. Close cooperation with municipalities can help to plan services and to maximise local skills matches.

**Social networks:** Social networks of refugees are important as a means towards understanding local labour market needs, as well as learning about cultural aspects of the host country.

**Employer engagement:** Research undertaken in Australia in 2019 showed that employers are often eager to work with refugees but many don’t know where to begin (Szkudlarek, 2019). Measures are therefore needed to encourage and support greater employer engagement with refugee jobseekers. From the jobseeker’s point of view, job placements can facilitate on-the-job skills acquisition by protection applicants and refugees and reduces dependency on the employment services. They also expose the person to working culture, norms and language in the host country.

Konle-Seidl & Bolits (2016) and Sarvimäki & Hämäläinen (2016) both highlighted the value of counselling aimed at developing individualised integration plans, with training, for protection applicants and refugees. In their outline of strategies and good practices for labour market integration of refugees, and drawing on a review of work undertaken by the European Commission, ECRE, UNHCR, OECD and others, the former recommend a “holistic and timely coordinated integration package starting with skills assessment and help in the recognition of vocational qualifications” (p.36). Language support is crucial they say, to ensure country specific skills. They also say that additional vocational qualifications, as well as work experiences in the local labour market, e.g. through internships or employment measures, might be helpful, particularly for skilled refugees.

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46 Ibid.
In general, recommended policies include the early offering of language tuition and skills assessment to protection applicants, supports to develop individualised integration plans, recognition of qualifications and work experience, and job search assistance combined with targeted subsidies and mentoring.

Butschek & Walter (2014) conducted a meta-analysis of a large number of studies that evaluated the impact of Active Labour Market Programmes (ALMPs) for the integration of immigrants. They focused on the effectiveness of four types of ALMPs; these were training, job search assistance, wage subsidies and subsidised public sector employment. Their conclusion was that only wage subsidies could be confidently recommended to European policy-makers. While not looking specifically at migrants or refugees, Card et al (2018) also conducted a meta-study of evaluations of ALMPs. Their findings indicated that job search assistance programmes can be effective for disadvantaged job seekers, particularly in terms of identifying potential employers and making it easier to approach them. However, as Battisti et al (2019) point out, unemployed natives and other migrants typically have more experience in the local labour market and do not face many of the disadvantages that hinder the employment of refugees. Their own study of labour market integration of recently arrived refugees in Germany found that while language and professional skills matter for the employment of refugees, labour market frictions such as a lack of information about the host country labour market, limited social networks, uncertainty concerning asylum or residence status, and legal barriers can create additional obstacles for them. They also found that employers who could potentially benefit from hiring a refugee may be discouraged by a lack of information and high perceived hiring costs.

One of the key issues for protection applicants and refugees who experience problems in accessing quality work is deskilling or “enforced idleness” (Luimpöck, 2019). Deskilling has been identified as occurring in situations in which migrant workers occupy jobs not commensurate with their qualifications and experience (Nonnenmacher, 2007; IOM, 2012). As the IOM 2012 report ‘Crushed Hopes: Underemployment and deskilling among skilled migrant women’ notes, it is often referred to as, or linked with, underemployment, downward occupational mobility, degrading of skills, over-qualification, over-education, job mismatch and skill erosion. Protection applicants or refugees who are unable to work for a protracted length of time for the reasons already outlined are at grave risk of losing their occupational status and becoming deskilled (Orton et al, 2012). Providing a right to work, aligned with appropriate employment support services at an early stage, is essential to prevent this deskilling of protection applicants.

In Germany, an early intervention established by the PES in 2016 involved PES staff going to reception centres where they offered protection applicants a work package based on the individual’s professional qualifications and work experience. By focusing on providing support at an early stage, protection applicants were prepared for the labour market through the provision of language courses, vocational training courses and employment.

“It is important to connect with asylum seekers and start the integration process as early as possible, which can be achieved by conducting language training for asylum seekers in parallel to labour market orientation and skills validation. This ensures they do not have to wait a long time until they complete their training to begin the process of entering the labour market.” From ‘Integrated labour market services for asylum seekers in arrival centres’ (Germany). Published by European Commission (2018).
Early-stage employment support is also a major integration focus in other countries, including Belgium, Denmark, Finland, Norway and Sweden. In the case of Norway, a two year programme for helping newly arrived refugees and immigrants settle in the country was undertaken in 2015, at a cost of NOK17 billion (€1.6 billion). However, the language and workplace training that were provided as part of this programme had little effect on opening the door for immigrants in the labour market, according to a report by the Norwegian Fafo Research Foundation. In Sweden, the Ministry for Labour delivers ‘Swedish for Immigrants’ (SFI) which is a free national language course available to most categories of migrants. The programme is compulsory for resettled refugees and their financial benefits can depend on attendance. In 2009, SFI added a vocational training component to the language training, with Labour Market Training courses amounting to 25 hours per week provided in addition to the required 15 hours of Swedish. Courses include welding, bus driving, personal assistance/care, gardening and cleaning. Unemployed refugees who have been in Sweden for less than three years and are registered at the employment office may apply for these. The employment office liaises with employers in order to introduce both the programme and the refugees looking for vocational placements.

In countries that provide early access to integration measures, the time spent waiting for an international protection decision can be actively used for language training, skills assessments and preparation for labour market access. However, the integration services available to protection applicants during the application process are generally limited with protection applicants having to rely on assistance provided by the asylum centres and NGOs. This limits labour market access and has a significant impact on the quality of work open to protection applicants.

While the State is responsible for creating an appropriate legal and policy framework, effective access to employment and decent work for protection applicants and refugees requires the support of a range of actors. These include local public authorities, employment services, recruitment agencies, employers, employer associations and civil society organisations. Protection applicants and refugees themselves must also be part of the process, particularly when it comes to identifying solutions to the obstacles they face and replicating practices that are helpful.

Following engagement with employers and employer organisations, a number of action areas were identified by the OECD and UNHCR as key to facilitating the employment of refugees (UNHCR/OECD, 2018):

1. Providing information for employers to help them navigate the administrative framework;
2. Providing sufficient legal certainty for employers in relation to work and residence permits, work entitlements, etc.;
3. Identifying and verifying refugees’ skills (mapping of competencies and recognition of prior learning and vocational education);
4. Developing skills for job readiness, including specialised health and social services that may be required by people who have suffered trauma, and knowledge of host country language and practices;

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47 From 2017 article by Nancy Bazilchuk, based on an article by Ida Kvittingen ‘Helping refugees integrate through work’, available at https://sciencenorway.no/forskningno-immigration-norway/helping-refugees-integrate-through-work/1450892


49 See SIRIUS project.
5. Matching refugee talent with employers’ needs, including taking employability criteria into account when identifying communities where refugees will live, and ensuring employers are aware of and have access to the talent pool of refugees;

6. Providing equal opportunities in recruitment and combating stereotypes;

7. Preparing the working environment to ensure that refugees are welcomed and integrated into established work teams and organisations;

8. Enabling long-term employability, particularly for refugees who are low-skilled or have little prior education, by ensuring integration support goes beyond initial work placement;

9. Making the business case for refugee employment for different types of companies across various sectors and contexts, to ensure sustainable employment opportunities for all refugees;

10. Coordinating actions between all the different actors involved in assisting the labour market integration of refugees.

The UNHCR/OECD action plan recommends enhanced cooperation between employers, employment services and immigration authorities. They highlight the need for public authorities and employment services to provide up-to-date, comprehensive information to employers who want to hire asylum seekers and refugees; to educate employment service staff; to provide support for employers around skills assessment; and to raise awareness about discrimination, xenophobia and stereotyping through awareness raising campaigns and training. They recommend that employers work closely with the public authorities and employment service providers to better identify and maximise suitable work opportunities for refugees; offer training on how supervisors and staff can support them; and make sure that policies addressing discrimination and harassment in the workplace are fit for purpose. Employer associations should inform employers about the work rights of protection applicants and beneficiaries of international protection, provide guidance to employers on preparing the workplace for the recruitment of refugees, and articulate how, in addition to the ethical issue, unconscious bias can impede the recruitment of new talent and negatively impact on future business development. They note that civil society organisations also have a role to play by establishing information services for refugees and employers in relation to work rights and by providing training and other services that prepare refugees for entry into the workplace.

The importance of utilising the skills and competencies of third-country nationals, not only for the sake of the individual, but also for the best utilisation of the available pool of

“... the successful labour market integration of refugees can only be achieved through joint efforts of all relevant actors, i.e. employers and their associations, as well as trade unions, relevant civil society organisations, and refugees themselves. Employers can provide opportunities to refugees through internships, apprenticeships, on-the-job training and, ultimately employment; chambers of commerce and employer associations can help navigate the legal framework; trade unions, together with employers, can work towards creating a welcoming environment for refugees in the workplace and ensuring that their rights and obligations as employees are clearly articulated and respected; civil society can support job matching and training of all parties; and academia can document what works and what does not. Critically, refugees must be made part of the process in identifying solutions to the obstacles they face and in replicating those good practices they identify. (UNHCR/OECD, 2018).”
resources within the host country labour market needs to be acknowledged. A 2020 report on challenges and opportunities for migrants, refugees and asylum seekers in the Danish labour market (Pace & Bruun, 2020) noted that the established approach to migration and matters of integration are, broadly speaking not knowledge-based. Instead, non-Western migrants and refugees are often constructed as a threat or a burden to the host society. In contexts where established narratives assume or suggest a correlation between being a refugee or asylum seeker and being unskilled, and thus perceived as a burden to society, access to decent work is difficult to attain.

Methodology

This study adopted a mixed method approach to examining the effectiveness of employment support programmes for protection applicants and refugees in Ireland. Drawing on the findings from the review of existing literature and good practice, their experiences were captured through focus group discussions and an online survey. These findings were supplemented by interviews with labour market access support services and NGOs running employment support services or programmes. The research also drew on the experiences and evidence base built up by Doras through its direct support work.

Data collection was primarily conducted between June and October 2020. The main objectives were to capture the experiences of the target group in relation to the available employment access supports; to identify the key barriers which the target group face when trying to access employment in Ireland; to explore the understandings and interpretations of the concept of decent work in relation to the target group; and to identify gaps and weaknesses in how the needs of the target groups are being met, and how their right to decent work is restricted. Combined with the review of international practices, the findings inform the recommendations outlined in the final section.

The online survey had a total of 72 respondents, who were based in various parts of Ireland. These were spread across 14 counties, with the majority located in Dublin, Cork and Limerick. The length of time spent in the country varied from less than one year (13%) to more than 10 years (15%), with a median length of 3-5 years. 39% of respondents had a third level education qualification while 19% had a professional qualification. 30% had experience working in Ireland, while 20% had experience working abroad. The immigration/residence status of respondents is shown in Figure 1.

**Figure 1: Status of survey respondents**
Of the survey participants, 57% were currently engaged in employment and 43% were unemployed.

Focus group participants included both men and women who had been through the international protection system in Ireland, and had recently been granted status and moved out of Direct Provision into the community. All participants had the right to work in the State and were either engaged in employment, self-employed or seeking employment.

Given the restricted opportunity for face to face meetings as a result of Covid-19, most of the interviews with service providers and support organisations were conducted remotely. The questions were asked in an open-ended manner, focusing primarily on the access to decent work and aspects of employment-related service provision to protection applicants, refugees and migrants in Ireland.

Findings

While the concept of decent work was interpreted in different ways by the research participants, there was general agreement on the importance of meaningful, sustainable employment in which the individual’s rights are met and they are afforded the respect they deserve. It was variously described as work that allows the migrant to live without having to worry about being able to pay rent or even being able to survive; work where one’s rights are recognised; and work that takes place in a positive working environment where the person has access to the same benefits as others (such as sick leave and pension) and feels supported and respected.

The findings indicate that employment choices are limited for protection applicants and refugees. Survey responses confirmed that people routinely have difficulty finding employment in sectors of their choice.

Protection applicants tend towards a small number of employment sectors which experience has shown they are more likely to get work in, such as childcare, healthcare and security work. Throughout the research, the importance of employment for wellbeing, personal development and integration into society was raised. Education and employment are seen as beneficial, as they afford people the opportunity to meet other people in the community. The importance of having a source of income was highlighted, not least to help with finding accommodation when transitioning from Direct Provision. So too was the fact that employment can provide the confidence to engage with a broader range of social activities, which in turn contributes to enhanced wellbeing.

Barriers to Employment and Decent Work

Research participants highlighted a range of inter-related barriers to obtaining meaningful or preferred work. These confirmed the findings of support organisations and of previous studies, and include a lack of networks and knowledge of how to navigate the system or find work; discrimination; social or economic disadvantage (related to the location of Direct Provision centres); lack of access to childcare (particularly for women); recognition of qualifications and experience; lack of references; work permits restrictions; other administrative barriers, including bank accounts and driving licenses; and language. These are compounded by other factors including the length of time spent in the asylum process leading to loss of knowledge currency and confidence, coping with displacement and trauma, and age.
A 2019 report from Maynooth University (Dhala et al, 2019) noted that black female migrants in particular are excluded from the workforce on many levels - firstly, because of a lack of recognition of foreign qualifications, and secondly because of the lack of extended family childcare support or affordable childcare. Many of them are engaged in caring and healthcare occupations, where work as a healthcare assistant, carer or care worker can be secured with a QQI Level 5 qualification, or failing that, as a cleaner. An account was given for this study of one woman who, despite having a level 8 healthcare qualification, had to obtain and work on the basis of a level 5 qualification obtained in Ireland.

In terms of childcare, informants noted that while informal options are sometimes available in a Direct Provision centre, transition to living in the community often reduces access to these supports. Indeed, transitioning from Direct Provision is challenging for a variety of reasons, with finding a suitable home being one of the biggest difficulties. This is reflected in the number of people continuing to remain in Direct Provision after they receive their international protection status.

Research participants highlighted language related barriers in relation to accessing work and gaining promotion. Only 13% of survey respondents stated that their level of English stopped them from accessing employment, but this may be due to the fact that the survey was only available in English and respondents had already all reached some degree of proficiency in written as well as spoken English.

50% of survey respondents felt that across the board it is more difficult for a refugee, protection applicant, or migrant to access employment than it is for an Irish national, while a further 43% thought that was the case in some areas of work only. In other words, only 7% felt they had the same access to work as anyone else in Ireland.

**“Most migrants especially when they come with their degrees and qualifications are still finding it difficult because of their name and their skin colour to get into those jobs, that field within their experience and the level of education.”**

Ngo Support Worker

**“I cannot find the type of employment I want. I have over compromised myself in situations and settings that do not honour nor let me shine with the skill sets that I have. I feel like the overall dominant assumption that unemployed people are unable to secure work tends to be looked as because they are the ones incapable of doing much. Give us offers that match our value as opposed to forcing us to accept something much less just so to satisfy you. It’s very disrespectful and unfair.”**

Survey respondent

**“Issues with trying to find accommodation now are huge, you really do need like two months’ rent up front for any apartment, so [income] is so important. People can be taken advantage of for that reason because they need [work] so badly and they need the money.”**

Ngo Support Worker
Employer Attitudes and Awareness

Over one third (43%) of survey respondents said that employers lack knowledge and information around work permits and visas and that this has caused difficulties for them when trying to access employment. The same number (43%) indicated that the attitudes of employers have presented difficulties when trying to access employment.

The importance of employer education was identified within both the service provider/support organisation interviews and focus groups.

One focus group participant highlighted the need for a dedicated service to encourage businesses and employers to take on people from minority backgrounds. The first step was ensuring they have a clear understanding of the technicalities and the value of engaging non Irish nationals in employment. There is a widespread lack of knowledge amongst employers around the right to work for protection applicants and the differences between immigration stamps. This was identified as a significant barrier to employment, as the lack of understanding of visa and work permits routinely discourages employers for offering opportunities to protection applicants or refugees and migrants in general. Employers that are unfamiliar with the employment rights of people on work permits or visas are less likely to employ them.

A number of informants alluded to the fact that building awareness and ensuring a greater level of acceptance of non-traditional employees is part of a much-needed societal change in attitudes towards refugees and migrants. Focus group participants noted that when they do get work, they are much more likely to get it in an unskilled role, despite their education. There is a concern therefore that decisions relating to recruitment are in some cases linked to employer or employment agency biases. Negative attitudes which are not expressed openly, as highlighted by a 2020 ESRI/IHREC report may affect decisions made regarding minority groups behind closed doors.

Even when migrants, refugees or protection applicants are hired, different standards and attitudes sometimes apply. These include an individual being seen as a ‘diversity hire’ who is less likely to get promotion due to institutional racism within an organisation. One survey respondent described the experience of not getting treated in the same way as his co-worker as “he is the privileged White Irish gatekeeper and I am the Black tokenistic representation of diversity.”

Migrant support networks and organisations continue to seek ways to engage with employers, to try to open up meaningful opportunities for migrants and refugees at all levels. The hope is that this engagement will lead to direct employment in some cases, or internship programmes. While this can lead to positive outcomes, these are not always guaranteed to be rooted in a culture of human rights and equality in the workplace. As noted by IHREC, enterprises and organisations need to take a planned and systematic approach to equality and human rights. The right to decent work for all must be rooted in this, rather than a piecemeal or tokenistic approach to employing people from minority backgrounds.

“... the certificate they give you, you know some employers do not even know what this is, your work permit. They really do not understand what it is that you are carrying, so some people do not get jobs because it’s not everybody who can express themselves to explain what this paper means. Some people don’t get jobs because they can’t explain the work permit.”
Focus Group Participant
In relation to equality and human rights, employers in Ireland have obligations under a number of acts and codes of practice, including the Employment Equality Acts 1998-2015. Public Bodies in particular have a statutory duty to eliminate discrimination, promote equality, and protect the human rights of staff and service users under the Public Sector Equality and Human Rights Duty. This Duty is set out in Section 42 of the Irish Human Rights and Equality Commission Act 2014.

In addition to their legal obligations, many employers now recognise that promoting and maintaining diversity in the workplace is beneficial from a business perspective. An effective diversity and inclusion strategy that promotes employment opportunities for women; lesbian, gay and transgender people; people with disabilities; as well as people from different cultural and ethnic backgrounds not only adds value to an organisation, it also contributes to general employee wellbeing and engagement. According to the Chartered Institute of Personnel and Development (CIPD), which is the professional body for human resources experts in Ireland, people management practices are key to unlocking inclusive working practices that add value beyond compliance with equality legislation, as are the culture and values of an organisation. Human resource professionals have a key part to play in ensuring that what is espoused in policies is acted out in practice, ensuring fairness and encouraging diverse voices to be heard. The CIPD’s 2018 research on diversity and inclusion at work (CIPD, 2018) also emphasises the importance of intersectionality and the need for human resource professionals to be mindful that a focus on one group (for example people of African descent) may not benefit everyone within that group. Other characteristics such as gender will also affect the opportunities people are given at work.

The CIPD also note that overcoming prejudice and changing entrenched negative attitudes can be difficult, and that in order to progress diversity, organisations should focus on developing inclusive approaches to employment policies and practices. These cover recruitment, training, remuneration and promotion of staff, where in all cases action should be underpinned by the principles of equal opportunity, fairness and transparency. Nonetheless while recruitment policies may be explicitly designed to avoid discrimination, the lack of social networks or capital of groups like protection applicants, as well as the lack recognition of qualifications, often makes it difficult for them to even get an interview.

It is also important to recognise that practices vary across sectors. While multinational companies are becoming increasingly aware of their legal obligations and of the need to adopt policies and practices aimed at ensuring equitable access to employment for everyone, other sectors may lag behind. Small medium enterprises (SMEs), which account for over 65% of persons engaged in employment and public sector bodies are often slower to adopt practices that provide pathways to decent work for disadvantaged or marginalised groups.

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50 McGinnity et al (2020)
Many peoples consulted in this research felt their previous qualifications and experience were undervalued or completely disregarded. Perspectives presented included “our ambitions are destroyed”, “our confidence is broken as we meet barrier after barrier”, and “we are starting to think Ireland doesn’t want our skills”. Examples were given of companies only appearing interested in Irish experience, with the view that it’s not what you know but who you know prevailing. Despite efforts by employers and employer associations to bring about more equitable access to employment, the experience of many contributors to this research is that even the name on a CV presented a barrier to employment. And even for people getting beyond the recruitment stage, the prospect of promotion was one that protection applicants found challenging. No matter how qualified she or he is for a job, there is a feeling that they have to work harder than Irish counterparts in order to succeed.

Organisations like the CIPD acknowledge that the factors maintaining inequality begin with access to jobs. There are recommended good recruitment practices for employers, including removal of identification (name, etc.) from a CV before it is considered. Without a deeper culture of inclusion and a commitment to equality of opportunity within an organisation, their application can remain superficial.

Knowing Your Rights

Migrant support organisations highlighted that rights holders may not always be aware of, or may be reluctant to, assert their rights when looking for work. Out of necessity, they are often focused on finding any employment rather than decent employment opportunities. As a result of the barriers faced when trying to get work, they are not focused on the standards of the employment, rather their main goal is often to source an income regardless of employment standards.

The importance of support services to help rights holders understand their employment, social welfare and other entitlements was also highlighted. While there are a number of services that provide this type of information, feedback from the research subjects was that individuals are more likely to go to someone they already know and trust than to a service they did not have prior contact with. In this respect, NGOs that have a track record of providing meaningful support play an important role. Even more important are migrant-led support networks.
Employment Support Services

Research participants who took part in employment support programmes reported positive experiences. One focus group participant said that a government scheme provided her with experience and that it opened up potential opportunities. Another said a dedicated migrant/refugee support programme prepared her psychologically and helped her understand what is expected of her, while a third (also on a dedicated employment support programme) said it was a source of important information about the labour market in Ireland.

Nonetheless, just over half of survey respondents (59%) who could do so, said they had not taken part in employment schemes. Of these, 61% said it was because they did not know of any available schemes, while 17% said they didn’t think they would help them.

Access to general employment support programs is beneficial, but there was widespread agreement that there needs to be more specific supports for protection applicants and refugees. Furthermore, local employment scheme (LES) staff that support clients on a one-to-one basis to help them access employment, education and training felt they were limited in what they could do for people from a migrant background. They too highlighted the need for dedicated supports, indicating that these should be made available early.

While general employment support programmes can help to address some of the barriers that rights holders face when trying to access employment by directing them, providing support and helping to form network connections, the programmes are generally not equipped to address the particular barriers faced by protection applicants. The need for additional, dedicated support services is essential, starting with the understanding that people seeking employment for the first time in Ireland may have gone through trauma and displacement, or lack confidence as a result of their many years in Direct Provision without a right to work.

NGO-run employment support workers noted that within the mainstream employment support services little attention is being paid to either the needs or the skills and talents of protection applicants seeking work. Mainstream services also identified gaps and areas in which there is need for improvement. As one LES worker noted, they can help people to be prepared for what they face when they go through the process of applying for jobs but "knowing how to write a CV and prepare for an interview does not mean they will be successful".
Funding for dedicated refugee/migrant employment support programmes is limited, however. It is typically short term and project based, and one of the noted consequences of discontinuation of support is that built-up dependency can leave people even more disadvantaged.

A further problem is that most of the supports for protection applicants, refugees, and migrants are located in the capital (Dublin). Some of these focus on providing access to employment for women, as they are particularly disadvantaged when it comes to labour market access.

The number of requests migrant employment support organisations receive online from migrants around the country indicates a need for dedicated or appropriately resourced services across the country. The consensus view is that there is a need for specialised work with refugees, which a lot of employment support services are not offering. Such services need to be nationwide, working in collaboration with the local employment services in different counties until such time as they have the capacity and expertise to support people from a greater range of backgrounds.

This collaboration needs to be extended to include private sector engagement, as well as greater cooperation with state agencies like the Education and Training Boards and SOLAS, in order to match the skills and interests of disadvantaged refugees and migrant communities with skills deficits across the country.

**Pathways to Employment**

For people in the international protection system there are compelling reasons to work. Coping with unemployment can be difficult, with the negative effects increasing in accordance with the length of unemployment (Hahn et al, 2012). The paltry nature of the daily expense allowance paid to protection applicants and the length of time spent waiting for a determination on their application further increases the imperative to accept whatever work becomes available.

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55 SOLAS is a State agency tasked with managing a range of further education and training programmes to enable learners to succeed in the labour market. Programmes include apprenticeships, traineeships, skills to advance, eCollege and the European Globalisation Fund. The agency works closely with Regional Skills Managers and the ETBs nationally.
While beneficiaries of international protection have an automatic right to family reunification with nuclear family members, there are pressures to cover costs associated with travel and finding suitable accommodation. In addition, if they do not find work they may have difficulty fulfilling the criteria set down in the general family reunification policy at a later date, should they wish to avail of it (Arnold & Quinn, 2017). This creates further pressure to take any work that becomes available.

“We should not forget the middle-aged men. They are often the ones suffering in silence. Being stripped of their titles at work, their status of head of the families ... and being reduced to ‘nobodies’ who can’t even send money home to their wife and children while they wait for extremely long periods to be able to reunify. Finding meaningful and well-paid work could at least alleviate the stress and help them to settle better and to prepare for the arrival of their loved ones. In case of Leave to Remain status, they can then go and visit their families without fear of money issues.”

Refugee/Migrant Employment Support Worker

While just over half of the survey respondents who were in employment (56%) said they were satisfied with the work they were doing, further analysis indicates that most were not working in their preferred employment or in roles commensurate with their skills or qualifications. Taking whatever work is available is seen as a route to building social networks, as well as securing essential income. It is also a consequence of the fatigue and resignation that comes from spending years in Direct Provision. Research participants referred to the institutionalisation of the system and the lack of autonomy or control over one’s own life. One person spoke of having spent 11 months in a centre in one part of the country, but just after he secured work and before he even had a chance to start in the job, he was told he had to move to another centre. Another spoke of how difficult it was for a person to persevere with efforts to secure meaningful work, with previous expertise and knowledge being eroded over time and no access to third level education. For him, a more efficient international protection system, with people getting their documents to remain in Ireland within six to 12 months, would go a long way to addressing this.

“We...drawn from the system, so I cannot again go to a new city to study maybe another eight years to be a doctor. No, I can’t, by that time I’ll be very old, now walking with a stick. So, it’s better for me to just choose the easy way. That’s why you see people in healthcare, because they are choosing the easy way to do things.”

Focus Group Participant
Ensuring effective access to decent work for protection applicants and refugees begins with the provision of opportunities for employment in a meaningful and productive roles, coupled with adequate earnings and decent working time. It needs to afford workers the means to combine work, family, and personal life, to have stability and security in their work. Equal opportunity and treatment in employment is critical, as is social security. In addition, the ILO framework on the measurement of decent work identifies social dialogue, employers, and workers representation as a key indicator of successful delivery of the decent work agenda.

With this in mind, the following recommendations are proposed in relation to the right to decent work for protection applicants in Ireland. They are underpinned by two key principles

1) equality of access to services for protection applicants and refugees; and

2) recognition of their unique needs and vulnerabilities, collectively and individually, while appreciating the diversity and the richness of talent and expertise within the refugee population.

Government, Public Authorities and Services

1. Remove the administrative and legislative barriers that restrict international protection applicant’s real and effective access to work.

   - In line with the recommendations of the Day Advisory Group, the right to work should be granted to everyone who have not yet received a final decision on their application within 3 months of making an application for international protection.

   - Permission to work should be provided in the form of a card similar to the Irish Residency Permit Card so that employers are clear in relation to its validity.

   - Protection applicants should be able to open bank accounts and to apply for and hold driving licences, to ensure they are not restricted in their choice of work.

   - Eliminate the need for renewable residence permits for refugees and for people with subsidiary protection and leave to remain, to enable their long term employability.

56 The White Paper to end Direct Provision promises that international protection applicants be granted the right to apply for an Irish driving licence. It also states that the Department of Justice is engaging with the Banking Federation of Ireland and key stakeholders to resolve difficulties regarding access to Bank Accounts for International Protection applicants. This can be done in a manner similar to the Translate Ireland service (https://translateireland.ie/).
2. Provide early access to dedicated and targeted employment supports and training for international application applicants

- Ensure English language lessons, cultural orientation programmes, and targeted professional training aimed at improving employability are provided at the first stage of the reception process for protection applicants (Phase One, Reception and Integration Centre as outlined in the government’s White Paper to End Direct Provision).

- Take protection applicants’ skills and expertise as well as local market needs into consideration when arranging accommodation post the initial reception stage (dispersal system needs to ensure people have access to work of their choosing).

- Develop mechanisms to capture and recognise refugees’ skills and qualifications, including partially completed programmes of education and training.

- Provide dedicated career guidance and advice services for protection applicants, to enable them to be productive in the workplace, to guide them towards suitable employment and to help them explore suitable pathways to employment.

- Ensure these services are accessible in terms of location, language, and cultural appropriateness, and have dedicated funding streams to ensure their sustainability.

- Develop resources in a range of languages and undertake awareness raising campaigns outlining employees’ rights and entitlements 57.

3. Ensure equal access to mainstream employment supports, training and further education for all protection applicants and refugees

- Extend eligibility criteria for the employment schemes and supports that are available to other unemployed persons in Ireland.

- Ensure mainstream employment schemes are adequately trained and resourced to respond appropriately to the employment needs and preferences of an increasingly diverse population, including refugees and protection applicants who have experienced trauma and displacement.

- Provide support services like transport and childcare for protection applicants to avail of ongoing training and supports.

4. Put adequate measures in place to ensure protection applicants and refugees are not forced into work that is precarious or does not respect their fundamental rights or their rights as workers

- Provide adequate social welfare supports for protection applicants to ensure they are not at risk of exploitation or poverty.

- Incentivise employers to hire people who have been through or are still in the international protection system, thereby eliminating the need for them to accept unpaid work to gain experience.

57 This can be done in a manner similar to the Translate Ireland service (https://translateireland.ie/).
- Make funding and supports available for peer support networks, NGOs and other associations that provide information and advice, to provide pathways to meaningful employment for individuals, and make a pool of talent available to employers.

Employers and Employer Associations

5. Employers should ensure equal opportunities are provided for protection applicants and refugees seeking employment

- Seek out suitably qualified refugees and protection applicants by engaging in non-traditional recruitment channels and methods, including the development of links with dedicated NGO-run employment support programmes.
- Provide opportunities for protection applicants and refugees to engage with the labour market through open days, internships, etc.
- Offer ongoing opportunities for training and skills certification of employed refugees.

6. Implement measures to eliminate discrimination, exploitation and harassment from workplaces

- Employer associations should inform employers about the working rights of protection applicants and refugees (as well as their right to work), in addition to making them aware of the potential talent pool they can draw on.
- Provide training for recruiters, supervisors and managers to avoid discrimination and unconscious bias in recruitment and promotion.
- Ensure that exploitation and harassment are not tolerated and that employees have recourse to complaints mechanisms if/when required.
- Encourage employers to create a welcoming and respectful workplace for all and to respect diversity.

7. Employer associations should monitor and assess the performance of employers

- Build employers’ capacity and willingness to employ people from diverse backgrounds, including protection applicants and refugees, by helping them to overcome biases, build intercultural competence, ensure gender equality, and create inclusive work environments.
- Gather employer experiences in recruiting and employing refugees with a view to enabling others to make a business case for their recruitment.
- Establish relationships with NGOs and other associations that provide information and advice on the recruitment and employment of refugees.
Non-Governmental Organisations / Civil Society

8. Provide services aimed at achieving suitable and sustainable employment for protection applicants and refugees

- Implement information services, skills development and mentoring programmes to enable protection applicants and refugees obtain decent work and sustainable employment. These should incorporate confidence building, identifying role models, knowing one’s rights, and examining/using existing supports.

- Focus on providing support to the most disadvantaged and at risk categories, including women, older protection applicants and refugees, and unskilled workers.

The commitment to put employment supports at the core of the new model to replace Direct Provision, alongside health, housing and education supports is encouraging. According to the White Paper to end Direct Provision this new model will come into effect on a phased basis between February 2021 and December 2024. The government has said that under the new model protection applicants will be entitled to access employment activation supports and to link with employer networks after an initial four month period in a Reception and Integration Centre. It also promises to provide early intensive orientation and English language programmes, as well as employment supports, and to address some of the other administrative and legislative barriers to employment that currently exist.

As the evidence in this report shows, these are urgently needed.
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