

BERMUDA WORKS

Work permits in recessionary times: The challenges of the Immigration Department

THE Immigration Department is an institution that everyone loves to hate, especially during tough economic times. Many Bermudians stick it to Immigration for failing to adequately protect them in the job market. Meanwhile, employers often complain that Immigration are too tough, sometimes thwarting their job creation efforts.

So does Immigration deserve the criticism it gets from Bermudian job seekers and employers?

The short answer is no.

Having submitted hundreds of work permit applications on behalf of more than 200 employers over the past 12 years, our view is that Immigration does a tough job relatively well.

The fact is that all applications – without exception – are carefully vetted by immigration officials prior to submission to the Immigration Board. And it is not uncommon for the Board



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to request further information, or outright refuse an application, if they are not convinced that a Bermudian applicant is unqualified.

It is also a fact that information provided by employers is not often taken at face value, even when submitted by a trusted employer. Published job requirements are always checked for reasonableness and applications are refused when it is suspected that advertisements have been purposely designed to exclude Bermudians.

This level of due diligence is nothing new. It's always been

that way, both pre and post 1998.

It is true that the rigor of the work permits process slows the hiring process. And it is true that the confidence of many employers is shaken when Immigration puts them through the wringer. But ultimately employers derive confidence from the fact that properly submitted work permit applications are rarely refused.

Of course it is reasonable to assume that a few illegitimate work permit applications will slip through from time to time. But surely this has more to do with the determination of a dis-

honest employer rather than the negligence of the Immigration Department.

Some folks would have you believe that the number of dishonest employers is very large. That's not our experience. The vast majority of employers have an extremely high degree of respect for immigration policy and would not dare cheat.

If there is a fair criticism of the Department of Immigration it is that they do not do more to convince Bermudians of the good job they do. Regrettably instead, when criticism crescendos as it has recently due to the recession, Immigration tends to pledge that they can and will do more to protect Bermudians.

This is a popular notion, but unfortunate for two reasons. First, the extra scrutiny raises the expectations of Bermudians while adding little or nothing in terms of protection simply because the process was so thorough in the first place.

The second unfortunate consequence is that employers worry that adding rigor to an already rigorous work permits process will make it difficult or impossible to obtain work permits going forward. To some that may not seem a big deal, but it is a monumental problem because it undermines the confidence of employers and discourages job creation in Bermuda.

At a time when so many Bermudians are seeking employment and so many employers are moving jobs to lower cost jurisdictions overseas, perhaps we should all have a greater degree of respect for the delicate balance that the Department of Immigration seeks to strike.

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