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Proposed Questions on the Labour Work Permits Amendment Act No. 24 of 2018 for the Consultation Meeting with VCCI and business members on 4 February 2019 at 3.30pm at Ramada Resort Conference Room

1. **Length of term of work permit:** How will the Work Permits Amendment Act affect existing current work permits? Four years from the 1<sup>st</sup> January 2019? What will happen if there is, say one year left on their current Work Permit? See Section 5(3).
2. **Training of counterpart:** Transfer of many skills take longer than 4 years. To transfer skills on the job, training is required. It is believed that you are not allowed to train without a license with the Vanuatu qualifications Authority (VQA). How is this conflict dealt with?

The general observations made are that the quality of education in general needs to be looked at and be upgraded, and having higher qualifications taught in trade schools in Vanuatu should be the focus of Vanuatu Government Investment.

VIT needs improvement and upgrade their certificate 1 and certificate 2. They are not good enough and do not meet the needs of employers in trade industries. The VIT must provide Certificate 4 and Diploma in trade industries to upgrade the skills of Ni Vanuatu.

For example, an "A" grade electrician cannot be trained in Vanuatu even with 4 years of study/mentoring. They do not have the ability to meet standards of an overseas trained "A" grade electrician. For example, work in organisations such as Australian High Commission must be done by A grade electricians, no Ni Van is qualified to do this work without an expat, and will not be unless trained overseas.

3. **Reduction of Foreign Direct Investment:** Foreign direct investment is being blocked by the Work Permits Act Amendments. Investors are not willing to invest large sums of money into projects they feel they cannot be technically managed appropriately.

The expats are critical to ongoing and new investments. The number of jobs can increase with more direct foreign investments. The Work Permits Amendment Act will result in fewer jobs for Ni-Vanuatu as these will be fewer expat who might employ them.

An investor cannot hold a work permit. Small investors need to be able to be employees.

4. **Employees' mobility:** What happens when/if a person being trained moves on or leaves for new job? Ni Vanuatu staff moving from job to job is common. Under the labour mobility schemes in Australia, New Zealand, RSE and Pacific Labour Mobility Scheme are luring workers away with higher salaries. This is impacting tourism sector, and several trade industries. This Amendment will increase this problem.
5. **Privacy and Confidentiality:** There is real concern raised on privacy issues around the sharing of recruitment documentation with the Department of Labour and also concern about Labour Department controlling assessment of suitable candidates.
6. **Enforcement of laws and regulations:** Changes are not required if other existing Acts and policies protecting Ni Vanuatu workers and jobs were enforced. The Government does not enforce its existing laws and regulations.

7. **Employment of Ni Vanuatu persons:** The cost for employers to hire expats rather than hiring locals is much higher with work permits, flights and rental allowances etc. Businesses would not spend the money if they did not have to.
8. **Increase of Work Permit fees:** Ni Vanuatu business owners can ill afford to pay such high work permit fees. To help Ni Vanuatu businesses, there should be a reduction to allow for qualified, trained, and skilled expats to come to work for citizen employers to help them to grow their businesses.