



Ministerial Statement

By

The Hon. R. Patricia Gordon-Pamplin, JP, MP

Minister of Home Affairs

3rd February, 2017

An update on Improvements to the Processing of applications for National Certification

Mr. Speaker, I rise today to report on the progress to improve the processing of applications for national certification. Honourable Members are aware that, in accordance with the National Occupational Certification Act 2004, a number of occupations are ‘designated’, and require compulsory certification. Occupations which require compulsory certification are:-

- (1) Welder
- (2) Automotive Service Technician
- (3) Electrician
- (4) Landscape Gardener

Mr. Speaker, a person may work in a ‘designated’ occupation if they are (1) a registered apprentice, (2) a student in a work training program or (3) a person who

holds certificates from accredited institutions irrespective of jurisdiction. However, all persons must file an application under this Act to be certified providing evidence that their qualifications and experience are recognized and approved.

Mr. Speaker, there have been much concern expressed in this Honourable House and in the media that work permit holders have been granted work permits without first demonstrating that they meet the requirements for eligibility to apply for certification. In addition, there are insufficient checks to ensure that work permit holders have applied to be certified. These gaps in oversight are not only in contravention of the National Occupational Certification Act 2004 but can pose a danger to the public. Most importantly, this is unfair to Bermudians as it means that work permit holders have an unfair advantage over Bermudian workers in the designated categories. As a result, I am announcing a new Immigration Policy will soon be published.

Mr. Speaker, prior to submitting a Work Permit Application to the Department of Immigration (DOI) potential employers applying for work permits in designated occupations must first satisfy Department of Workforce Development (DWD) that the non-Bermudian candidate meets the minimum requirements for certification in the designated job category. If the candidate satisfies the minimum qualifications, then DWD will provide the employer with a letter confirming that the pre-vetting process has been completed and the applicant meets the minimum qualifications for certification. The employer will submit that letter with their application to the Department of Immigration. Applications will not be considered if this first step is not satisfied. If the application is successful, then the work permit will be issued with the condition that the employee must return to DWD to complete the full National Certification process. The employee will have **up to 3 months** to complete the process towards achieving National Certification.

Mr. Speaker, there is another advantage of the employer approaching DWD prior to submitting an application to the Department of Immigration. Upon receiving the application, the DWD will also check their records to determine if there is currently a Bermudian, registered with the Department, that has successfully achieved National Certification and may be suitably qualified to meet the employer's needs, thereby negating the need for a work permit.

Mr. Speaker, There will also be a requirement for any non-Bermudian seeking employment in a designated occupation. If that person is not currently certified, he or she may not look for a job without first making application to the Department of Workforce Development, National Training Section for certification.

Mr. Speaker, as I noted previously there are a number of work permit holders in the designated categories that have not registered with DWD and has not received National Certification. In these cases, the current employer must ensure that the employee complies with the law. Failure to comply with the law may result in myself as Minister responsible for the issuance of work permits deciding whether the employee should be allowed to continue to be employed in Bermuda. Current work permit holders operating in designated occupations will have until March 31, 2017 to register with DWD, and pay the required fee of \$265 to begin the National Certification process. Those who are unable to successfully complete the entire process will not have their work permits renewed. DWD will notify the work permit holder, the employer and DOI of the outcome.

Further Mr. Speaker, employers wishing to hire individuals in a designated occupation must also ensure that they have a good level of proficiency of the English language. This is a potential communication barrier that could affect

recruitment and activities in respect to health and safety. Employers should partner with the Bermuda College to assist with an 'English as a Second Language' (ESL) program for their guest workers who may find it difficult to understand, interpret instructions and make proper skill applications on worksites. This is essential for the employee to complete the requirements to obtain National Certification.

Mr. Speaker, progress has also been made to speed up the processing of applications for certification; including:

- 1) The recruitment of substantive Standards and Enforcement Officer by December 31, 2016. It is hoped that the selected candidate can begin employment in the post by February 2017;
- 2) A consultant has been hired and will begin work on January 3rd, 2017. This individual will assist with finalising and implementing the Automotive Service Technician and Landscape Gardener National Certification programme. Some of the specific tasks for this role in more detail is: -
 - Coordinate with the Bermuda College or other approved vendor(s) to provide training programs ("Training Program") that align with the National Certification Program particularly where the curriculum directly correlates with the disciplines of 'designated trades'.
 - Ensure that the Training Program(s) are internationally recognized and accessible to the public operating in designated occupations (includes private and public sector workers).

In relation to the certification of Landscape Gardeners:

- Collaborate with the Horticulture Occupational Advisory Committee (HOAC) and Landscape Association to obtain 'sign off' on curriculum and process for national certification by March 31, 2017;

- Collaborate with the Bermuda College to agree to implement the horticulture program/curriculum September 2017;
- Collaborate with the Career Development Section and ensure that 30 participants from the CIDS (Career Information Development System) database are enrolled in the course at the College for the September 2017 commencement;

In relation to the certification of Automotive Service Technicians:

- Collaborate with Automotive Occupational Advisory Committee (AOAC) to obtain ‘sign off’ on process towards achieving national certification by January 31, 2017;
- Collaborate with the Bermuda College to ensure that their curriculum matches the National Certification requirements and to obtain firm agreement that students will have full access to complete their Automotive Service Excellence (ASE) certification exams prior to graduating by March 31, 2017;

Mr. Speaker; I am sure that Honourable members will agree that much work has been done to progress this important initiative and the ultimate benefits will accrue to the customer; to businesses; to the workforce and especially to Bermudians.

Thank you, Mr. Speaker