

Checklist for an applying for a work permit due to a shortage of employees.

□ Application form for a work permit

- Information about the applicant and the employer (fields I-III)
Sufficient information must be stipulated for both parties, incl. the foreign national's address both in Iceland and in their home country.
The email address of both parties must also be stipulated.
The application must state the planned period of employment and whether The Directorate of Labour's regional agency has been contacted regarding the position (field II). This does not apply to other recruitment services.
Information regarding the foreign nationals' employment history must be stipulated (field III)
- Opinion of the relevant trade union (field IV)
It is obligatory to obtain the opinion of a trade union regarding granting the temporary work permit. It is generally recommended that such opinions be obtained prior to the application and supporting documents are submitted to the Directorate of Immigration. Opinions may be submitted in another form or in a separate attachment. If an opinion does not accompany the application, it will result in a postponement of the processing of the application. The Directorate of Labor obtains opinions from Efling trade union where applicable.
- It is important that both the employer and foreign national sign the application. If either signature is missing, it is not possible to process the application.

□ Employment contract between an employer and a foreign national for a job in which special skills are required.

- An employment contract shall accompany an application for a work permit, as it is not possible to process the permit unless such a contract accompanies the application.
- The employment contract shall be signed by both parties.
- The pension fund that the foreign national pays their contributions to regarding their work must be stipulated.
- Information regarding work arrangements, wages, and other perquisites.
 - Information regarding whether the position is full-time or part-time must be stipulated. If the position is part-time then information regarding the employment ratio must be stipulated.
 - Information regarding the foreign nationals' monthly salary or hourly wage must be stipulated
 - If the foreign national is paid an hourly wage, then the amounts regarding daytime, overtime, and shift supplements (33% and 45%) where applicable.
 - It is also permitted to refer to the wage-scale category in the relevant collective agreement if the foreign national is paid according to such an agreement.
 - It is not sufficient to tick "wages are paid according to relevant collective agreement" and not stipulate either a wage-scale category or amounts.
 - If the foreign national is paid monthly wages the overtime wages must nevertheless be stated on the contract.

- If the foreign national receives other perquisites, i.e., in the form of meals, board and lodging, information regarding this must be stipulated in the contract of employment or in an accompanying document with the application.
- The contract must state the location of where the work will take place.

Supporting documents:

□ **Detailed description of the foreign nationals' intended position with the employer.**

Information must be provided on what the foreign national's job with the employer entails, its scope, and nature, in addition, the employer may submit detailed reasoning regarding why the directorate should grant the requested permit if employees are not found to fill the position domestically or within the European Economic Area. The employer can also provide reasons regarding the necessity of the foreign national's employment and for what reasons it is considered important for the employer's business.

If the application is due to a short term or seasonal shortage of labour within the profession, the applicants must state that in the application papers.

□ **Copy of valid license.**

Vocational trades: In instances when applying for a temporary work permit job in which special skills are required for a legally protected profession, a confirmation of the foreign nationals' operating license must be obtained in order to for them to perform the duties. According to regulation nr. 940/1999 on Licensed Trades, per Act no. 42/1978 on Trades, only those who possess the appropriate licenses are permitted to perform such duties, per Article 2 of the Act.

If such a confirmation is available, then it must be submitted to The Directorate of Labour, otherwise such a confirmation must be obtained. Further information about obtaining accreditation of qualifications and issuing of licenses can be obtained from the office of [ENIC/NARIC Ísland](#). Please note that once a full recognition of the applicant's qualifications has been obtained by ENIC/NARIC the applicants are required to apply for a licence with the District Commissioner of Austurland as well. Both a copy of the decision letter from ENIC/NARIC and a copy of the licence must be submitted to the directorate.

Medical Professionals: In instances when applying for a temporary work permit job in which special skills are required for a licensed medical profession, a confirmation of the foreign nationals' operating license must be obtained in order to for them to perform the duties. According to the Healthcare Practitioners Act nr. 34/2012, only those who possess the appropriate licenses from The Directorate of Health are permitted to perform such duties, Per Article 2, item 1 of the Act. If such a confirmation is available, then it must be submitted to The Directorate of Labour, otherwise such a confirmation must be obtained. Further information about obtaining accreditation of qualifications and issuing of licenses can be obtained from [The Directorate of Health](#).

Other licensed professions: It is not possible to provide complete information regarding all professions which are considered to be licensed in Iceland or where their licenses shall be obtained. An updated list of licenced professions may be accessed via [the Ministry of higher education, science and innovation](#).

- **Information regarding the employers attempts to hire an individual who already possesses an unrestricted entitlement to work in Iceland.**

According to Article 7, paragraph 1, item a of the Act, an employer shall seek assistance from The Directorate of Labour with finding employees who already possess an unrestricted entitlement to work in Iceland before the company searches for employees outside of the European Economic Area.

If the employer has not sought assistance from The Directorate of Labour's EURES recruitment services, then the directorate may request that the employer advertise the position in question. The employer can advertise the position via 'My pages' for employers on the [directorate website](#). Upon processing of the application, the permit administrator may consult with the directorate's recruitment services regarding the estimated availability of employees to perform comparable work to be able to determine the necessity of advertising the position or if it is obviously unnecessary with reference to the labour market status or the job in question.

Availability of labour within Iceland and the European Economic Area within the profession.

The employer is not required to have advertised the job within the European Economic Area via the EURES job search portal prior to applying for a temporary work permit in this category. The Directorate will however investigate the availability of workers as a part of processing the permit and may in certain circumstances request that the employer advertise the job for a certain amount of time with the Directorate's domestic recruitment services and EURES – European job network.

If the Directorate has requested that a job be advertised as a part of processing a work permit application the following must be kept in mind. An advertisement must be active for a minimum of three weeks. The advertisement must be reasonable and proportionate so not to exclude generally qualified applicants and must not make excessive demands beyond what would be considered reasonable qualifications for a fit worker.

1. Assessment of the availability of workers to perform comparable jobs in Iceland and in the European Economic Area.

The employer is not required to have advertised the job in question **before** submitting an application for a work permit to The Directorate. When processing a permit, The Directorate may request the employer to advertise the job in question with The Directorate's EURES Employment Service, in consultation with The Directorate's employment service and data analysis on the assessment of the availability of workers to perform similar jobs in order to assess the need for a job advertisement or whether it is clearly unnecessary in view of the employment situation or the job in question.

If a job is requested to be advertised, it must be kept in mind that an advertisement published by The Directorate of Labour's employment agency in connection with an application for a work permit must be published for at least three weeks in order to take into account the outcome of the advertisement when assessing the availability of labour. It must also be ensured that the presentation and wording of the advertisement must not be exclusive or unrealistic with regard to general requirements for the person performing the advertised job. Advertisements are registered through 'My pages for employers' on The Directorate's website.