

Oireachtas Speech 7th of July 2022
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I'm going to begin my presentation by quoting the Department of Enterprise, Trade, and Employment website on the description of the Critical Skills Employment Permit

'The Critical Skills Employment Permit is designed to attract highly skilled people into the labour market with the aim of encouraging them to take up permanent residence in the State. Eligible occupations under this type of permit are deemed to be critically important to growing Ireland's economy, are highly demanded and highly skilled, and in significant shortage of supply in our labour market.'

I want to separate that statement into its two parts. Each part in my view is separate and independent of the other and should be treated as such when considering my petition.

The second part is most pertinent and relevant to the current major issues our sector is facing.

'Eligible occupations under this type of permit are deemed to be critically important to growing Ireland's economy, are highly demanded and highly skilled, and in significant shortage of supply in our labour market'

That statement alone is tailor-made to confirm the premise of my petition that chefs be added to the critical skills list.

During the Joint Committee meeting on Tourism, Culture, Arts, Sports, Gaeltacht, and Media on the 25th of May this year which was loosely named the – 'working conditions and skills shortages in Ireland's tourism and hospitality sector' the Licensed Vintner's Association and the Vintners Federation of Ireland both very clearly showed the desperate dearth of hospitality staff across all disciplines and counties. Markedly, both alluded quite specifically to the chef shortage being fundamental to the re-emergence of their members businesses.

The Chairperson and Fine Fail Deputy Niamh Smyth who presided very engagingly on the topic asked a hugely important question.

'Where do you get the skilled staff from?'

The answer from the government's perspective comes from the Expert Group on Future Skills Needed (the EGFSN) established in 1997, it has the task of advising Government on

future skills requirements and associated labour market issues that impact on the national potential for enterprise and employment growth.

Their membership includes Government Departments, Enterprise Development Agencies, Business, Unions, Further Education and Training and the Higher Education Authority. The Department of Enterprise, Trade and Employment, in conjunction with the Skills and Labour Market Research Unit, SOLAS, provides the EGFSN with research and analysis support.

Paul Clancy of the Vintners Federation of Ireland suggested quite reasonably that an investigation on the *'precise scale of the problem needs to be assessed at government level.'*

The EGFSN is that entity:

On their About Us page it describes what they do, and I will read those things relevant to my petition.

- *We advise Government on projected skills requirements at national and sectoral levels and make recommendations on how best to address identified needs.*
- *We advise on any skills requirements that cannot be met internally at a given time and so must be met through inward migration.*

I then read the current working list of objectives from their website – they are as follows:

- AI Skills Report
- Design Skills Report
- Zero Carbon Skills Report
- Design Skills Implementation Group
- Building Future Skills: Demand for Skills in Ireland's Built Environment Sector to 2030

There is no mention or even address of the hospitality sector needs. Surely with an industry that has such highly publicized labour difficulties the EGFSN should be scrambling to acknowledge and respond to this current supply/demand catastrophe. As this is clearly not high on the government agenda it falls to the industry representatives such as myself to argue the case for at least accepting the issue exists on a national level.

To date my engagement with the Ministers and Departments involved have been mixed. The overall mood is that the legislation is dated and tired and unfit for purpose. The DETE have been responsive to our companies approaches at lobbying level and advisors and

contacts have been given freely. All those whom I have spoken with have been very helpful but suffer under the heavy burden of unabating processing queues and complex bureaucratic inadequacies which make their work and objectives unclear and make solving issues or errors very slow and very hierarchical. The impression given is of a disparate system where checks and balances take an undue amount of time to be made. This is matter for future resolution.

The crisis we face right now asks for immediate action and the *statutory instruments* that can allow this change do exist and are easily amended.

This is the main legislative barrier, and I quote:

'In the case of a Critical Skills Employment Permit for an employment for which the minimum annual remuneration is €30,000, the qualification required in respect of that employment is a third level degree relevant to the employment concerned.'

The third level degree stipulation must be removed. Some the most influential, powerful, successful, and productive members of our society and industries do not have third level degrees. It is an archaic measure of suitability that is standing obnoxiously in the way of my petitions progress.

Returning to the description of the *Critical Skills Employment Permit* and its first line I want to reflect on the outdated precedence that it indicates.

'The Critical Skills Employment Permit is designed to attract highly skilled people into the labour market with the aim of encouraging them to take up permanent residence in the State'.

The Maastricht Treaty of 1992 opened up the EU to freedom of movement and thereby created superb opportunities for workers to find employment in their fellow EU block countries. Since 1992 the EU has transformed entirely into a powerhouse of enterprise, industry, and belief. Countries that were decimated by exceptionally poor labour market options are now thriving economies with enthused and proud young people who are often returning (from their time away) and choosing to remain in their native lands to set up businesses and raise their families.

The will *'to take up permanent residency in the (foster) State'* is not as prevalent as it once was. As a result, I feel it is not necessary for the *Critical Skills Employment Permit* to be framed in this way. Of course, housing is needed while the workers are here and that will be a real issue going forward. WeHaveChefs have noted, from our cold-face experience,

that accommodation **is** available across the country – it's just a matter of the hotels, restaurants, bars, chefs, and ourselves as recruiters uniting in the search to find our incoming employees suitable lodging while they are here.

Our chefs in the very most part are not economic-migrants in the disheartened sense of the phrase but are instead highly skilled, highly versatile, well-travelled, globally wise go-getters who seize at a good opportunity when it arises. They know their skill set is in demand worldwide and they are choosing Ireland as our reputation for welcome and diversity is well known. They are not intending to stay forever necessarily but instead are exploring the world applying their passionate career choice to the nation they find themselves in.

Under the *General Skills Employment Permit Checklist* businesses seeking staff from outside the EU must complete a labour market needs test for each and every position they want to fill. For chefs this requires the following:

- A Eures advert which must run for 28 days before the application can be submitted.
- An advertisement for the job in a national newspaper for 3 consecutive days.
- An advertisement for the job in a local newspaper for 3 consecutive days or a copy of the advert on a job's website, separate to the EURES website, for 3 days.

The problem here is threefold; number 1 the expense of posting these adverts is substantial, number 2 the delay of 28 days before the outside of EU permit may be submitted, and thirdly and most damningly; no-one responds to these adverts.

For example WeHaveChefs placed 27 Eures adverts over 28 days with 45 positions available in top class hotels and restaurants throughout the country and we received 2 CVs (neither of which was anywhere near suitable for the position advertised).

The labour market needs test is obsolete as there seem to be no interested chefs across the EU who want to come to work in Ireland. I don't personally think that this is a poor reflection on Ireland's living and working conditions but instead describes the growth and development across the block that keeps native chefs in their domestic markets.

The other element to it is that the hospitality sector is primarily and ideally manned by locals or at least nationals. These are people who take pride in their country's hospitality offering and often have only one language (like myself). Therefore, their transferable skills set as chefs is hampered by their inability to communicate in a foreign tongue. The culinary sectors across Europe cater largely for their domestic markets.

On the contrary the chefs we bring from East Asia more often than not work in international hotels where English is commonly used as the mean language. They are well equipped, ready, and prepared to travel to express their skills overseas. Their intention is not to take up permanent residency but to explore the world of culinary variety. We don't need to worry where they will live; we simply need to welcome them into our country and our communities.

Where there is a will, there is a way.

Thank you for hearing my argument and I hope this petition is not raised in vain.