

ADMINISTRATIVE ARRANGEMENTS AND PROCEDURES
FOR THE FREE MOVEMENT OF SKILLS
BASED ON SUCCESSIVE DECISIONS OF THE CONFERENCE
OF HEADS OF GOVERNMENT AND RELEVANT COUNCILS

The following administrative arrangements and procedures must be in effect in Member States to facilitate the free movement of skills:

1. Competent Authority

The Free Movement of Skills Act provides for a Competent Authority. In most Member States, the Competent Authority is a Minister, who has responsibility for the implementation of the Free Movement of Skills Policy.

Key responsibilities include-

- reviewing applications for Free movement of Skills or verifying whether a CARICOM National is indeed a Skilled National.
- Authority to sign or stamp the Certificate of Recognition of CARICOM Skills Qualification when a CARICOM National is eligible for Free Movement of Skills or after verification proves that the person is indeed a Skilled National.

2. Free Movement Committee

The Competent Authority must establish a Free Movement Committee, which will be mandated to:

- **review** applications for Free Movement of Skills;
- **verify** whether a person is indeed a Skilled National, that is, complete processing or verification of applications; and
- **advise** the Competent Authority accordingly.

The Free Movement Committee should consist of suitable representatives of relevant Ministries, such as Ministries of Labour, Education, Immigration/ National Security, Foreign Affairs, Culture and Trade.

The Chairperson of the Free Movement Committee should be the representative of the Competent Authority. The Chairperson should be responsible for the convocation of Members, the circulation of applications received or requests for verification and supporting documents.

The Free Movement Committee should meet at least once a month with the specific purpose of reviewing all applications received for Free Movement of Skills or undertaking the necessary verification.

The Free Movement Committee should inform applicants about the outcome of their applications or verification as soon as possible, but not later than two (2) weeks after its first scheduled meeting. In the event that more time is required due to accreditation issues, the applicant should be made aware of the reasons for the delay.

It should be noted that the whole process should not last longer than the time taken to obtain a work permit, but should preferably be much shorter.

3. Free Movement of Skills Department/Desk

In order to receive applications of CARICOM Nationals for free movement or to execute verifications, the Competent Authority must assign a Department/Desk with the responsibility to administer the application process. The identified Department/Desk must be the only Department/Desk authorised to receive applications and supporting documents from interested CARICOM Nationals.

This Department/Desk will act as the Secretariat of the Free Movement Committee and consult with the Chairman on an ongoing basis.

This Department / Desk will also be responsible for the submission every quarter, of up- to-date statistical information to the CSME UNIT of the CARICOM Secretariat.

4. National Accreditation Body

A National Accreditation Body must be established pursuant to the Accreditation Act.

A representative of the National Accreditation Body, once established, should be a member of the Free Movement Committee. The Free Movement Committee should request advice from the National Accreditation Body on behalf of the Competent Authority in cases where doubt exists about the qualifications of applicants.

The National Accreditation Body must advise the Free Movement Committee within two weeks of the receipt of the request about its findings.

It should be noted that the National Accreditation Body is an advisory body and not the body responsible for the implementation of the Free Movement of Skills, policy or approval of applications.

5. Procedures at Points of Entry

A CARICOM National entering another Member State with a Skills Certificate issued by another Member State must be granted a definite entry of six months and has the right to work immediately.

A CARICOM National entering with a Skills Certificate issued by the receiving country must be granted an indefinite entry.

It is advisable that Immigration Departments use stamps to indicate the current stay and status in the passport of the CARICOM National. In the case of definite entry, the stamp may read:

“FREE MOVEMENT DEFINITE ENTRY – RIGHT TO WORK – VERIFICATION REQUIRED”.

In the case of the indefinite entry, the stamp may read –

“FREE MOVEMENT INDEFINITE ENTRY – RIGHT TO WORK”.

Immigration Officials should indicate to a CARICOM National who is entering with a Skills Certificate issued by another Member State that verification is required within the period of six months. Immigration Officials should, in addition, provide the recipient of definite entry status with relevant information to complete the process leading to indefinite entry status.

6. Procedure for Managerial, Supervisory and Technical Staff

Managerial, Supervisory and Technical Staff do not have the right to free movement. This right has been granted to the non-wage earner, who is employing them. The non-wage earner can be a juridical or natural person.

The non-wage earner must submit a request letter to the Competent Authority in which free movement is requested for managerial, supervisory and technical staff. A copy of the employment contract must be included in the request.

The Free Movement Committee will consider these requests on behalf of the Competent Authority and will inform the employer about the outcome. Managerial, supervisory and technical staff do not have the right to free movement, so no Certificate will be issued, but the employer will receive a letter stating that their free movement has been approved and that their passports must be submitted to Immigration in order to be stamped. These persons will be granted free movement in accordance with the duration of their employment contract.

7. Approved Definitions

Graduates

Graduates, for the purposes of free movement of skills, are persons who have obtained at least a bachelor's degree from a recognised university or a professional qualification which is equivalent to at least a bachelor's degree.

Media Persons

Media persons are persons whose primary source of income is drawn from media and media-related work, or persons who are qualified to enter this field.

Such persons perform the functions of:

- media managers and administrators;
- editors and sub-editors;
- reporters, producers, announcers and broadcasters;
- camera operators, sound engineering and video technicians;
- production workers in the print and electronic media, etc.;
- graphic artists, cartoonists and photographers;
- administrators and editorial departments, programming departments

- and newsrooms; and
- other related personnel whose functions are not here classified.

Artistes

Artistes, for the purposes of free movement of skills are persons, who are active in or qualified to enter a particular field of art with the specific purpose to earn a living.

Such persons perform functions, such as, but not limited to:

- Visual artistes -
 - Fine artist;
 - Costume builder;
 - Costume designer;
 - Fashion designer;
 - Set fashion;
 - Make-up artist;
 - Stylists;
 - Interior designer;
 - Textile designer;
 - Architects;
 - Landscape artists;
 - Graphic artists;
 - Print makers.
- Performance artistes -
 - Dancer;
 - Actor;
 - Choreographer;
 - Director;

Performance poet;
Story-teller;
Folk performer;
Puppeteer.

- Literary artistes

Creative writer;
Novelist;
Poet;
Essayist;
Short-story writer;
Playwright;
Scriptwriter;
Lyricist.

- Cultural workers/managers/technicians

Producer;
Stage manager;
Lighting designer;
Lighting technician;
Sound designer;
Sound technician;
Arts administrator;
Production assistant;
Holders of traditional knowledge.

Musicians

Musicians, for the purposes of free movement of skills, are persons who are active in, or qualified to enter a particular field of music with the specific purpose of earning a living.

Such persons perform functions such as, but **not limited** to:

- player of a musical instrument;
- singer;
- songwriter;
- band/orchestra leader;
- conductor;
- promoter;
- events manager.

Sportspersons

Sportspersons, for the purposes of free movement of skills, are persons who are active in or qualified to enter a particular field of sports with the specific purpose of earning a living as a professional or semi-professional.

Such persons perform functions such as, but **not limited** to -

- athletes;
- coaches;
- team leader;
- sports manager;
- sports promoter;
- massage therapists;
- events manager.

Professional Nurses

Professional Nurses are persons who have successfully completed basic or higher level training for nurses, who are registered with the General Nursing Council of a CARICOM Member State and are designated Registered Nurses.

Teachers

Teachers are persons who have successfully completed an approved pre-service or in service teacher preparation programme from an accredited/ recognised institution offering teacher education.

Managerial Staff

ISCO-88 gives the following description of a manager:

Managers determine and formulate policies and plan, direct and coordinate the activities of enterprises and organizations, or their internal departments or section.

Tasks performed by workers in this sub-major group usually include: determining and formulating policies; planning, directing and coordinating the activities of the business enterprise or other organisation as a whole, or of their internal departments or sections. Supervision of other workers may be included.

Technical Staff

ISCO-88 provides the following description of technicians and associate professionals:

Technicians and associate professionals perform mostly technical and related tasks connected with research and the application of scientific or artistic concepts and operational methods, and government or business regulations, and teach at certain educational levels.

Tasks performed by technicians and associate professionals usually include: undertaking and carrying out technical work connected with research and the application of concepts and operational methods in the fields of physical sciences, including engineering and technology; life sciences, including the medical profession; and the social sciences and humanities. Tasks also include: teaching children at primary and pre-primary levels; teaching and educating handicapped persons; initiating and carrying out various technical services related to trade, finance, administration, including administration of a number of government laws and regulations, and to social work; providing artistic and sports entertainment; and executing some religious tasks. Supervision of other workers may be included.

Artisans

An artisan is a skilled workman or craftsman.

ISCO-88 gives the following description:

Craft and related trades workers apply their specific knowledge and skills in the fields of mining and construction, form metal, erect metal structures,

set machine tools, or make, fit, maintain and repair machinery, equipment or tools, carrying out printing work as well as produce or process foodstuffs, textiles, or wooden, metal and other articles, including handicraft goods.

The work is carried by hand and by hand-powered and other tools which are used to reduce the amount of physical effort and time required for specific tasks, as well as to improve the quality of the products. The tasks call for an understanding of all stages of the production process, the materials and tools used, and the nature and purpose of the final product.

Tasks performed by craft and related trades workers usually include: extracting and working solid minerals; constructing, maintaining and repairing buildings and other structures; casting, welding and shaping metal; installing and erecting heavy metal structures, tackle and related equipment; making machinery, tools, equipment, and other metal articles; setting for operators, or setting and operating various machine tools; fitting, maintaining and repairing industrial machinery, including engines and vehicles, as well as electrical and electronic instruments and other equipment; making precision instruments, jewellery, household and other precious-metal articles, pottery, glass and related products; producing handicraft; executing printing work; producing and processing foodstuffs and various articles made of wood, textiles, leather and related materials. Supervision of other workers may be included.

Holders of Associate Degrees or comparable qualification

Holders of an Associate Degree or Equivalent Qualification are CARICOM Nationals who have obtained an Associate Degree from an accredited/recognised university or college or have obtained a professional,

technical or vocational qualification from a duly accredited body which is comparable to an Associate Degree.

At its Sixteenth Meeting, held in Guyana on 10-12 October 2007, the Council for Human and Social Development (COHSOD) agreed that comparable qualifications will be:

- 2 CAPE / 'A' Levels;
- Certified Accounting Technician Qualification;
- National Technician Certificates requiring two years of study at the post-secondary level;
- Other comparable qualifications to be identified and compiled in a comprehensive list for the guidance of the Competent Authority in Member States.

8. Required documents

In order to facilitate the application for free movement of skills, eligible CARICOM Nationals will have to produce the following documents, as applicable:

- Diploma or equivalent qualifications (graduates);
- Letter from the respective National Federation or Ministry , which clearly states that the applicant was registered in a particular field of art, music or sports or as an media worker; or
- Copies of relevant qualifications (media workers; sportspersons, artistes, musicians); or

- Letters from previous employers which clearly state the function the applicant was performing (media workers; sportspersons; artistes; musicians);
- Copy of employment contract (Managerial, Supervisory and Technical Staff);
- Caribbean Vocational Qualification (CVQ) at all levels in areas for which regional standards have been approved (artisans);
- National Vocational Qualification (NVQ) issued since January 2004, in areas for which regional standards have been approved (artisans);
- Associate Diploma, 2 CAPE / 'A' levels, Certified Accounting Technician Qualification, National Technician Certificates requiring two years of study at post-secondary level (associate degrees).

