

MINISTRY OF EMPLOYMENT AND SOCIAL AFFAIRS
EMPLOYMENT DEPARTMENT

Localisation Strategies and Procedures

1. Application for the employment of non-Seychellois shall not be entertained unless the posts have been registered and advertised.

- 1.1 The vacancies shall be registered with Employment Services Bureau.
- 1.2 All posts shall be advertised as per sections 9 (4) or 11 of the employment Act 1995
- 1.3 The adverts shall be done prominently, clearly indicating the job requirements, required qualification, basic terms and conditions including salary and other benefits.
- 1.4 All written adverts should run for at least three consecutive days in a local daily newspaper.
- 1.5 The application for non-Seychellois consideration may be submitted to the Ministry, 14 days after the first appearance of the advert.
- 1.6 Applicants shall give consideration to candidates referred by the Employment Service Bureau.
- 1.7 All new applications, except those under 1.9 and 1.10 shall be submitted to the Ministry responsible for Employment before the non-Seychellois enters the country.
- 1.8 Upon receipt of approval from the Ministry responsible for Employment, the applicant shall furnish to Immigration Division, all details as per standard GOP requirements.
- 1.9 Applications under the Investment Promotion Act and the Tourism Incentive Act shall be directed to the Ministry of Finance and Seychelles Tourism Board respectively.
- 1.10 Short-term applications for up to 3 months shall be submitted directly to the Immigration authorities.
- 1.11 Applications affected by the approved sector specific policies on non-Seychelles employment shall be respected by the present strategies.
- 1.12 All applications shall be submitted in accordance with the prescribed format accompanied by the required additional documents.

2 All employing organizations requesting employment of non-Seychellois shall submit detailed Job description, Manpower and Training plans for Localisation.

- 2.1 A Manpower Plan for at least three years, where practicable, shall be produced by the organizations wishing to recruit from overseas as per provided guidelines.
- 2.2 Localization Plan (training and development programme) for individuals or groups of workers shall be produced to demonstrate intention of the organization to localize posts being held and to be held by non-Seychellois
- 2.3 Organizations employing non-Seychellois shall actively participate in training programmes to train locals in an effort to localize posts occupied by foreigners.
- 2.4 Where practicable the Job Descriptions of non-Seychellois should include an element of training of locals.

3 All non-Seychellois in posts, where applicable shall have a counterpart/understudy or a number of local trainees for eventual localization of posts.

- 3.1 Organizations are to produce proof of the appointment of understudy/counterpart.
- 3.2 The organizations shall provide Job specification and minimum requirements of understudy/counterpart.
- 3.3 Where appropriate, for each non-Seychellois employed the organization shall enroll a number of trainees to be specified by the Ministry responsible for Employment.

4 The contract shall clearly indicate the position to be held by the non-Seychellois and the worker shall be engaged only in the job stated in the contract.

- 4.1 The contract duration shall be clearly indicated.
- 4.2 The Ministry responsible for employment shall attest all contracts of employment
- 4.3 On site inspection shall be undertaken regularly by relevant sectoral coordinating agencies.

4.4 In the case of foreign workers engaging in other economic activities outside their contracts, of employment, severe penalties shall be taken including immediate deportation of the worker (s) involved and the loss of the right to replace the deported worker(s) by the organization.

5 Where applicable renewal of contracts shall be subject to proof of implementation of localization plan.

5.1 The duration of a contract shall not exceed two years, renewable for two years only subject to special circumstances.

5.2 Consideration for continued employment shall be subject to a report being submitted by employing organization on training undertaken during contract period and the implementation of training plan for the understudy/counterpart, incorporating targets to achieve localization.

5.3 In order to ensure compliance of the new measure, contractors shall provide to the Immigration Authorities, the establishment list (list of workers) with a stamp of Social Security Division.

6 The Ministry responsible for employment in collaboration with other relevant sectoral agencies and social partners shall monitor the implementation of the Localisation Policy and Strategies.

6.1 There shall be localization Committee chaired by the Director General Employment with representations from relevant sectoral agencies and social partners.

6.2 The Committee shall conduct on site inspection as and when necessary to monitor implementation of the Policy and Strategies.

6.3 The Committee shall advise the Minister on the need to formulate and review the Policy and Strategies.

Localization Policy Addendum

1. Definition of a counterpart and an understudy

Understudy	A person who may or may not hold the qualifications of the posts. Is also short on experience of the working environment, but is capable of eventually taking up the position by undergoing training related to the post filled by a non-Seychellois.
Counterpart	For the purpose of the strategy a counterpart is a person that holds the necessary qualification/experience requirements of the post. The counterpart works alongside the incumbent for a specified period of time with the aim of replacing the latter

2. Sector Specific Localisation Strategies

As and when appropriate Industry specific strategies shall be adopted by the Ministry to ensure optimum utilization of non-Seychellois skills as well as for the acquisition of knowledge and skills by locals.

3. Sectoral coordinating Agencies

The sectoral Agencies are: Ministry of Employment and Social Affairs, Immigration Division, Ministry of Finance, Association of Seychelles Employers (ASE) and the Federation of Workers Unions (SFWU). Department of Public Administration, Seychelles Tourism Board, Department of Investment and Industry, SIB (Seychelles Investment Bureau). Ministry of Education, and Ministry of Land Use and Habitat. The committee may propose other agencies for the approval of the Ministry.

Sector Specific Strategies

1. Allocation of non-Seychellois workers in the Construction Industry and ratio of non-Seychellois to local workers.

Based on the non-availability of skilled/qualified locals to cater for the demand in the Construction Industry, a quote allocation to construction companies according to their license category as shown by the table below is adopted.

CATEGORY OF LICENCE	NUMBER OF NON-SEYCHELLOIS
Building Contractor Class 1	40
Building Contractor Class 2	20

Building Contractor Class 3	5
Maintenance Contractor Class 4	0

Contractors requiring a specific contingent of non-Seychellois workers when engaged in a specific project classified, as a major foreign exchange earner under the Macro Economic Review Programme (MERP) shall be subject to exemptions as per the MERP.

1.1 For every additional foreign worker over the MERP quota, class 1 Building Contractors shall employ at least 10 more local workers and class 2, 5 locals.

2. Trade

The Ministry of Employment and Social Affairs shall organize training programmes for locals aspiring to become shop assistant and managers. Non-Seychellois shop managers shall be prepared to participate in delivery of classes to local trainees.

3. Tourism

All tourism establishments employing non-Seychellois workers (outside the Tourism Incentive Act) shall participate in training of locals through approved training scheme (apprenticeship) and through attachment of SHTTC students. Establishment covered under the Act shall also be encouraged to participate in training of locals

4. Sports

(National Policy of non-Seychellois players and coaches)

All requests by sports teams for non-Seychellois players and coaches shall be as per existing policy adopted by the Ministry responsible for sports.

Exemptions

1. IPA Certified Organizations

Organizations with IPA Certificates are accordingly to their level of concessions exempted from the application of the Policy. However, since the IPA certificates are valid for specific timeframes, at expiry the Policy becomes automatically enforceable.

2. Tourism Incentive Act

Under the Tourism Incentive Act, tourism establishments with specific levels of income in foreign exchange per rooms per month will enjoy certain levels of concessions including a quota of between 15 to 50 percent of the workforce being non-Seychellois.

The applications for the incentives to be enforced are to be made directly to a specialized desk at the Seychelles Tourism Board. However, the concessions do not exempt the organizations from payment of contract attestation fees.