



Guidelines
for the completion of
Form
TWP-S
Temporary Work Permit
Seasonal Worker

General Information on Seasonal Work Permits

- The Temporary Work Permit for Seasonal Workers (TWP-S) came into effect on 25th November 2008.
- This permit is only available for employers in the tourism, hospitality and water sports industries.
- The permit is for a fixed period of eight months. It cannot be extended or renewed and no refund will be given if a shorter period of validity is required.

It is important to note **before applying** for a TWP-S that, unlike a standard Temporary Work Permit, once a TWP-S has expired the person must leave the Cayman Islands for at least three months. No further work permits can be granted in respect of that person until they have left the Islands for at least three months.

Application Form TWP - S

- Please assist us in processing your application as quickly as possible by ensuring that all parts of the application form TWP-S are completed. The form will not be accepted by the Immigration Department if there are any omissions.
- Sections 1 & 2 are to be completed by the employer.
- Sections 3-10 are to be completed by the prospective employee).
- Please complete the form in BLOCK CAPITALS and in black ink.
- If the space for an answer to a question is insufficient, continue in the spaces at the end of sections 2 and 10. If you still need more space, use a separate piece of paper.
- Please ensure that all dates are written with in the correct format – dd/mm/yy (day/month/year).
- If additional documentation is required as confirmation for a particular answer, you will be asked to tick a box to confirm that it is attached to the application. Please ensure that you only tick the box when you have the documentation ready to be attached. Application forms with missing documentation will not be accepted.

Section 1: The Employer

This section requires general information from the employer about their business.

Q9 **Type of business**, please enter the nature of your business. For example – hotel, restaurant.

Q11 - 12 asks for information about your business licensing and, if relevant, Business Staffing Plan (BSP), to ensure that they are current and your business is legally authorised to operate.

- If you operate under a licence that is not a Trade & Business or Liquor licence, please provide the name of the licence and the issuing body.
- If you have a licence or BSP that has expired, it will need to be renewed before this permit application will be processed. If your BSP renewal date is within the next 30 days, and you have not submitted the renewal application, this TWP-S application will be deferred until the renewal application is received.

Q13-20 Employers are legally bound to subscribe to a pension plan and provide health insurance in respect of their employees. If your policies are not valid, or your payments are not up to date, you will need to rectify this before the permit application will be processed.

Section 2: The Position

Q21-23 Please provide detailed information about the requirements for the position making sure that the duties and responsibilities are well defined. If the person's role is not clear, the application may be refused. If the person will have a managerial or supervisory role, you must state the number of staff they will be responsible for managing.

Q24-26 The skills, knowledge, experience and qualifications required for the position must be relevant to the position and not tailored to the person applying for the work permit.

If you answer 'yes' to question 26, you must provide the documentary evidence confirming that the person possesses the necessary membership or certification requirements and confirm this in 26 (b).

Q27 The positions below require additional certification or approval evidence to be attached to the application. You must tick to confirm if this is applicable and that the relevant documentation is attached.

Occupation	Additional approval or certification
Accountant / auditor	CPA, CA or ACCA designation (+ 2 years audit experience in most positions)
Attorney-at-law	approval letter from the Attorney General
Finance Industry Professional Banks, Insurance Companies, Mutual Fund Administrators, Management Companies	approval letter from Monetary Authority (CIMA)
Medical Profession I Medical Doctor, dentist, dental hygienist, dental surgical assistant, dental therapist, dental technician, osteopath (trained in USA), physician assistant, podiatrist.	approval letter from the Cayman Islands Medical And Dental Council
Medical Profession II Acupuncturist, audiologist, chiropract, chiropractor, clinical psychologist, dietician, emergency medical technician, homeopath, medical herbalist, medical laboratory technician, mental health counsellor, nutritionist, occupational therapist, optician, optometrist, osteopath, paramedic, physiotherapist, psychotherapist, radiographer, respirator therapist, speech therapist, substance abuse counsellor, therapeutic massage practitioner.	approval letter from the Cayman Islands Guild Of Professions Allied With Medicine
Nurses & Midwives Clinical Nurse Specialist, Midwife, Nurse Practitioner, Nurse Anaesthetist, Practical Nurse, Public Health Nurse, Registered Nurse, Registered Mental Health Nurse.	approval letter from the Cayman Islands Nurses And Midwives Council
Pharmacist	approval letter from the Cayman Islands Pharmacy Council
Minister of Religion	certificate of Incorporation from the Registrar of Companies
Teacher	licence from the Educational Council
Diving Instructor	certificate from the Professional Association of Diving Instructors (PADI) or National Association of Underwater Instructors (NAUI)
Plumber	Water Authority Licence
Electrician	Electrical Licensing Board Licence
Bus Driver	Public Transport Board licence for appropriate vehicle category
Boat Captain	proof of being qualified as a certified Boat Captain
Chef / Sous Chef	certificate of Culinary Arts (or higher qualification)

Q28-32 These questions ask for information on the **monthly** salary that will be paid, and any additions or deductions that will be applied, so that we can determine the person's net income.

- Please ensure all amounts are in Cayman Islands dollars (KYD)).
- If you cannot state exact amounts for Q30 and Q31, you can provide an estimate, providing this is based on factual data that can be verified if required.

Q33 If you provide accommodation for the applicant we need to know how much you will deduct from their salary. If it is free (no deduction), write 0. Please note that the accommodation must be adequate for the applicant and any dependants that will be accompanying him/her. For example, the proposed accommodation must not be overcrowded.

Q34 Please state the total normal **weekly** working hours for this position.

- Do not understate the hours. If overtime is compulsory and always worked, then this is part of the normal working hours.
- The number of working hours must comply with labour legislation.

Q35 As a good employer, you must confirm that you have taken steps to avoid the applicant being:

- unable to do the job because they have given false information about their skills, knowledge or experience; or
- refused entry at the airport, or having their TWP-S revoked due to their inability to write and speak English; or
- unable to support themselves and their family up until receiving their initial salary payment.

Q36 This checklist is to confirm that you have enclosed the correct payment, the accommodation form and a copy of the contract. If the contract has not been finalised yet, a draft copy is adequate. This question also asks you to confirm your responsibility to pay for the work permit and provide pension and health insurance coverage for the permit holder and any dependants.

IMPORTANT: It is an offence under the Immigration Law (2009 Revision) for an employer to seek or receive any monetary or other contribution from the prospective employee towards their work permit fees.

Employer declaration The information you provide on the TWP-S application form will be used to determine if the permit should be approved. If it is discovered that false information has been deliberately provided, the application will be refused, or revoked, and legal proceedings may be initiated against you.

Section 3: The Person

Q37-50 General details about the prospective worker.

Q51 If you have been married, separated and / or divorced more than once, please only provide details on the most recent. If you are married, we need to know your spouse's details.

Q51-54 This information will enable us to determine if any other Immigration rules apply to your situation that may be relevant to this application.

Section 4: The Person – Residency Information

Q55-62 These questions will enable us to verify your term limit. It is important that this information is accurate – we will check against Immigration records.

Q57 Tick the relevant box regarding how this employment was authorised. WP = Work Permit, TWP = Temporary Work Permit, Gov contract = Cayman Islands Government contract. If other, please give sufficient details (e.g. spouse of Caymanian).

Q58 This question requires you to provide details of any person that you have been a dependant of, your relationship to that person and the employer

that they worked for at the time. Also tick whether they had a work permit, or government contract or 'other' authorisation (you will need to give details if 'other') and the dates this occurred.

Q62 If you currently have an appeal with the Immigration Appeals Tribunal you must provide details.

Section 5: The Person – Current Work Permit

Q63 Your application to change employer prior to the expiry of a current work permit will usually be refused unless your employer has consented, or you have ticked one of the particular circumstances listed as being relevant. You must provide documentary evidence to verify this.

If you are leaving, or have left, your current employer due to special circumstances (e.g. victimisation), we will need to see evidence that the situation you are claiming exists. For example, statements from other employees or any other documentation that supports the claim.

Section 6: The Person – Qualifications, Skills & Experience

Q64-66 You must possess the required qualifications, skills and experience for the position.

Q64 List all of your qualifications – with the highest level first

- Notarised copies of all listed qualifications must be attached to the application.

Q65 Give details of any professional organisations that you belong to and how long you have been a member for. (For example: The Chartered Institute of Purchasing & Supply).

Q66 List all of your previous employment that is relevant to this position. You must show, at least, the last three years. If you have not been working

for three years at the time of this application, (for example due to leaving full-time education within the last three years) write '1st employer' beside the employer name with whom your initial employment commenced.

Q67

It is important for your welfare that you are able to communicate in English in order to carry out basic everyday requirements such as shopping for food and finding your way from one place to another.

If English is not your first language, you will be asked to take an English test either when you arrive at the airport, or if you are already on island, at the Department of Immigration. Any approval of this permit application will be dependent upon you passing the test.

In order to avoid the disappointment and inconvenience of having to leave the Islands, please ensure that you can speak and write basic English before submitting this, or any other, work permit application.

Section 7: The Person – Cayman Islands Connections

Q68 – 70

This section requests details of any family, or other close connections to the employer and the Cayman Islands that may be relevant to your application.

In this section, relatives include all direct family members including aunts, uncles and cousins

Q68

If you are related to the employer or any other employee of the employer, please give their details, the position they hold, and their relationship to you.

Q69

Give details if you have any other relatives living or working in Cayman apart from those named in Q68.

Q70

If you have any other close connections, either by birth or some other circumstance, please give the details here. If necessary, use the

additional space at the back of the form to fully explain your connection to this person.

Section 8: The Person – Good Character

Q71-76 The Department of Immigration is required by law to take into account the prospective worker's character and that of their dependants. It is an offence to falsify any information on this permit application.

Q71 You must submit a police clearance certificate that is dated within the last six months, unless you have already submitted one within the last six months. If you have submitted one previously, we will need to know the date it was submitted.

Q72 Please provide details on any pending criminal charges or pending, current or spent convictions you have received in any country. If you received a sentence, please provide the date it started and ended.

Q73 Please provide details if you have been, or are currently, involved in politics, (not just as a voter).

If you have held, or currently hold, a position within any political organisation, please write the title under the 'nature of activity' column.

Section 9: The Person – Medical Requirements

Q77 If you have never submitted a completed Medical Examinations form you will need to submit one with this application. If you have submitted a Medical Examinations form with a previous work permit application of any type, or as a dependant for another person's work permit application (grant, amendment or renewal), you only need to submit the part(s) that meet the renewal requirements.

The Medical Examinations Form has 3 parts:

Part	Content	To be completed by	To be signed by
1	Personal Medical Questionnaire	Applicant	Applicant & Medical Examiner
2	Medical Examination	Medical Examiner	Medical Examiner
3	X-Ray Laboratory Investigations (HIV/VDRL) Other tests	Medical Examiner	Medical Examiner

- In Part 3 of the form, the medical examiner must also supply his:
 - qualifications,
 - medical registration number,
 - the name of the registering body, and
 - his stamp / seal for authenticity

- The Medical Examination Form must be used for all Parts of the medical examination. No other medical form is acceptable.

- All of the required Parts must be completed with no omissions. The words 'not applicable' should be used for sections that are not required. *(For example: if x-rays have been provided within the last 6 years and are not required).*

- Each Part must be signed by the applicant and/or medical examiner as stated above.

Timing

- All 3 parts must be completed within the 6 months immediately preceding the date of submission of this application.

For example: if the application is submitted on 1st July 2008, the medical must have been completed after 1 Jan 2008

Medical Exemptions

- Pregnant women are exempt from the requirement to provide x-rays providing the pregnancy is confirmed by the medical examiner. If you are pregnant, and have not been able to supply the required x-rays with this application, please ensure that this is stated on the Medical Examination form. X-Rays must be provided within 60 days after the child's birth.

Medical sources not approved in the Cayman Islands

- The Immigration Department may refuse to accept a medical examination, or part(s) of a medical examination, from certain countries, if it is determined that the information contained in it may be unreliable.
- The list of countries from where a Medical Examination Form will not be accepted, either wholly or in part, is as follows:

Medical Examination Part	Unapproved Source	Required Actions
<p>3. Laboratory Investigations (HIV/VDRL tests)</p>	<ul style="list-style-type: none"> • Dominican Republic, • Haiti, • Honduras, • Jamaica, • Nicaragua 	<ul style="list-style-type: none"> • Applicants should complete an HIV/VDRL test in these countries and send the completed Medical Examinations Form to the Immigration Department with their application. • Successful applicants will have their permit approval <u>subject to</u> the completion of a HIV/VDRL test in the Cayman Islands. • On arrival in Cayman, an Immigration Officer will grant temporary permission to enter for 7 working days. • Once the tests and the relevant sections of Part 3 of the Medical Examinations Form have been completed, the applicant must submit the form to the Immigration Department within 7 days of arrival. • If the results are satisfactory, the applicant will be notified by letter that their permit is approved and their passport will be stamped for the approved duration. • If the results are unsatisfactory, the applicant will be given a report to provide to the Immigration department outlining the required treatment. The applicant will be informed by letter once a decision is made to approve or revoke the

		<p>permit.</p> <ul style="list-style-type: none"> • If the test results are not submitted within 7 days, or, if the results of the tests deem it necessary, the applicant will be informed by letter that the permit has been revoked and they will be required to leave the Cayman Islands .
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Ongoing medical requirements

- After the first permit has been granted, the applicant must continue to complete medical examinations and submit the results to the Immigration Department on the Medical Examinations Form according to the timetable below:

Medical Examination Part	Examination frequency
1. Personal Medical Questionnaire	Every 3 years
2. Medical Examination	Every 3 years
3. HIV / VDRL	Every year
3. X-Rays	Every 6 years

Section 10: The Person – Dependants

Q78-83

You must complete this section if you would like to request any dependants to be included on your work permit.

Who qualifies as a dependant?

Under the Immigration Law (2009 Revision), a dependant:

- is a person who is wholly or substantially dependent on the applicant.
- can be a:
 - Spouse
 - Child
 - Step-child
 - Adopted child
 - Grandchild

- Parent
- Step-parent
- Grandparent
- Brother or sister, or
- Half-brother or half-sister.

Salary requirements

Q79 For dependants to be added to the work permit, your gross salary, before any deductions, must be at least CI\$3500 per month for the first dependant, and a further CI\$500 for each additional dependant.

For example:

- *for 1 dependant - CI\$3500 or above*
- *for 2 dependants - CI\$4000 or above*
- *for 3 dependants - CI\$4500 or above, etc..*

Q81 If you are married, your combined salary with your spouse can be used to meet the requirements. You will need to provide evidence of your spouse's salary. Unmarried partner's salaries cannot be considered.

Q82 However, all other relevant factors will be taken into consideration when assessing your request to add dependants, such as:

- if the salary, or combined salaries, are only slightly below the minimum threshold
- if there are any additional benefits provided by the employer. *(For example: subsidised or free accommodation).*
- the age of the dependant(s) and their needs. *(For example: a baby will cause less of a financial burden than a school age child).*

Q83 For each dependant, please ensure that you complete a **Dependant Details Form (form DEP)**.

Medical Examination

All dependants over the age of 16 must complete a medical examination using the Medical Examinations Form and are subject to the same medical requirements as the permit applicant as stated above.

Good Character

All dependants over the age of 18 will be subject to the same requirements regarding being of good character as the prospective employee, as stated above.

Refusal of dependants

If a specific dependant is not allowed to be added to the work permit for any reason the applicant may request that the application can continue to be processed for other dependants that meet all of the requirements.

Applicant Declaration The information you provide on the TWP-S application form will be used to determine if the permit should be approved. If it is discovered that false or misleading information has been deliberately provided, the application will be refused, or revoked, and legal proceedings may be initiated against you.

Photographs Please provide 1 full face and 1 profile (side view) passport photograph with your name and date of birth (dd/mm/yyyy) clearly printed on the back in CAPITALS.

Thank-you for taking the time to read through these guidelines. We hope they have assisted you to complete your application. In order to improve the service that the Immigration Department can provide, please provide feedback regarding how we can improve these guidelines and the TWP-S application form to: imweb@gov.ky