Minutes of the Cross-Departmental Oversight Committee Meeting
(Atypical Workers Permission Scheme (Non-EEA Crew))
23rd July 2019

Location: Agriculture House, Kildare Street, Dublin 2.
Chair: Kevin Moriarty **(Department of Agriculture, Food and the Marine)**

Attendees: **Department of Agriculture, Food and the Marine** (**DAFM**) (Dr. Deirdre Kelleher, Brian Batt)
Department of Business, Enterprise and Innovation (**DBEI**) (Tara Coogan),
Department of Justice and Equality (**DJE**) (Aengus Casey, Kevin Kavanagh),
Department of Transport, Tourism and Sport (**DTTS**) (Michael Kennedy)**,**
Department of Employment Affairs and Social Protection (**DEASP**) (Mark Doheny)**,**

Presentation of submissions to Committee by Stakeholder Organisations

a. Prior to the commencement of the meeting of the Cross-Departmental Oversight Committee, presentations were received from invited stakeholder organisations. Those in attendance were:
Irish Fish Producers Organisation (IFPO) (Seamus Connolly, John Ward)
The Irish South & West Fish Producers Organisation (ISEPO) (Hugo Boyle)
The Irish South & East Fish Producers Organisation (ISWPO) (Patrick Murphy)
International Transport Federation (ITF) (Ken Fleming, Padraig Yeats; Jonathan Warring, SIPTU- Ethel Buckley)
b. The Oversight Committee received presentations from the ITF, the IFPO and the ISEPO. The presentations were based on the written submissions previously supplied to the Committee.
c. The Chair outlined the role of the Oversight Committee as: to oversee the operation of the Atypical Worker Scheme in accordance with the terms of the Report of the Government Task Force December 2015, and to ensure the implementation of the Mediation Agreement of 30th April 2019. The Chair clarified that matters falling outside the terms of the Scheme are outside the Oversight Committee's remit.
d. Subsequent to the presentations, the ITF raised the issue of fishers who, having missed the initial window to join the Scheme prior to July 2016, are now unable to apply for an ATypical Worker Permit. The ITF also raised the issue of records on board vessels that are to be inspected by the Marine Survey Office (MSO) and the Workplace Relations Commission (WRC), namely logbooks, payslips and records of hours worked/hours of rest.
e. DBEI outlined that since the commencement of the Scheme the WRC has inspected, on at least one occasion, 169 of the 171 vessels that fall within the remit of the Scheme.
f. The IFPO agreed that its' members were seeing a high level of enforcement of the Scheme. The IFPO also raised concerns regarding those pre July 2016 individuals who are now unable to apply for ATypical permits.
g. It was agreed by the Committee that a Progress Report on the implementation of the Mediation Agreement would be made available to all parties.
h. That concluded the presentations from Stakeholders to the Oversight Committee.

After a brief recess the Chair convened the Oversight Committee meeting.

1. **Minutes of previous meeting**

    a. The minutes of the Oversight Committee meeting held on the 25th of May 2019, circulated in advance of the meeting, were unanimously agreed.
    (*These minutes are now available on the DAFM website, as agreed*).

2. **Mediation Agreement**

    a. The Committee then reviewed the undertakings of the Mediation Agreement. DJE outlined that of the 21 commitments made under its remit, deliverables have been met regarding 13 items. Of the 8 deliverables not completed to date, 4 refer to commitments where work is on-going, where a status of "complete" or "incomplete" is not appropriate. A further 2 commitments refer to actions to be taken by 15 November 2019, where delivery within deadline is currently on target. It was noted that these deliverables involve the passing of legislation by the Oireachtas and that the timeframe for this was beyond the control of the Committee. Of the remaining 2 deliverables work has commenced and the required commitments will be met in due course.
    b. DJE outlined that in relation to point 9 of the Agreement, it is intended to not only communicate the Letter of Approval to Scheme participants in their native language but as much correspondence as possible will be translated (i.e. renewal letters; refusal letters etc.).
    c. The Chair affirmed that there are no commitments where no action has been taken to meet the agreed deliverable.

3. **Review of Stakeholder submissions and presentations**

    a. Revisiting the role of the Oversight Committee, the Chair clarified that it was not within the Committee's remit to change the terms of the Scheme, changes to the Scheme are a matter for Government. The Chair reaffirmed the position that issues that fall outside the terms of the Scheme could not be considered by the Oversight Committee.
    b. It was agreed that a Progress Report on the implementation of the Mediation Agreement, addressing many of the issues raised in the Stakeholder presentations, would be forwarded to all parties asap.
    c. It was agreed that members of the Committee would forward responses, through the Committee Secretary, regarding any specific issues raised by the Stakeholders within the remit of the Oversight Committee, falling within members' individual areas of responsibility.

4. **Next Meeting**

    a. A date of 17th September 2019 in Agriculture House, was agreed for the next meeting of the Oversight Committee.

5. **AOB**

    a. DBEI informed the Committee that it had liaised with the WRC regarding reconvening the Risk Profiling Group (RPG). The Committee agreed that it would consider the findings of the RPG report and reconvene the RPG at future date if it was deemed necessary.
    b. That concluded the business of the meeting.

Appendix 1

Atypical Worker Permission Scheme (Non-EEA Crew)

Oversight Committee Meeting

23rd July 2019

Location: Department of Agriculture, Food and the Marine, Agriculture House, Kildare Street, Dublin 2

Timeline

2.00pm – Presentations by Stakeholders to Oversight Committee.

2.45pm - Tea & Coffee

3.00pm – Meeting of the Oversight Committee

AGENDA

1. Minutes of Meeting
2. Matters Arising
3. Mediation Agreement
    - Update from all Departments on agreed actions from last meeting
4. Review of Stakeholders Submissions & Presentations
5. Next Steps
    - Next meeting
6. AOB