

■ BUSINESS

## Businesses welcome new work visa scheme

But huge backlog remains after earlier decision to centralise applications

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The government is introducing a Trusted Employer Scheme to make obtaining a work visa easier for foreign talent. Picture: 123RF

Businesses looking to hire talent from outside South Africa are optimistic about the department of home affairs' introduction of a Trusted Employer Scheme to make the process easier, but are frustrated by current backlogs in the work visa system.

This is according to Xpatweb MD Marisa Jacobs, who told Business Times businesses are still suffering from backlogs caused by a decision to centralise work visa applications at the office of the home affairs director-general.

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The decision was reversed last year and the function was returned to South Africa's embassies worldwide, but the backlogs have put a strain on businesses hoping to recruit international staff with critical and rare skills.

Jacobs said the Trusted Employer Scheme, which should be gazetted by the end of the month, aims to help big business bring talent to the country more easily.

"They want to offer those employers that are part of the scheme a more predictable migration process in the sense of documentation. Currently, depending on where you submit from, there are different documents required. They also propose shortened times of between 10 to 40 days turnaround for visa applications, which would be phenomenal."

Jacobs said the last 18 months had been the roughest Xpatweb had seen in "many, many years". She said the centralised adjudication system making embassies send applications to head office for processing had held up thousands of visas.

"The last update was that it's still over 50,000 applications that have not been adjudicated. The last update was that the department of home affairs would catch up by mid-2024, which I think is ambitious. We have seen a lot of applications processed, which is positive, but we have also seen the highest rejection rates."

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- Xpatweb MD Marisa Jacobs

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Jacobs said hundreds of Xpatweb clients were waiting for their visas and appeals to be processed, causing havoc for businesses. While home affairs granted a concession by extending visas automatically to December 2023, those who changed positions or employers would have to travel to their home countries to get a new visa.

“It’s what I would call frivolous reasons that are not accurate or per the immigration act. It’s a function of trying to clear the backlog as fast as possible, so the result is unfortunately an inaccuracy that comes with working through them too quickly, forcing applicants to appeal decisions that end up at the department of home affairs again, exacerbating the problem,” Jacobs said.

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Xpatweb had found itself taking the “legal approach” to resolve the delay in processing visa applications. She said while this was not the approach Xpatweb would usually take with the department of home affairs, it had a “massive impact”.

US immigration advisory firm Berry Appleman & Leiden said in an advisory note that the Trusted Employer Scheme would be available to only 100 companies in the pilot phase, and more companies would be included after three months.

“A company must demonstrate its financial capacity to employ a foreign national, its commitment to training programmes for South African citizens, and its status as a responsible corporate entity to qualify for the Trusted Employer Scheme,” they said.

The firm added that qualifying companies must make a R500m investment, employ at least 500 employees with 60% of them being South African, must be in a strategically important industry, have gross revenue of R35m or more, and have an existing skills transfer programme.

Once the Trusted Employee Scheme is gazetted, companies will have 30 days to apply.

Home affairs spokesperson Siyabulela Qoza did not respond to Business Times’s queries regarding the Trusted Employer Scheme, but said there were no work visa backlogs.

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