



## employment & labour

Department:  
Employment and Labour  
REPUBLIC OF SOUTH AFRICA

### **PUBLIC EMPLOYMENT SERVICES (PES), EMPLOYER SERVICES (ES). INTERNATIONAL/CROSS-BORDER LABOUR MIGRATION (ICBLM) MANAGEMENT.**

#### **1. WORK VISA APPLICATION PROCEDURE**

Work Visa application procedure by the client employer for the following work visa types as prescribed in the Immigration Regulations (*Government Gazette No. 37335 of 14 February 2014*) for which the client employer has to submit the application at the Department of Employment and Labour Provincial Office (PO).

Application for the following work visa types must be submitted at the Department's PO of the province within which the employer's enterprise site/workplace is located. The PO details appear elsewhere on this [website](#).

**In line with section 23 of the Immigration Amendment Act, 2011 (Act No. 13 of 2011) which repealed section 46 of the Immigration Act, 2002 (Act No. 13 of 2002) dealing with Immigration Practitioners, the Department effective from 1 April 2019, not accept work visa applications from the Immigration Practitioners but directly from the applicants "(employers)." *foreign nationals must never approach the Department of Employment and Labour for this service.***

#### **1.2 Work Visa types.**

- 1.2.1 General Work Visa (GWV):** Section 19; Regulation 18(3): (Form No. 1738);
- 1.2.2 Corporate Visa (Cor.V):** Section 21; Regulation 20: (Form No. 1743);
- 1.2.3 Application for renewal of existing visa (to GWV):** Section 10(7); Regulation 9(9): (Form No.1739);
- 1.2.4 Application for change of conditions on existing visa or change of status (to GWV):** Section 10(6); Regulation 9(6): (Form No.1740);
- 1.2.5 Permanent residence Permit (for a foreigner who has received an offer for permanent employment while holding a valid work visa):** Section 26; Regulation 23 (Form No. 947).

#### **1.3 Procedure.**

- 1.3.1 The client employer must register the employment opportunity with the Department by completing an "Opportunity Registration Form" provided by Dept/this service is also available online. Visit [www.labour.gov.za](http://www.labour.gov.za) click on ESSA.

**Info.:** *The Department will try to provide the client employer with the requisite skills (human resources) applied for and refer the willing, suitable, candidates, if any, to the client employer for placements;*

- 1.3.2 The client employer needs to inform the Department's office whether or not any of the referrals has been placed-**fill in the response letter provided;**
- 1.3.3 Fill in the relevant visa application form for work visa type (*Forms attached*);

- 1.3.4 Package all the requirements into one file and submit the application to the relevant PO of the Department of Employment and Labour (*Checklist attached*);
- 1.3.5 Provide the Department's PO with clear, specific contact details and enterprise physical address (*Department will visit the enterprise site/workplace for compliance verification with labour legislations any time after the visa application submission*);

**Info. Please ensure that before the application for work visa is submitted to the Department of Employment and Labour, the company/employer complies with all labour legislation.**

- 1.3.6 **Info.** Department will e-mail a '**visa finalisation notification letter**' to the client employer once a '**recommendation certificate**' has been submitted by Department of Employment and Labour to the Department of Home Affairs. (**A Recommendation Certificate is never given to the client employer**)
- 1.3.7 The client employer, on receipt of the letter in (1.3.6) above, should proceed to submit the original work visa application to the Department of Home Affairs via the Visa Facilitation Service (VFS) office (**www.vfsglobal.com**).

**NB: Never apply at VFS until the letter is received.**

- 1.3.8 **Info. Foreign national applying at a South African foreign mission abroad:** The client employer must first receive the '**visa finalisation notification letter**' and provide same to the foreign national to produce at the foreign mission when asked for a '*certificate from the Department of Employment and Labour*'.
- 1.3.9 Please note, the recommendation from Department of Employment and Labour is not appealable, therefore all appeals must be directed to Department of Home Affairs.
- 1.3.10 Applications for skills or qualifications determined to be critical for the Republic of South Africa (**Government Gazette No. 37716 of 03 June 2014**) must be directed to Department of Home Affairs.
- 1.3.11 Applications for Religious group (Pastors), Sports (Professional players) and Art & Culture (Artist) must be directed to Department of Home Affairs. The Department of Employment and Labour has no jurisdiction on the sector.
- 1.3.12 Work visa applications from government/public schools must first obtain a letter from Provincial Head of Basic Education prior to submitting to the Department of Employment and Labour.
- 1.3.13 **Info.** The turnaround time for Department of Employment and Labour to process a work visa application is 30 working days.
- 1.3.14 All work visa enquiries must be directed to [Pes@labour.gov.za](mailto:Pes@labour.gov.za) or [Nonhlanhla.Ngwenya@labour.gov.za](mailto:Nonhlanhla.Ngwenya@labour.gov.za)