



Changes in the Work permit application process

Following the administrative and policy changes recommended last month, the Government of Kenya has directed that all foreigners wishing to work in Kenya should have a work permit approved and issued before they can travel to take up their assignment in the country.

The process

Currently, an employer could make a work permit application, and the employee was allowed to travel to Kenya, and work (through a special pass) as their work permit was being processed.

The proposed change to the process is that the employer puts in the application on behalf of the employee, while the employee is in their home country, through their Kenyan office and submits it to immigration for processing. Once

the application has been processed, approved and the work permit issued, then the employee can travel to Kenya to take up their position.



These changes also affect individuals renewing their work permits, who will be required to travel back to their home country and wait for the issuance of the document.

The Cabinet Secretary, further directed the authorities to arrest those foreigners waiting to be issued with a work permit and are already working. They would be required to travel to their home countries and await the approval and issuance of the work permit

Implications

01. The process change will also affect dependants of the principal, especially in the case of the work permit renewal, which might require to be done when the individual is out of the country.
02. In this case, if the individual is forced to travel out of the country, to await issuance of their work permit, then the dependants may also be required to travel as their passes will not be valid until the renewed permit is issued.
03. To mitigate the above, it is advisable to start the work permit renewal process at least 4 months before the expiry of the work permit, to ensure that the employee remains in the country, while the process is ongoing, and to also ensure that their dependants have valid status to be in the country.

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