Resident Labour Market Test Checklist for new appointments- Exemptions and Advertising

The Resident Labour Market test is in place to ensure that employers recruit from the settled labour market where possible.

Unless an exemption applies, the conditions set out below for the Resident Labour Market Test must be met. If the conditions are not met it will not be possible to issue a Tier 2 Certificate of Sponsorship.

Resident Labour Market Test	
Note: In certain situations the RLMT is not required, however posts that are exempt	
may still need to be advertised for a minimum of 2 weeks to meet University policy.	
Does one of the following exemptions apply:	Yes (go to
Shortage Occupation (list available at	Section 1a)
https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-	No (go to
k-shortage-occupation-list)	Section 1b)
Switching from a Student Tier 4 Visa	
Named Researcher	
High Earner, ie over £159,600 or above	
Section 1 a Resident Labour Market Test Exemptions:	Please ✓
1. Shortage Occupation	
a. Evidence required demonstrating:	_
 why the job needs someone with the required experience and it could not be carried out by someone with less experience 	
ii. how the University would expect a settled worker to gain this	
experience before being appointed to the post.	
b. References from the individual's past employer(s) detailing the required	
experience	
c. The individual must be working a minimum of 30 hours per week	
d. The individual must be paid the "experienced worker" rate	
The latest version of the shortage lists and specific criteria:	
https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-k- shortage-occupation-list	
2. Switching from Tier 4	
a) documentation confirming that they have received final results confirming	
they have passed and will be (or have been) awarded:	
A UK recognised Bachelor or Postgraduate degree, or	
A UK Postgraduate Certificate in Education, or	
 Completed at least 12 months study in the UK towards a UK PhD 	
3. Named Researcher	
a) The individual must be named on a grant and we must have details of the	
competitive process	
4. High Earner	
a) The individual is earning over £159,600 or above	
Other routes listed in the UKVI Guidance, eg Tier 1 (Graduate Entrepreneur)	
Further information available in guidance at:	
https://www.gov.uk/government/uploads/system/uploads/attachment_data/fil	
e/616206/Tier_25_guidance_05-2017.pdf under the 'Resident labour market test'	
section	

Section 1b: Resident Labour Market Test Advertising		
Has the post been advertised within the last 6 months (or 12 months for PhD level posts)?	Yes/No	
Notes: If no, the RLMT will no longer be valid and the post must be re-advertised.		
Was the post advertised for a minimum of 28 calendar days using at least 2 methods, including Jobcentre?	Yes/No	
Notes: 2 websites will be accepted, eg UoE website, Jobcentre, jobs.ac.uk, national newspaper,		
professional journal. Must include JobCentre for all posts except PhD level roles or those with		
salaries over £73,900.		
Have screenshots of the appropriate adverts been taken at the right time	Yes/No	
Notes: Screenshots must be taken on the day the vacancy was first advertised or if the advert		
contains the date the vacancy was posted, during the advertisement period?		
Do the screenshots clearly show all the following:	Yes/No	
Name of website		
• Contents of advert, eg job title, location of job, duties and responsibilities,		
required skills and experience, salary range		
 Url where the advert could be located on the web 		
Closing date for applications		
For JobCentre adverts does it also show:		
• Logo		
Vacancy Reference number		
Letter/invoice from external website where the website did not refer to UoE to	Yes/No/NA	
prove the advert was placed.		
Head-hunter brief, contract, adverts, invoice	Yes/No/NA	

Further guidance is available from your local HR team