

REQUIRED DOCUMENTS AND PROCEDURES FOR  
THE EMPLOYMENT OF FOREIGN WORKERS  
FOR CONTINUING FAMILY HOME CARE

**The “care help desk” has been established at the  
Territorial Domestic Care Service**

The Territorial Domestic Care Service is available to provide all kinds of information relating to employment and care. Should you have any questions, you can also contact **the following number 0549.883119**

The Territorial Domestic Care Service is located *in Via Saffi n. 6 Borgo Maggiore* -opening hours from **8.30 a.m. to 12.30 p.m. from Monday to Friday and two afternoons** per week, on Monday and Wednesday, from **1.30 p.m. to 5.00 p.m.**

The Territorial Domestic Care Service (hereinafter referred to as TDCS) collects all the documents listed hereunder, and manages the relevant file which, once completed, is transmitted to the Labour Office for the issuance of the work permit.

**Before contacting the TDCS,  
workers are required to show up at:**

a) the Foreigners’ Office of the Gendarmerie- *located in Borgo Maggiore, Tavolucci Centre, via 28 Luglio* - with their original passport and a copy of valid visa if required.

**The Foreigners’ Office will deliver all documents required to prepare the file** (Labour Office Form 001 – yellow folder; Provisions on entry and stay in the Republic of San Marino).

The Foreigners’ Office will carry out a preliminary check by applying a first stamp to the yellow folder to validate the check;

b) the Court of the Republic of San Marino- *located in the same Tavolucci Centre* -to request the criminal records and the certificate of pending charges or equivalent certificates translated in Italian.

Within about 15 days, the Court will contact the person concerned to collect the certification requested.

**Once the above-mentioned documents are obtained, the  
person concerned is required to start:**

- Procedure 1 in case of first employment;

- Procedure 2 in case of subsequent employment with the same assisted person or if the assisted person is a patient of the TDCS.

**Procedure 1 - employers/assisted persons submitting for the first time an application for the employment of a private caregiver are required to go to:**

- a) their attending medical practitioner to request a certificate attesting the assisted person's dependency on care, as well as medical certificates of the psychophysical conditions of the assisted person and rating scale of the levels of independence of the assisted person;
- b) the TDCS, with ALL the documents specified above (*produced by the Gendarmerie, the Court and the attending medical practitioner*), in order to complete the file.

**Procedure 2 - employers/assisted persons who already applied for the employment of a private caregiver or patients of the TDCS applying for a new work permit are required to go:**

- a) directly to the TDCS, with the above-mentioned documents (*produced by the Gendarmerie and by the Court*). The TDCS will assess and deliver the documents required for the completion of the file.  
ONLY IF NECESSARY, the TDCS will refer the employer to the Healthcare Centre to request the updated medical certificates of the assisted person.

**MEDICAL EXAMINATION FOR THE ISSUANCE OF THE  
CERTIFICATE OF PHYSICAL AND MENTAL FITNESS  
OF THE CAREGIVER**

**The Territorial Domestic Care Service:**

- a) schedules a medical examination for the issuance of the certificate of physical and mental fitness of the caregiver - the costs of the first examination (*pre-employment examination*) and tests according to the Health Protocol are equal to **€183.00** for men and **€200.00** for women. Further costs may arise in case of in-depth examinations required by the practitioner. For private caregivers undergoing the first examination, a blood test is scheduled on Friday of the week in which the application is submitted, while the examination is scheduled for the following Monday;

The certificate attesting work fitness, issued as a result of the medical visit, is released by the Social Security Institute - Primary Care and Territorial Health Unit.

*The certificate is issued directly to the person concerned and is faxed to the TDCS.*

In order to complete the file, employers or private caregivers are required to submit, *as soon as possible*, to the Direction of Primary Care Unit, the certificate of vaccination issued by their country of origin.

## **ANNUAL RENEWAL OF THE MEDICAL EXAMINATION**

The cost for the annual renewal of the medical examination is € 25.00 (periodical examination) if there is a health care coverage; the annual renewal visit shall be booked within 30 days before the date of expiry of the certificate of the previous year and shall be preferably performed after returning from the country of origin.

**N.B.** The cost of the annual renewal of the medical examination is € 25.00 only if the medical coverage is still effective.

## **ISSUANCE OF TEMPORARY WORK PERMIT**

### **The Territorial Domestic Care Service:**

- a) examines the above mentioned documentation (and a stamp will be affixed to the yellow folder for validation), which will be sent to the Labour Office to complete the file.

**The Labour Office will issue ex officio the temporary work permit**, in accordance with the relevant rules on foreigners' stay in the Republic of San Marino, without prejudice to the issuance of a certificate of physical and mental fitness of the caregiver and the final assessment by the Gendarmerie.

The temporary work permit **will be sent directly to the caregiver and to the employer.**

The work permit is issued for full-time and temporary employment. The permit shall start running from the date when the certificate of mental and physical fitness is issued by the SSI or from the date laid down in the employment contract, which in any case cannot be earlier than the date of issuance of the certificate of fitness, for a maximum of one year (twelve months of continuous employment). Upon expiry of this period, the contract may be renewed under Article 9 of Law No. 118 of 30 July 2015, within a maximum period of thirty days. After three continuous renewals, the permit is considered as interrupted and the person concerned must submit a new application.

## **ISSUANCE OF TEMPORARY STAY PERMIT**

After obtaining the work authorisation, the caregiver must immediately - and in any case **no later than 20 working days** - show up at the Foreigners' Office to get the temporary stay permit.

If the caregiver's visa expires during the period when the stay permit for temporary employment has already been authorised, the caregiver shall apply for an extension of the visa to the Embassy of Italy in San Marino.

## **RENEWAL OF THE WORK PERMIT**

**The application for the renewal of the work permit must be filed on the appropriate form and submitted to the TDCS,** which will send it to the Labour Office, after verifying that the necessary\* requirements are still fulfilled.

The work permit expires on the same date of expiry of the medical examination.

- The Labour office authorises the renewal of the work permit in accordance with the relevant rules on foreigners' stay in the Republic of San Marino.

\*Renewal is bound to:

- a certification of the caregiver's physical and mental fitness;
- the absence of negative written reports related to the caregiver's conduct and/or professionalism.

### **TRANSFER OF THE CAREGIVER TO ANOTHER ASSISTED PERSON**

The caregiver's transfer to an assisted person other than that for which the work permit was issued, will take place provided that that the caregiver:

- is registered in the list of available caregivers;
- has given notice thereof, by registered letter, to the family by which he/she is employed and to the TDCS, for its information, at least 15 days before (*if the employment relationship has not been interrupted for reasons not attributable to the worker*).

The transfer application requires that a new work permit is to be issued for the remaining period. **The application must be filed on the appropriate form and submitted to the TDCS**, which will send it, after some verifications\*, to the Labour Office.

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### **TRAINING COURSE AND HOME TRAINING SUPPORT ACTIVITIES**

The Domestic Care Service will provide the caregiver with training support activities at the assisted person's home, at the request of the employer.

The training obligation will be deemed as fulfilled if:

- the caregiver already holds internationally recognised qualifications, translated into Italian, to practise in the field of healthcare or social care;
- if any family member of the assisted person, holding qualifications in the health care and social healthcare sector, is able to train the caregiver;
- if the caregiver has successfully attended a basic training course lasting 20 hours.

If the caregiver has participated in home training activities, the TDCS must assess whether further training activities related to the assisted person's needs are required. The cost of the course and of the home support activities are to be paid by the caregiver and the employer accounting for 50% each.

## **INDIVIDUAL EMPLOYMENT CONTRACT**

Pursuant to Delegated Decree No. 1 of 13 January 2016, "Measures in favour of the elderly and of dependent persons with disabilities and rely on continuing care", an individual employment contract to provide continuing care to dependent people should be concluded.

The specimen of the individual employment contract will be available on-line through the procedure for processing the payslip and for direct debit. This contract shall be either filled in directly by the contracting parties or with the support of the TDCS or trade unions.

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### **Documents to be provided by assisted persons:**

- self-declaration of personal data and family status or copy of the ordinary stay permit or of the stay permit for parents;
- medical certificate of care-reliance; medical certificate describing the assisted person's physical condition and a scale for assessing his/her levels of independence– (issued by the general practitioner);
- yellow folder (Office of Labour Form 001) issued by the Foreigners' Office and duly completed (employer's commitment – with self-declaration - to conclude an individual employment contract and declaration of actual residence of the caregiver at the assisted person's address), as well as commitment to undergo verifications of the skills necessary for care work and willingness to let the caregiver participate in training courses, if necessary;
- signing of the "Provisions on entry and stay in the Republic of San Marino" issued by the Foreigners' Office;

### **Documents to be provided by caregivers**

- personal data including a copy of the passport and, for foreign citizens from a non-Schengen country, a copy of valid visa (issued by the Italian Embassy in the country of origin);
- criminal records and certificate of pending charges or equivalent certificates issued by the Court of San Marino, as well as criminal records and certificate of pending charges issued by the country of origin, translated into Italian;
- educational qualifications and/or professional certificates translated into Italian, for any possible exemption from the training course;
- certificate of physical and mental fitness issued by the SSI - Primary Care and Territorial Health Unit;
- certificate of vaccination issued by the country of origin, to be delivered to the Primary Care and Territorial Health Unit;

- yellow folder (Office of Labour Form 001) issued by the Foreigners' Office and duly completed (caregiver's declaration of domicile at the assisted person's address),
- signing of the commitment to participate in the training course;
- a written commitment to undergo verifications of the skills necessary for care work.