



Employing Overseas Staff

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Department of Immigration and Border Protection – (DIBP)

- Sponsored skilled Visa
 - 457 Skilled Visa

- Non Skilled Visas
 - 417 Visa (Backpacker)

ANZSCO

Australia and New Zealand Standard Classification of Occupations

- Australian Bureau Statistics
- Skilled defined
- Skill level assigned by ANZSCO
- Any occupation between skill level 1 - 3 is ok for “skill migration” program

Dairy Industry Occupations

- 121313 - Dairy Cattle farmer (Skill 1)
- 121411 - Mixed Crop and Livestock farmer (Skill 1)
- 311111 - Agriculture Technician (Skill 2)
- 399999 -Milking Machine Technician (Skill 1)
- 234711 – Veterinarian (skill 1)
- 361311 – Veterinary nurses (skill 3)
- Other Occupations
- 841512 – Dairy Cattle Farm Worker (Skill 5) No visa available for this worker (daily operational tasks)

Employer Sponsored visa options

Temporary Work (Skilled) 457

Regional Sponsored Migration Scheme (RSMS) 187
(permanent employment sponsored visa)

Subclass 457 Visa's – Skill level 1

- Work in Australia for a period of up to four years
- Can change employers, providing the new employer is an approved sponsor
- Travel in and out of Australia as often as they like.
- Bring any eligible family members who can work and study with them in Australia
- Can apply for an additional 4 years.

How do I use the program?

There are three steps to sponsoring an overseas skilled worker on a 457 Visa.

- 1. Sponsorship (takes about 2 – 3 months) Once you are approved you need to re apply again in three years time. (cost \$420 as at November 2013)*
- 2. Nomination – what is the job in your business you are trying to fill (Must meet certain requirement including ANZSCO)*
- 3. Visa Application*

**How much does the visa holder have
to be paid? Market Salary Rates**

The Temporary Skilled Migration Income Threshold (TSMIT)

- is a threshold which ensures that overseas workers will earn enough money to be self reliant while in Australia.*
- The TSMIT is currently set at **\$53,900**.*
- This is the base pay rate and does not include allowances including super. They will need to pay their own health insurance and education fees for their children etc.*

Training Benchmarks

Sponsors must meet one of the following:

Benchmark A

- *Recent expenditure, by the business, to the equivalent of at least 2% of the business payroll. Payment is allocated to an industry training fund such as Dairy Australia (NCDEA).*

Benchmark B

- *At least 1% of the payroll of the business, towards training of Australian citizens in the business.*

Sponsor Obligations:

- Ensure equivalent terms and conditions of employment
- Ensure the worker participate in the nominated occupation
- If requested in writing, pay travel costs for sponsored persons and family members to leave Australia to their country of citizenship.

Sponsor Obligations continued...

- Continue to meet training benchmark
- Notify the department of changes or events
- Keep records
- Provide records and information to the Minister/departments
- Cooperate with inspectors
- Pay costs incurred to locate and remove unlawful non citizen

Permanent Nomination Migration Scheme (Subclass 187)

Permanent Sponsorship – Streams (options)

There are three employer sponsored streams

1. *Temporary Residence Transition Stream*

For subclass 457 visa holders (temporary visa) who have worked for their employer in the nominated position for the last two years and the employer wants to offer them a permanent position that matches, or closely aligns with their subclass 457 occupation.

2. Direct Entry Stream – more risk (pathway to residency to Australia)

Is for applications who are in Australia and do not hold a subclass 457 visa or have not held a subclass 457 for the last two year or who are applying directly from overseas.

3. Agreement Stream – not available

Obligation of Visa Applicant

- Less than 50 years of age, unless exempt
- Skills are not assessed – they are assessed at the 457 stage
- Evidence of registration or licensing not required in dairying
- Vocational English test, unless exempt (defined out of possible score of 9 need to achieve 5) Written, speaking reading and listening (IELTS test).

Regional Certifying Body – assessment guidelines:

- *Genuine need for a paid employee in a business operated in a regional or low population growth of Australia*
- *Terms and conditions of employment are the same as those that would apply to an Australian citizen or Australian permanent resident performing the same work in the same location*
- *The nominated position cannot be reasonably filled from the local labour market*

Working Holiday (417 Visa) better known as the backpacker visa

- Working limitations: 6 months with one employer (per visa)
- A second working holiday visa may be available
- Does “specified work”
- For a minimum of 3 months (88 days)
- In a designated area of regional Australia

Hiring Legal Workers – VEVO

- *VEVO is free, online facility that allows an organisation to check the visa entitlements of a visa holder*
- *The most common user of the system are employers and labour supply companies to confirm a visa holders entitlement to work in Australia.*

Department of Immigration and Border Protection contact details:

***National Farmers Federation Industry Outreach Officer
(only until 30 June 2014)***

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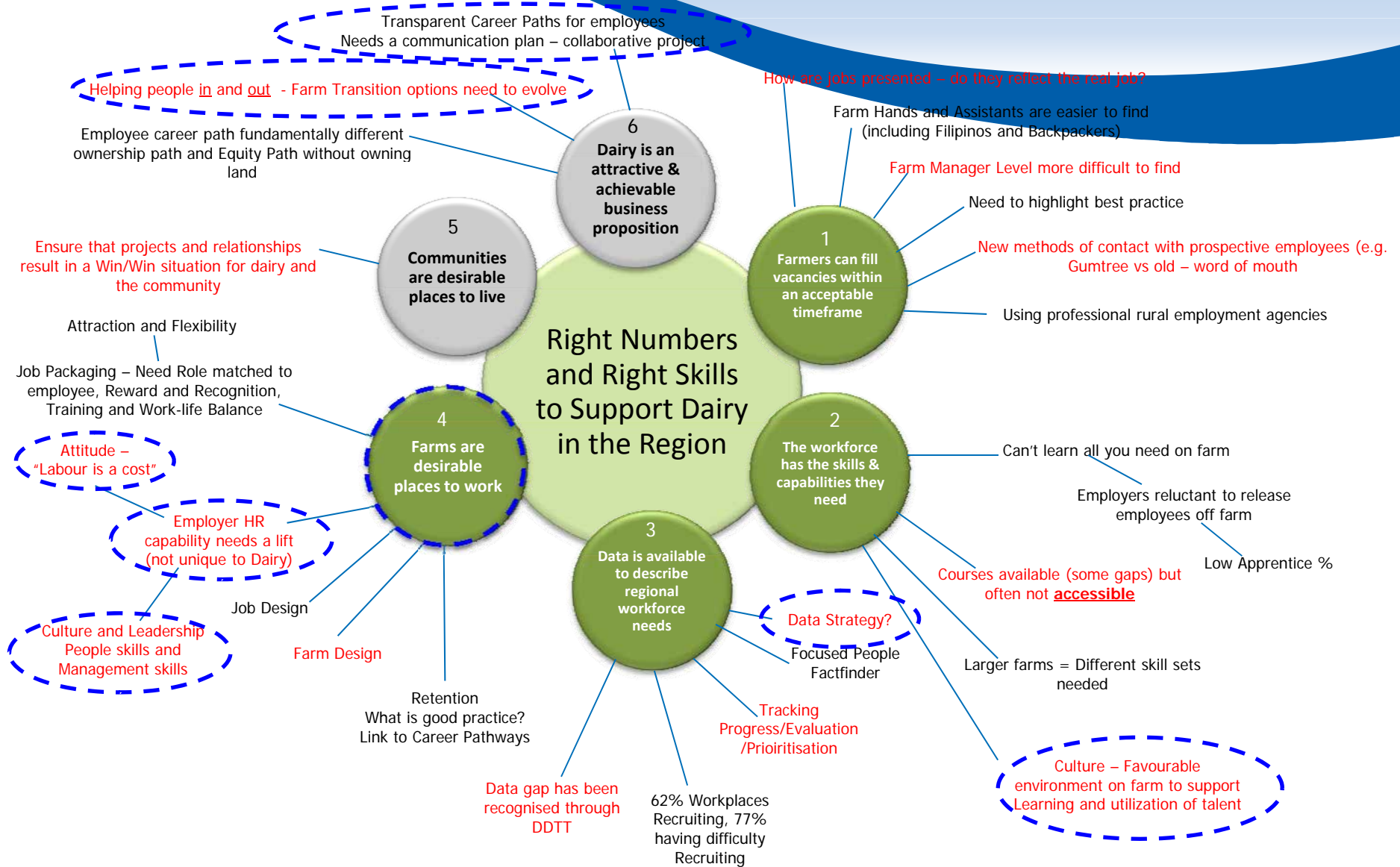
Labour Agreement

Workforce Planning and Action

Current projects

Shane Hellwege

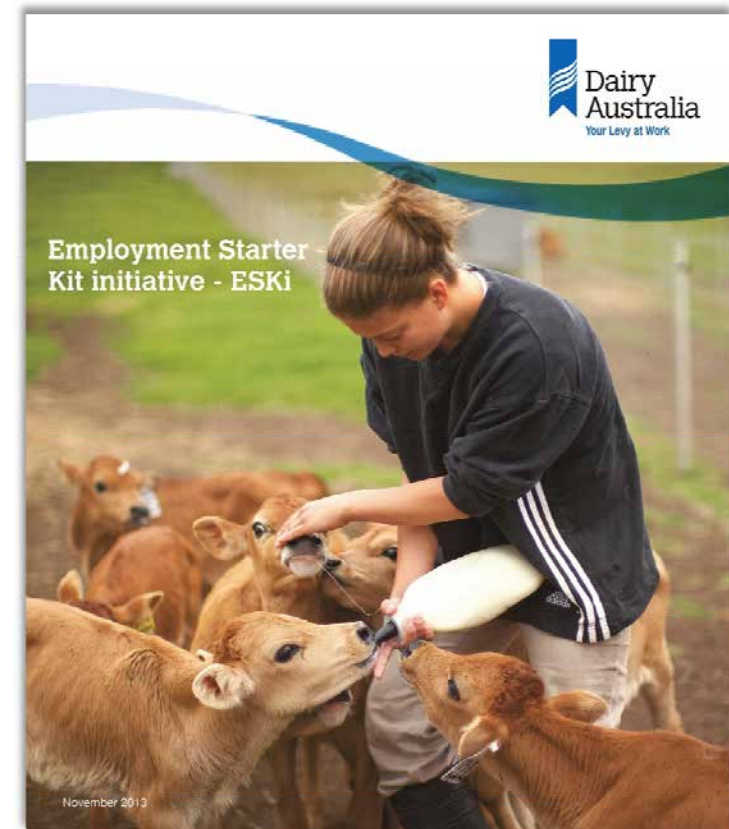
Farmer Feedback for Collective Action on Regional Workforce Planning and Action Dairy Australia



Employment Starter Kit initiative

ESKi

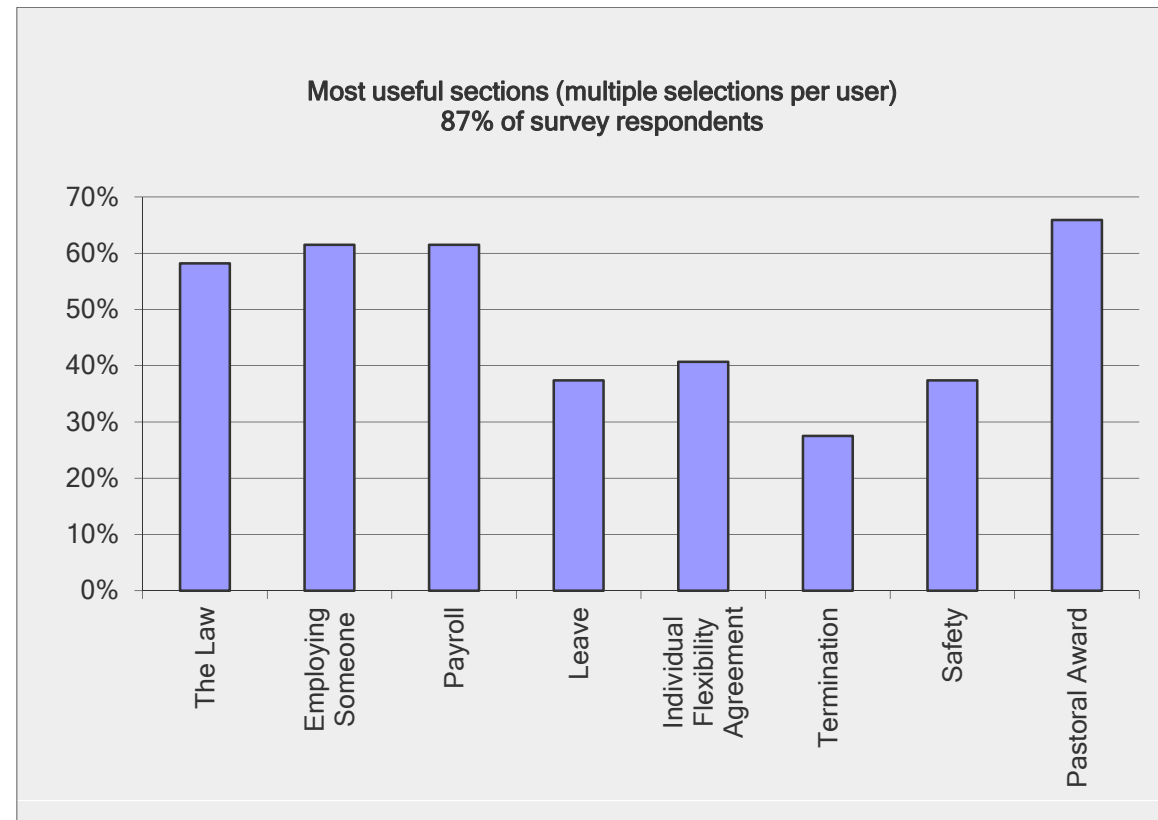
- The law
- Employing someone
- Payroll
- Leave
- Individual flexibility agreements
- Termination
- Safety
- Pastoral award



ESKi user survey

Key findings

- 78% of respondents have used their ESKi
- 86% indicated the ESKi has helped to improve their employment practices



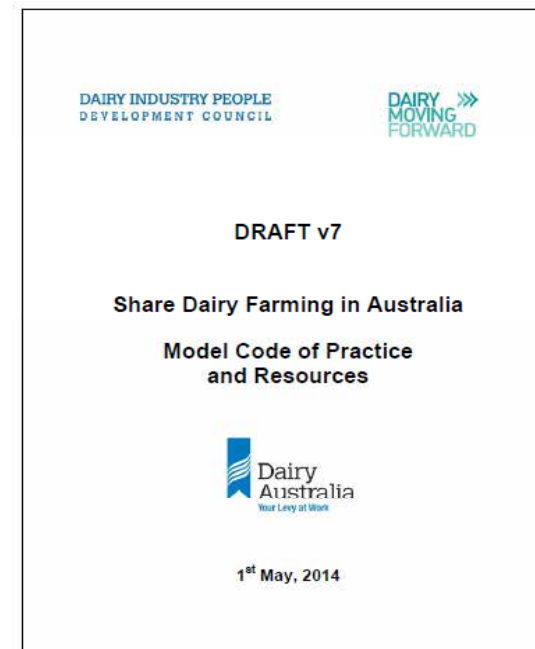
Stepping Stones

- *Career pathways*
- *New or current employees*
- *Stepping Up*
- *Stepping Out*



Dairy Share Farming - Model Code of Practice and Resources

An overview of features of fair and equitable arrangements and relevant Australian workplace laws.



Share dairy farming in Australia

Model Code of Practice

The industry-agreed approach to building successful share dairy farming arrangements

Is the arrangement fair and affordable?

Tool [1] Calculator

Is it share farming from a legal perspective?

Tool [2] Test Guide

What should the parties discuss?

Tool [3] Checklist

What should be in the written agreement?

Tool [4] Agreement





Thank you