

13 September 2012



Committee Secretary  
Senate Education, Employment and Workplace Relations  
Committees  
PO Box 6100  
Parliament House  
Canberra ACT 2600

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Dear Mr Tim Watling

Please find attached a submission from the Electrical Trades Union of Victoria on the Submission on Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012. We strongly support the endeavors being made by Mr Bandt in the Bill to give Australian residents an equal opportunity to apply for jobs in Australia.

The Victorian ETU is acutely aware that Victorians are not being considered for positions inter-state, because alternative, free, recruitment arrangements have been established by the federal government to fast track overseas electrical workers.

Victorians are also at a disadvantage, because neither the State or Federal governments have established, invested in or supported the infrastructure for fly in and fly out workers inter-state. Unlike the New Zealand government which has been committed to the development and taxpayer support for the aviation industry hubs to facilitate its workers to fly in and out into Australia.

In short we support

- A requirement for employers to advertise jobs in the local labour market before obtaining an EMA;
- a local jobs board to list available jobs in the resources sector;
- a requirements for employers who use EMAs to train and prioritise employment for locals, recently retrenched workers and other groups with high unemployment rates;
- the placement of conditions on an EMA participant employer by the Minister to contribute to training for

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Australian residents other than those employed under the EMA; and

- the tabling of an EMA in Parliament as soon as practicable after it is made
- broaden the scope of the bill to regulate all types of work agreements

We are also strongly supportive of the proposed amendments to expand the conditions for EMA's to other types of overseas skilled migration visas. We note however, that some of those visas may not be captured by the amendments.

In addition to the proposed amendment we seek some strengthening of the requirements to ensure that Australians are placed on an equal footing to overseas applicants.

**TROY GRAY**  
**ASSISTANT SECRETARY**

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## **SUBMISSION ON PROTECTING LOCAL JOBS (REGULATING ENTERPRISE MIGRATION AGREEMENTS) BILL 2012**

The ETU supports the Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012, with some minor amendments which would better address the issue of displacing jobs for Australian residents.

It is understood that the intent of the Bill is to ensure that Australian workers are entitled to first option of employment in Australia, before overseas workers are recruited for vacancies.

In its current form the Bill protects only a marginal number of jobs which are recruited on Enterprise Migration Agreements.

The first amendment which we believe is necessary for the Bill to achieve its aims, is to broaden the categories of work visas that need to meet the Bill's requirements.

### **CONDITIONS FOR SPONSORING MIGRANT WORKERS – TO BE CONSISTENT ACROSS SKILLED VISAS**

As the Government is aware, the majority of employer or State sponsored overseas workers, are not engaged under Enterprise Migration Agreements.

The additional skill sponsored migration visa's which need to be included are:

- Skilled - Nominated (subclass 190) visa
- Employer Nomination Scheme (subclass 186)
- Regional Sponsored Migration Scheme (subclass 187)

### **ADVERTISING JOBS**

Advertising' jobs in itself is insufficient to demonstrate that there are not people in Australia ready, willing and able to undertake the work.

As was demonstrated in the Roy Hill example, Roy Hill received a large number of inquiries in response to their initial advertisement, only to be unilaterally rejected by the company. The companies public claims that 'people were not prepared to move' was obviously not demonstrated.

### **'JOBS BOARD'- TO BE CONSISTENT WITH SKILL SELECT – FREE SKILLS DATABASE AND EMPLOYER RECRUITMENT TOOL**

A key amendment which is required to ensure that Australians are given an equal opportunity to apply for jobs in Australia, is that the Australian Government establish a skills database and free recruitment search and engagement.

Currently, the 'jobs board' proposal still does not meet the level of support for recruitment that is provided by the federal government, for employers to recruit overseas workers.

The amendment would require the government to provide a skills database for jobseekers and recruitment services which are consistent with **the free service** which is provided **to employers and overseas job seekers** by Skill Select.<sup>1</sup>

The amendment should reflect that no greater subsidy should be provided to employers to recruit overseas workers – than Australian workers.

## FAIR PLAYING FIELD FOR VICTORIAN ELECTRICAL WORKERS

The Victorian ETU is acutely aware that Victorians are not being considered for positions interstate, because an alternative cheaper recruitment arrangements have been established by the federal government to fast track overseas electrical workers.

The government's own statistics on interstate migration demonstrate that there are more overseas workers recruited to work in WA and Queensland, than Victorian workers.

There is nothing to encourage inter-state employers to seek Australian electrical workers. On the contrary, the federal government is demonstrating its willingness to de-regulate national qualification standards, to allow employers to recruit overseas workers instead. This is being achieved by:

- A 'national licensing' framework which proposes to reduce acceptable training, qualifications and standards so that less qualified and experienced electrical workers can work in Australia.
- Removing any requirement for English language competency for electrical workers
- The development and sponsorship in overseas 'jobs fairs' of a 'fast track assessment' for electrical workers
- The reduction in migration 'points requirements' in 2012
- The increase in 2012 in the 'capped number' of overseas electrical workers who can be sponsored
- The introduction of 19 countries from which lower skills assessment of electrical workers has been accepted.

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<sup>1</sup> <http://www.immi.gov.au/skills/skillselect/>