



Australian Government

Department of Education, Employment and Workplace Relations

Our Ref: DEEWR SUPP SUBMISSION

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

Dear Committee Secretary

Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012

The Department of Education, Employment and Workplace Relations appreciated the opportunity to appear at the 25 October 2012 public hearings for the Senate's Inquiry into Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012.

The Department has reviewed the Hansard Report for these public hearings and advises the following statement on page 31 should be ascribed to Mr Anthony Parsons and not Mr Mark Roddam: "My understanding—and I might be wrong—is that Mr Kukoc said that it was done by at least a tripartite committee of government departments; it was not one."

The following response is provided to the Question on Notice on DEEWR skill shortage research, with supplementary information provided on the use of the Resource Sector Jobs Board (the Jobs Board) for Enterprise Migration Agreements (EMAs).

DEEWR Skill Shortage Research

DEEWR conducts ongoing research to identify skill shortages in the Australian labour market. The focus is on skilled occupations (that is, those which generally require at least three years of post-school education or training). This research covers in excess of 100 skilled occupations, mainly in the professions and trades.

The research results identify occupations where skill shortages are evident or emerging in the Australian labour market, but do not quantify skill shortages because of the limited sample sizes of the surveys:

- the core of the research is a methodology based on *surveying a sample of employers who have recently advertised vacancies* for selected skilled occupations to discuss their skill needs and recruitment experiences, and to identify whether they are able to recruit suitable workers for their positions;
- industry intelligence is considered in tandem with statistical information on demand and supply trends, such as industry activity indicators, training data, graduate employment outcomes, wastage and vacancy trends;
- consultation with key industry associations is undertaken to verify the findings of the research.



Results of the DEEWR skill shortage research are published at www.deewr.gov.au/skillsshortages and are considered in a range of education and training policies and programs. While this research—along with a range of other information—is considered by the Australian Workforce and Productivity Agency as part of its annual advice to the Department of Immigration and Citizenship (DIAC) on the composition of the Skilled Occupations List (SOL) for the permanent General Skilled Migration program), DEEWR skill shortage research is not considered in the settings for the temporary business (subclass 457) program.

Use of the Resource Sector Jobs Board for Enterprise Migration Agreements

The Australian Government is committed to ensuring that Australian job seekers are the first to benefit from investment in the resource sector. This commitment is reflected in a requirement for EMA project owners to demonstrate their workforce needs cannot be met from the Australian labour market and for project owners and companies to place vacancies in occupations covered by EMAs on the Jobs Board.

The EMA process also requires project owners and companies to provide DIAC with regular monitoring reports which, among other matters, will include information on use of the Jobs Board. For example, companies using EMAs will be required to maintain vacancies on the Jobs Board and report on their consideration of Australian applicants for available positions. This requirement will be contained in the Deed of Agreement and Work Agreements between the Minister for Immigration and Citizenship and the project owner and companies.

The EMA process also provides for coordinated monitoring of EMA project sites by DIAC, the Fair Work Ombudsman (FWO), Fair Work Building and Construction (FWBC), and relevant State and Territory work health and safety authorities.

To support these monitoring arrangements, the FWO and FWBC will establish a dedicated email address for—and undertake priority processing of all—complaints relating to alleged breaches of Fair Work Act on resource project sites where EMAs are in use.

I trust this information is helpful to the Committee.

Yours sincerely



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