



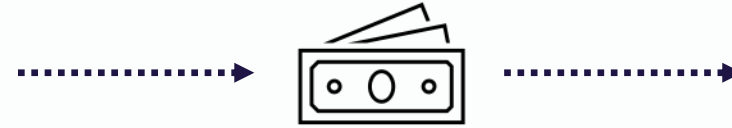
Skilled visa pathways for carer roles - Aged Care Industry Labour Agreement



How we are building the aged care workforce

A wage increase for aged care workers

The Government is investing **\$11.3 billion** to fund the Fair Work Commission's decision of a 15% increase to the award wages for many aged care workers to take effect 30 June 2023



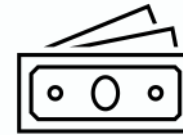
Aged Care Registered Nurses' Payment



A Registered Nurse has worked with the same aged care provider for either six or 12 months



Providers apply for payments on behalf of their Registered Nurses



Registered Nurse receives up to \$3,700 with additional funding available for working in rural/remote settings, holding postgraduate qualifications, or providing additional leadership or training



Home Care Workforce Support Program



Six organisations/consortia are supporting home care providers to attract, retain and train workers



Promote and raise awareness of aged care career opportunities



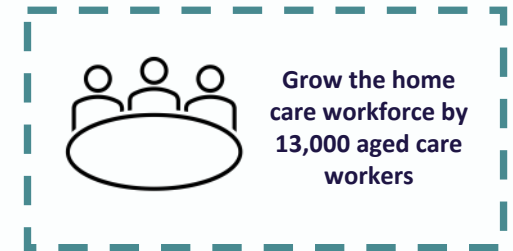
Screen potential workers for the right skills and attributes



Support access to training



Support new workers to complete training and upskill the existing workforce



Aged Care Industry Agreement

Creates employer sponsored visa pathways for carer roles in aged care

- Aged and Disabled Carer
- Nursing Support Worker
- Personal Care Assistant

Tripartite approach, underpinned by a Memorandum of Understanding

- Expanded labour market testing
- Vetting and ongoing engagement with aged care provider

Developed in consultation with:

- Department of Health
- Department of Employment and Workplace Relations
- Department of the Prime Minister and Cabinet

Employers' guide



STEP 1: Negotiate MoU with union/s

- Contact the relevant union/s to begin negotiating a Memorandum of Understanding (MoU).
- For more information contact the relevant union directly through their website: [Health Services Union](#), [United Workers Union](#) and [Australian Nursing and Midwifery Federation](#).
- You can also find links to unions' contact details on the [Department of Home Affairs website](#).



STEP 2: Request access to aged care ILA

- After establishing an MoU with the relevant union/s, employers use [Imm Account](#) to request access to the Aged Care Industry Labour Agreement.
- Select 'company specific labour agreement' in your Imm Account the Department will soon update this list to include 'Aged Care Industry Labour Agreement'.
- Provide the MoU as part of the labour agreement request. The Department will check the MoU with the union.
- The Department assesses your request and will let you know the outcome.



STEP 3: Lodge nominations

- Once your Aged Care Industry Labour Agreement access is approved, you can nominate overseas workers under the [Temporary Skill Shortage visa \(subclass 482\) Labour agreement stream](#) and [Employer Nomination Scheme visa \(subclass 186\) Labour Agreement stream. Nominations will be fast tracked.](#)
- Once you have nominated a potential employee for a position, they can lodge their visa application, which will be given priority processing.
- The visa applicant can start working for you once the visa has been granted.

CONCESSION / ISSUE	With a Memorandum of Understanding (MoU) with the relevant union/s
Occupations	423312 Nursing Support Worker; 423313 Personal Care Assistant; and 423111 Aged or Disabled Carer
English	For standard care providers: IELTS 5.0 (or equivalent) with minimum component scores of: 5.0 for speaking and listening and 4.5 for reading and writing Culturally and linguistically diverse (CALD) care providers: IELTS 4.5 (or equivalent) with no component minimum, provided the migrant is fluent in the target CALD community language
Salary	AUD51,222 (currently equivalent to 95 per cent of TSMIT) or the Australian Market Salary Rate for the position, whichever is higher
PR Pathway	Subclass 186 (Employer Nomination Scheme) visa – Labour agreement stream: At least two years full-time work experience in Australia in the nominated occupation Australian Qualifications Framework (AQF) Certificate III or equivalent or higher-level qualification IELTS 5.5 with no component minimum
Costs	Skilling Australians Fund levy – payable per visa nomination TSS visa - \$1200/\$1800 per year ENS visa - \$3000/\$5000 per year Nomination costs - \$330 (TSS) \$540 (ENS)
Skills, Qualifications	<u>Australian qualification</u> At least a relevant AQF Certificate III or equivalent or higher-level qualification obtained in Australia No skills assessment required <u>Overseas qualification</u> At least a relevant AQF Certificate III or equivalent or higher level qualification Skills assessment required
Work in lieu of Qualifications	<u>Relevant experience in lieu of a qualification</u> In lieu of a relevant qualification, 12 months of relevant full time work experience, or equivalent part-time experience Skill assessment required
Labour Market Testing (LMT)	Labour market testing as per the MoU, no further requirements from the Department of Home Affairs

The Union experience of Aged Care Industry

Labour Agreements and the MoU

ANMF	Kristen Wischer, Senior Federal Industrial Officer Leigh Hubbard, Senior Industrial Officer, Victoria
HSU	Edmund Fry
UWU	Jess Sanders, National Campaign Co-ordinator, Aged Care

Parties to the MoU

- The employer as an entity
- Could be a geographically distinct group of facilities
- The relevant unions.

State/ Territory	Homecare	Residential Care Worker
ACT	UWU, HSU, ANMF	HSU, ANMF
NSW	UWU, HSU, ANMF	HSU, ANMF
NT	UWU	UWU, ANMF
QLD	UWU ANMF	UWU, ANMF, HSU, AWU
SA	UWU, ANMF	UWU, ANMF
TAS	HSU, ANMF	HSU, ANMF
VIC	HSU, ASU (local govt only), ANMF	HSU, ANMF
WA	UWU, ANMF	UWU, ANMF

Principles underpinning the MoU

- Acknowledge unprecedented workforce shortage
- Offer additional hours, predictable rosters and decent wages and conditions to current employees
- An ILA may provide a temporary solution, but does not exist as the sole or first solution to workforce shortages
- Wages and conditions must meet industry standards
- Social license – must have done all possible to recruit and train local carers
- Proceed with transparency and good communication with all staff, ensure all are offered more hours where available during the life of the LA.

Relationship

- Parties are required to nominate a representative
- Employers to report the number of staff recruited and placed under the ILA
- Parties agree to co-operate

Industrial framework

- A current enterprise agreement is a foundational requirement for entering an MoU as it provides:
 - Enforceable wages and conditions
 - Reference document
- Aged care work value increase must be passed on to all relevant staff
- All paid at the same rate for the same work

Labour market testing

Unions will want to establish that all reasonable steps have been taken to fill existing vacancies:

- Offer work to maximum hours available
- Predictable rosters
- Set hours of work
- Accommodating flexible work arrangements
- Agency staff are the exception
- Grow, train and develop existing staff and new cohorts of workers

Genuine consultation and induction

- Ensure all labour market testing has occurred and additional hours made available
- Employers to consult with employees and unions
- Unions to have access to staff - guaranteed paid meeting time
- New employees get paid union induction time
- Trade union training
- Equity and harmony - the same entitlements for all staff for training and induction

Training

MoU provides detailed support for offering quality training:

- On the job
- Paid time
- Accredited and quality training
- Recognition of skills and support for workers as students

Co-operation and hopefully not disputes

- Migration agents
- Unions
- Providers
- Commonwealth Government
- Dispute resolution
- Non-compliance
- Termination

Benefits of a Labour Agreement

- Pathway to permanency
- Attraction and retention
- Full use of facilities
- Workplace rights

The purpose of the Aged Care Industry Labour Agreement

- Streamlines the recruitment of qualified direct care workers from overseas to work in the aged care sector.
- Sponsor overseas workers for the **Temporary Skill Shortage (subclass 482)** visa in direct care occupations:
 - Nursing Support Worker
 - Personal Care Assistant
 - Aged or Disabled Carer
- Sponsor overseas workers for permanent residence under the **Employer Nomination Scheme (subclass 186)** visa program.





ANMAC & the new Aged Care Industry Labour Agreement

Nursing Support Worker ANZSCO 423312

- Also commonly referred to as ‘assistant in nursing’
- Provides limited patient care under the direction of nursing staff
- Can be found working in residential aged care, hospitals and in home-based care

Personal Care Assistant ANZSCO 423313

- Also commonly referred to as ‘healthcare assistant’
- Provides routine personal care services like showering, dressing, feeding and assisting with other activities of daily living (ADL’s)
- Can be found working in residential aged care facilities and in home-based care

How do I determine which ANZSCO code to use?

Is your client/employee providing direct personal care?

Yes – nominate either Nursing Support Worker or Personal Care Assistant

If not, and their role is more about providing general household assistance, emotional support and companionship then you will need to nominate *Aged or Disabled Carer 423111* and apply for a skills assessment with the *Australian Community Workers Association*?



Eligibility: Qualification or Work Experience

Qualification

- AQF **Certificate III minimum** in a relevant field **obtained overseas**
- This can be a **nursing qualification**, but we will need to verify this by receiving **registration verification**.
- We will use **Country Education Profiles (CEPs)**, an Australian Government online **qualifications recognition tool**, to help understand the level of an overseas qualification.

AQF qualifications

AQF specification for the Senior Secondary Certificate of Education

AQF Level 1 – Certificate I

AQF Level 2 – Certificate II

AQF Level 3 – Certificate III

AQF Level 4 – Certificate IV

AQF Level 5 – Diploma

Level 6 – Advanced Diploma, Associate Degree

AQF Level 7 – Bachelor Degree

Undergraduate Certificate

Level 8 – Bachelor Honours Degree, Graduate Certificate, Graduate Diploma

AQF Level 9 – Masters Degree

AQF Level 10 – Doctoral Degree



Work Experience

- **12 months fulltime (or equivalent) paid work** in lieu of a qualification in a relevant field, undertaken in Australia or overseas.
- ANMAC will consider work in a role that provides ‘direct care’ that is **not disability support or childcare**.
- ANMAC will attempt to verify all claims and may include engaging third-party verifiers.
- A **professional reference is required** and must be:
 - On letterhead and officially issued by the employer
 - Detail skills and tasks undertaken in the role
 - Date and hours of employment
 - Written & signed by a nursing supervisor



****English language competency will be assessed by the Department of Home Affairs****

Direct Care Occupation Skills Assessment

Apply online at **anmac.org.au**

Pay \$545 & upload supporting documentation

Confirm employment sponsorship and
progress visa application

English language competency is assessed here



Does the employee meet the
minimum qualification **or** work
experience requirement?

Letter of Determination (LOD) is
issued within 6-8 weeks of
application

The LOD is valid for 2 years from date of issue



Skilled Migration Services Contact Details

Call-Centre

Monday to Friday

10am to 4pm

Ph: (02) 6257 7960 (AEST)

Email

skilledmigration@anmac.org.au

Website

www.anmac.org.au - new website coming in 2023!

Follow Us on Social Media



Australian Nursing & Midwifery Accreditation Council - ANMAC



Australian Nursing and Midwifery Accreditation Council (ANMAC)



@ANMACAustralia





ACWA

AUSTRALIAN COMMUNITY
WORKERS ASSOCIATION

**Skills Assessment Process
Aged or Disabled Carer ANZSCO 423111**



Occupation Description



An **Aged or Disabled Carer ANZSCO 423111** is a person who is qualified and/or experienced in delivering person-centred services to people who may require support due to ageing or disability.

The primary focus of the role is to provide emotional support, care and companionship to individuals to improve their quality of life.

Other tasks may include performing general housekeeping and providing household assistance, such as preparing food, assisting in personal hygiene, and getting dressed.

Eligibility



Eligible applicants are those who:



Hold a relevant qualification obtained overseas which is equivalent to a minimum **AQF Certificate III** or higher, and includes a relevant vocational placement/practical training;

OR



Have **12 months** of relevant full-time work experience, or part-time equivalent, in Australia or overseas working as an Aged or Disabled Carer.



What is a 'relevant' qualification?

Relevant qualifications include those in **aged care, ageing support, geriatric care, disability care/support, individual support, home and community care, and nursing.**

A relevant qualification will typically cover the following:

- provide individualised support and person-centred service responses;
- support independence and wellbeing;
- facilitate community participation and social inclusion;
- work with diverse people;
- work legally and ethically;
- follow safe work practices;
- meet personal support needs;
- support relationships with families and friends;
- work with people with mental health issues and dementia.

What is a 'relevant' work experience?



Relevant work experience is defined as employment that:

- involves the provision of direct service to clients who require support due to ageing or disability;
- is paid, full-time work;
- is performed for a minimum of 12 months;
- meets the currency requirement of 3 months within the last 12 months.

Industry currency



Whether applicants have a relevant qualification **OR** relevant work experience, industry currency must be demonstrated in one of two ways:



The relevant qualification issue date is within the past **4 years**;

OR



At least **3 months** of relevant work experience falls within the **last 18 months**.

Document checklist



IDENTITY

- ✓ Certified copy of biography page of **passport**.
- ✓ Certified copies of at least **two (2)** other official identity documents including one official photo bearing ID such as:
 - **Birth certificate**
 - **Australian visa** or **Immicard**
 - **Driver license** or **ID card** issued by country of citizenship.

QUALIFICATION

- ✓ Certified copy of qualification **award certificate** (or letter of completion) showing the completion or award date.
- ✓ Certified copy of **transcript** of results.
- ✓ Evidence of vocational placement/practical training.

WORK EXPERIENCE

- ✓ Official **position descriptions** for relevant work experience.
- ✓ **Letter from employer** (also known as a statement of service) showing details of the position including title, employment type (full-time, part-time, or casual), hours per week, and start and end dates.
- ✓ Current **CV/resume**.



THANK YOU

For more information, please visit:

<https://www.acwa.org.au/migrants/aged-care-industry-labour-agreement/>

ACWA will start accepting applications for Aged or Disabled Carer ANZSCO 423111 shortly. If you would like to be notified of when we are open to accepting applications, please email assessments@acwa.org.au.



ACWA

AUSTRALIAN COMMUNITY
WORKERS ASSOCIATION



David Cox
Managing Director



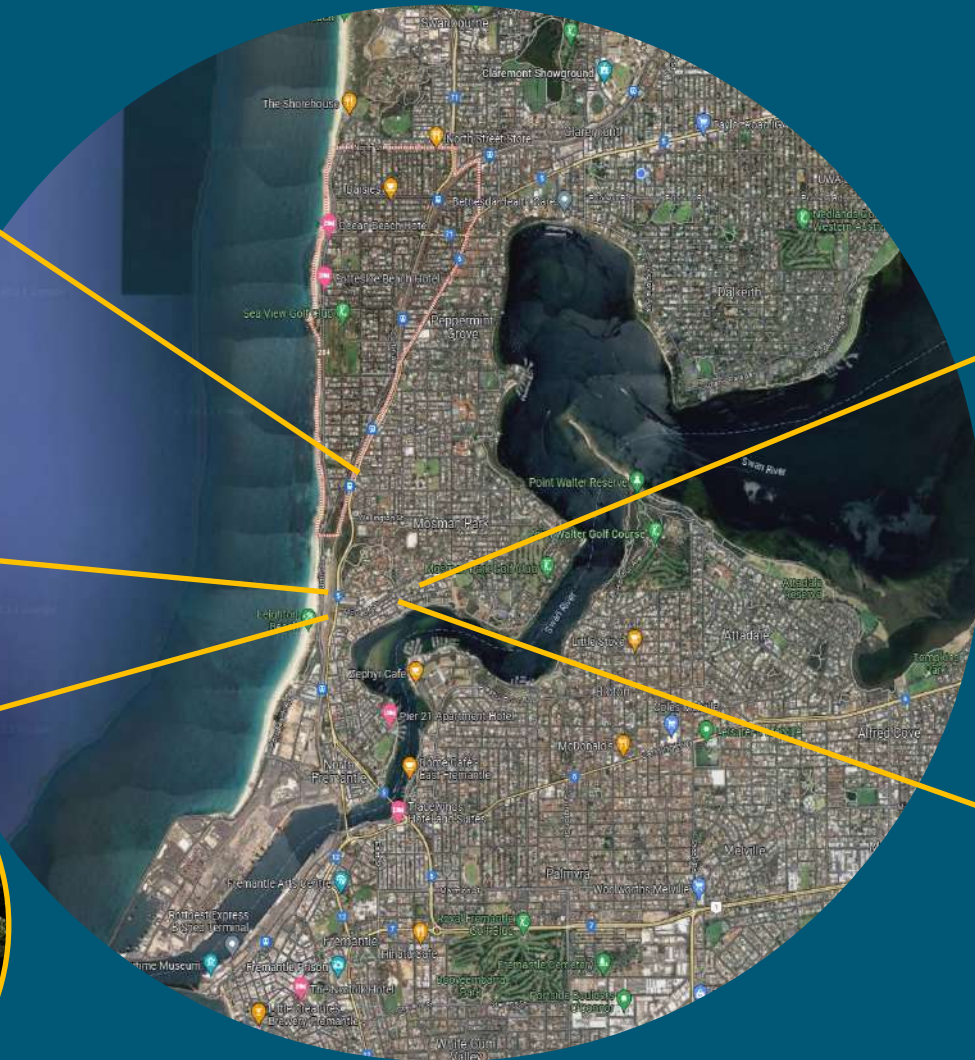
Shine Community



The Village



RiverSea



Waterfront



Marine Views

About Us

- Predominantly service workers:
 - 70% direct service workers
 - 18% indirect service workers
- Itinerant:
 - 10% full time
 - 63% part-time
 - 27% casual
- Identify as new-Australians:
 - 67% from NESL background
 - 30% temporary visa
- Turnover 15% per annum:
 - Overseas workers changing employer/role
 - Students graduating



Why pursue a temporary visa?



1. Workforce retention:

- Recognise and reward loyal, hard-working staff
- Reduce staff turnover
- Convert part-time workers to full-time
- Reduce employment in multiple sites
- Remove distractions that result in increased absenteeism

2. Recruitment

The MoU

- Agreement with union:
 - United Workers Union
 - ANMF
 - HSU
- Evidence of need must be submitted:
 - Data evidencing need
 - Evidence of advertising
 - Evidence of strategies to employ Australians
- Agreement includes:
 - Promise not to compromise Australian roles or conditions
 - Promise to pay overseas workers the same as Australians
 - Agreement to hold paid, union attended meetings on agreement for all interested staff

How it works for us

- 570 possible visas (both 482 and 186) over 5-years
- Employee expresses an interest
- Employee offered opportunity based on priority:
 - Demonstrated loyalty and commitment to us (length of employment, reliability etc.)
 - Staff closest to 45 considered first
 - External applicants (over 300 in one week) considered last
- Employee provides evidence that they will meet eligibility criteria
- Curtin Heritage Living pays for sponsor application, employee covers own costs

Thank you

Curtin
HERITAGE LIVING

Questions and where to get help

Ask right now or contact us – Health sector lead

BIRO.VIC.TAS@homeaffairs.gov.au

<https://immi.homeaffairs.gov.au/what-we-do/skilled-migration-program/recent-changes/new-aged-care-industry-labour-agreement>

Registered Migration Agent



-  **Aged care workforce support**
health.gov.au/aged-care-workforce
-  **Email**
acworkforceprograms@health.gov.au
-  **For more information on the aged care reforms**
agedcareengagement.health.gov.au