

Inquiry into the Migration Amendment
(Temporary Sponsor Visas) Bill 2013

21 June 2013



The Finance Sector Union of Australia (FSU) is pleased to provide this brief submission to the 457 visa Inquiry. We do as an affiliate of the Australian Council of Trade Unions (ACTU) who has compiled a submission on behalf of all affiliates, a submission we support in its totality.

In providing our support for the ACTU's submission, we would take the opportunity to draw particular attention to one of the most publicly debated issues in the Bill, Labour Market testing.

The basic tenet of the 457 visa program is that they should only be used to fill temporary skill shortages that cannot be met through the employment and training of Australian workers. From the FSU's perspective, it is clear this means that priority should always be to employ and train Australian citizens and permanent residents for jobs in Australia.

We would submit that what follows must be a requirement on employers to demonstrate how they have tested the local labour market before proceeding to the use of the 457 visa program. This should not be a controversial requirement of the system.

Our experience in the finance sector is that some of our employers engage in questionable practices when using the 457 visa program. For example, there was widespread speculation about their use by Westpac in 2012 when they chose to offshore IT jobs, only to bring the offshored workers in on 457's to be trained in a so called "knowledge transfer" exercise.

It has been reported to the union that the work being performed is unremarkable and not something that would require a particular skill set not available either in Sydney or Australia i.e. would not require 457 visa workers.

A more open and transparent requirement for employers to demonstrate the use of 457 visas would provide immediate clarity to the aforementioned scenarios and improve the overall program.

The FSU supports The Bill's new provisions for labour market testing, but submits that the provisions should be strengthened in line with the proposed improvements and amendments detailed in the ACTU's written submission.

Should you require further information, please contact me again for the opportunity to provide this submission.

Thank you

Yours sincerely

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Leon Carter
National Secretary