



11 May 2021

Committee Secretary
Joint Standing Committee on Migration
PO Box 6021
Parliament House
Canberra ACT 2600
By email: migration@aph.gov.au

Dear Sir/Madam

RE: Questions on Notice - Inquiry into Australia's Skilled Migration Program

Please find below questions on notice from the public hearing with the AHA & TAA held in Sydney on the 12th of April.

CHAIR: Thanks Mr Allen. Mr Ferguson, you can take this question on notice. I want to understand to what extent, prior to COVID, your industry was reliant on skilled overseas workers as opposed to non-skilled overseas workers. Do you have any numbers on the skilled overseas worker component?

Response:

- *Number of primary visa holders on Temporary Resident (Skilled) visas (TSS/457) in Australia as at 31 December 2020 in the Accommodation and Food Services Industry were **5,780**.*
- *There were **2,990 Chefs** (ANZSCO 351311) on the primary TSS/457 visa in Australia as at 31 December 2020.*
- *In program year 2019-20 to 31/12/2019 (just prior to COVID-19 pandemic outbreak), 1500 primary applications were granted for the Temporary Resident (Skilled) visas (TSS) by the Department of Home Affairs in the Accommodation and Food Services Industry compared to 620 in 2020-21 to 31/12/2020, a decrease of 59 percent.*
- *Chefs and Cooks were in the top 15 nominated occupations for primary applications granted in 2020-21 to 31 December 2020, but both occupations saw a decrease in grants of 58.2% (Chefs) and 61.6% (Cooks) compared to 2019-20 to 31 December 2019.*

CHAIR: In the interim report, we had a box on page 67 about matters for further consultation. One of the things that we wanted to float for responses—and I don't know if you've got a response today, and, if not, please take it on notice, because we're interested in it—was whether actually the skills lists aren't serving us at all and whether we should dispense with the skills lists altogether, in exchange for more rigorous labour market testing and other integrity measures, and what those



measures might look like. I'd be interested if you had anything to say to me today, but, if not, I'd appreciate you taking that matter on notice.

Response:

One of the pillars of labour market statistical infrastructure is the Australian and New Zealand Standard Classification of Occupations (ANZSCO). This infrastructure underpins a wide range of labour market data, including information from the Census, and is used for job outlook information and to regulate which occupations are eligible for migration programmes.

For all occupations experiencing technological progress, the nature of work and job roles are constantly evolving. ANZSCO not only identifies new jobs, but it also appraises the duties within their job and assigns an appropriate skill level. Despite significant changes to both the economy and employment market, including new jobs driven by technological changes as well as developments to the level of skills needed in certain jobs, ANZSCO has only been reviewed and revised twice since its introduction in 2006. A major review of ANZSCO is long overdue.

However, the Australian Bureau of Statistics (ABS) have claimed for several years that they are unable to commence a review due to labour and resources constraints and competing priorities. Regular review of major statistical infrastructure such as the ANZSCO needs to be built into the normal operating budget of the ABS. Further, the ABS has not committed to a review in the future, only that it will be considered post the 2021 Census process.

Concern over the current state of ANZSCO is shared across many stakeholders and industry associations. An out-of-date ANZSCO denies fair access to important migration programs and unreasonably complicates the regulation of the program due to the need for work-around style caveats in order that needs are best met. It is recommended that an ANZSCO review is undertaken immediately to ensure future migration programs are responsive to the needs of the labour market.

Mr Ferguson: I think we'll provide a more comprehensive answer to you in writing, but I'd just make the observation to show you how incongruous—if that is the correct word—it is that sommeliers, who form a huge part of Merivale's business, aren't on the list. Australia prides itself on having one of the greatest wine industries in the world, yet we don't have a classification for one of the most important parts of a restaurant.

Is the 408 temporary activity visa the bridging visa that was created for people who fell off their substantive visa? Mr Ferguson: Correct. Mr HILL: It makes a lot of sense on the face of it. But do we know how many people are currently in Australia on that visa? You can take it on notice; I know we're out of time. I'm curious about the other side of it, because I'm attracted to that. It's just: are we going to find that we're actually only talking about 4,000 people? And the aged-care sector is going to come after us, because they're all working in aged care, for instance.



Response: As at 31/03/2021, there are 16,365 visa holders on the subclass 408, temporary resident (other employment) visa. Data from data.gov.au

Mr Ferguson: I'm not sure about the correlation with aged care. Mr HILL: There are already a bunch of critical industries that were put on there to start with. I think it was supermarkets and aged care during the lockdown. Mr Johnson: And agriculture. Mr HILL: We just want to understand the numbers and that we aren't making, effectively, a pointless recommendation or one that has unintended consequences. What do you see as being the impact of the delayed failing vaccine program? Is that something which is going to impact your sector?

CHAIR: Thank you all for your attendance here today. We started late, but we've gone well over time. I know we've asked you to take lots of things on notice. If you could come back to us by the end of the month with some of those answers, that would be good. You might also want to take on notice whether we have too many different visas. I don't want to hear you now on that, but you might want to take that matter on notice as well. You'll be sent a copy of the transcript of your evidence and you'll have an opportunity to request corrections to transcription errors. If we've got any further questions, we'll put them to you in writing. But thank you. We've all been assisted by your appearance today. We might suspend for a couple of minutes, just while we get things cleaned up.

Response:

TAA and the AHA agree there are too many visas and seek the reinstatement of the industry outreach officers program within the Department of Home Affairs to support industry and business to navigate the increasingly complex employer nominated migration landscape.

The industry outreach officers program also had a role in navigating barriers and providing support to ensure businesses are aware of their obligations and requirements as sponsors. This will assist in maximising economic outcomes to ensure that businesses are accessing the Migration Program in suitable ways, minimising wastage in terms of time and productivity.

TAA and the AHA would also like to request:

The current shortage of cooks and chefs is hampering the hospitality industry's ability to recover from the COVID-19 pandemic.

The Priority Migration Skilled Occupation List (PMSOL) identifies occupations which fill critical skills needs to support Australia's economic recovery from COVID-19. Visa applications with an occupation on the PMSOL are currently given priority processing.



Listing cooks and chefs on the PMSOL will mean the hospitality industry will receive priority visa processing in instances where it is unable to find suitably qualified and experienced candidate from the domestic labour market.

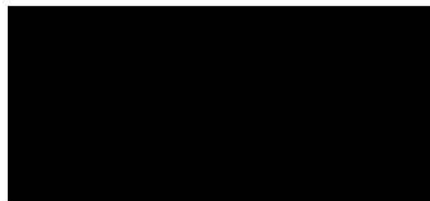
This change can provide short-term relief to the labour and skills shortages in the hospitality industry while Australia's international border remains closed. It will ensure that throughout the pandemic recovery period Australia's hospitality industry remains internationally competitive by providing a permanent residency pathway for the best and brightest skilled culinary professionals with cutting edge skills.

The AHA and TAA thank you for the opportunity to appear before the Joint Standing Committee on Migration. We trust this information is helpful and look forward to your favourable consideration of the additional recommendation we have made in order to support the licensed hospitality and accommodation industry recover from the economic impacts of the coronavirus-induced recession.

Yours faithfully,



STEPHEN FERGUSON
AHA NATIONAL CEO



MICHAEL JOHNSON
TAA NATIONAL CEO