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SUBMISSION TO THE PARLIAMENTARY INQUIRY INTO SKILLS
RECOGNITION FOR MIGRATION PURPOSES

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The Chair and Committee Members

BY: MLY

Thank you for the opportunity to make a submission to the committee regarding their inquiry into skills recognition as part of the migration process

Basis of Submission

I propose to primarily address the Trades Skills Recognition process on the basis that I am:

- A time served tradesperson – Fitting and Machining (Toolmaking Stream)
- Have a number of years experience in quality Control and Quality/Assurance
- Spent some eight years in Naval ship construction management – Mine Hunter Catamarans and Pacific Patrol Boat Project
- A qualified trade skills assessor – qualification gained from Hawthorn Institute of TAFE, and
- From January 1988 to February 2005 I was employed as a Trades Skills Assessor with Trades Recognition Australia (TRA), a section of the Commonwealth's Department of Employment and Workplace Relations (DEWR)

Issues

The need for an ongoing "Skilled Migration" program for the foreseeable future is I believe to be found in our History. Historically Australia has not:

- Trained skilled people in sufficient numbers to meet current (as at any point in our history) skill level requirements
- Employers refusal to accept their responsibility in the training component of our economy
- Employers (more than any other sector of the community) becoming utterly reliant on Government subsidiary/handouts to facilitate not only training, but also investment in tooling/technology and marketing.
- Had a business community that is oriented towards export, it has for too long been comfortable with manufacturing, growing, harvesting its product and selling it in Australia.
- A Public Service that is sympathetic to NON White Collar occupations, it simply believes that university trained person working in a clerical capacity is capable of undertaking any task in any work place you wish to nominate
- A Public Service where "Expert" in any field can rise to senior management, there are of course exceptions, but on the whole the majority of Department heads invariably have Commerce or Law qualifications

In making the above observations, I fully appreciate that there will be much opposition but make one point:

- Small business – Here we have a significant employer group (possibly the largest in Australia and the least represented in a political sense) and their formal education backgrounds varies from in some cases enough education to read and write though to PhD's. From my dealings with a broad cross section of them, what makes them successful is an understanding of their business, not a formal qualification.

Unfortunately “Small Business” is the least likely to train new staff and also have little appreciation of the bigger picture, i.e. the Australian economy.

Small business is also the major business sector as far as employment and employment growth goes, more significantly, it is also the sector of business with the least ability to AFFORD the cost of training.

This is where the Government/Public Service has failed the Australian economy, i.e. Government/Public Service has singularly FAILED to get the message out there on the need to train new staff and to acknowledge that individual business' and industry sectors do not understand the implications of training.

You will note that throughout this submission I constantly berate the Public Service, this should not be considered a condemnation of individuals, I have met far too many dedicated individuals; it is a condemnation of a system that refuses to acknowledge the need for SPECIALISED skills and to find a way to allow the Public Service to second select staff to various business groups so that a realistic understanding of business needs can be gained that can then be passed on through the Public Service so that BETTER, MORE REALISTIC POLIC can be developed

The Outcome

- Limited and generally falling numbers of trainees
- An ongoing cry to recruit skilled labour from overseas.

Other contributing factors

- The plethora of training schemes around the country
- The competition between the States/Territories and the Commonwealth
- A variety of qualifications being issued that often are extremely difficult for an employer to understand
- The unacceptable perception by Government and the Public Service that they have consulted adequately with industry/business when trying to introduce new initiatives, I am reminded of a very good friend, a bank manager (at the time) and his comments on OH&S legislation, the Government provided reams of paper work (his comment – they must cut down a number of forests every year) and he just threw it in the waste paper basket. The reason, there was far too many rules and regulations he did not understand and he simply did not have the time to read it. This type of attitude demonstrates the fundamental problem with Government/Public Service – It just does not understand the private sector.

Given the rather broad based comments already made, I would now like to direct my comments more to my specialised field, i.e. trades skills recognition

The current skills shortages, particularly in the "Trade" sector are a direct result of the previously mentioned problems, plus

- An extremely poor "Status" for blue collar workers in the community
- Appalling working conditions – would you prefer your son/daughter to work in an air conditioned office or a factory? This is especially relevant if the office worker with less skills is earning at least ten thousand dollars a year more than the tradesperson
- Hap Hazard Training, with little or NO government supervision of on-the-job training programs
- A new "Competency" based training program that SIMPLY does not work
- A TAFE system that does not understand the competency based training system and sees it as a means of making large sums of money by refusing to properly ASSESS individuals backgrounds; by this I mean that NO TAFE in Australia would look at someone who had worked say twenty years as a motor mechanic and after assessing them issue a Nationally recognised qualification (The AQF III certificate). If the TAFE's did this they could not make the candidate undertake the various modules of relevant training they have on offer
- The industry that has grown of training overseas students, supposedly as tradespersons, but the courses are too short to enable the student to gain the appropriate skills/experience and in most cases they are not going to work in the field they training in, they are simply using the process as a means of gaining permanent residence in Australia
- The above comment means that there is a distortion of the statistics in that as a nation we think we are training large numbers of tradespersons, when in fact the numbers that will actually work in their trade is minimal
- There is NO proper auditing of the international training providers. I have personally been involved with two TAFES that provided questionable training (I had students who had been issued with AFQ Certificate III qualifications trade tested and they failed). Upon approaching both State and Commonwealth Authorities to have the colleges audited I received nothing but a run around and years later the same excesses are being practiced.

What does this mean?

I suggest that we have a vocational training system in crisis, it is run by academics, the private sector has no faith or commitment to it, nor does it appreciate the value of actively participating in the running of a vocational training program. They simply see it as another cost.

Overseas Recruitment of Tradespersons.

The process of recruiting from overseas has served Australia well. In fact it was the early 1950's that Government used the Tradesmans Rights and Regulation ACT (TRR Act) as a basis of assessing potential migrants trades skills.

The process has worked extremely well despite indifference from both the Department of Immigration and DEWR

In fact I joined DEWR as a skills assessor as a direct result of some questionable "Policy" between DEWR and DIMIA in the mid 1980's. It seems that skills assessors posted overseas were used as migration officers and not allowed to do their job. DIMIA chose to delete the positions and DEWR chose not to object. All of a sudden it was realised that there were thousands of migrant applicants and no one to assess their qualifications

- This is a perfect example of the Public Service and the culture of "Generalist" qualified clerks not appreciating the unique requirements needed to assess trade level skills. (As an aside, when asked why a clerk with no trade skills cannot assess trade level skills; I suggest that a similar scenario exists with most other skilled classifications and goes a long way to explaining how the medical system has for so long controlled the intake of doctors. Medicine being one of the few skills that "Clerks" are still scared of claiming more knowledge than the doctor!!).

I ask a simple question, the question is – how do you change the tyre on a car? The most common response is – call my local motoring association, they do not even appreciate the fact that I am not asking them to change a wheel fitted with a tyre, but want the tyre actually changed.

This is a good example of the simple, but crucial need for knowledge to do the job.

Overseas trained/qualified tradespersons seeking recognition as a tradesperson for the purpose of migrating to Australia have a number of difficulties in getting through the assessment process, these include

- Poor records of their training
- Often no records as a result of war/conflict – Lebanon and the Balkans are good examples
- Short retention of records by host nations, the UK, like Australia has a policy of retaining records for only five years. This incredibly stupid policy (and one that Australia is a slave too) fails to acknowledge that the average tradesperson has a working life of around forty years. Given Computer databases the retention of trade qualifications details should be relatively straightforward. Who changed the records retention policy? Have a guess, it supposedly saved money in the context of storage, but the genius who dreamed it up had NO idea of its implications and the horrendous costs the country incurs simply because individuals lose documents and it is now impossible to replace them.
- Obtaining acceptable independent evidence from overseas clients is difficult for the same reasons as Australians experience, i.e. they lose their documents and the responsible authorities only retain the records for short periods. Despite strenuous ongoing efforts by Trades Recognition Australia (TRA) to overcome problems in the information package they provide to clients, there is an ongoing problem (a major problem) in the client being able to provide the required information.

Part of the problem is the fact that tradespersons are simply not used to carrying out the process, the other part is as previously mentioned, the failure of authorities to retain records and the last major issue is the closure of business'.

I suggest that the use of none specialised assessors will reduce the skill level of those accepted, simply because the assessor is unable to ascertain what skill level the client has. If they are refused, the outcry from friends and family will see the Public Service roll over and accept less skilled people as they will be unable to defend their decisions

How did TRA overcome this problem?

Until 1998 TRA had either:

- Posted staff overseas (I was fortunate enough to spend three years in the UK),
- Sent skills assessors on regular interviewing trips overseas; these trips had skills assessors interview clients, visit them at their workplace and conduct investigations trade training and work practices in the different countries visited (I had the pleasure of writing the reports on South Africa and Zimbabwe that currently form the basis for recognition of trade level skills in these two countries), and
- Irregularly assembled TRI - PARTITE Commissions (employers and union reps who were sent overseas to investigate trade training and work practices)

These processes worked extremely well until discontinued in 1998, they not only allowed the assessment process to establish that the client was what they claimed, it also enabled the assessing team to keep up with changing training and work practices in different countries.

I understand that the reason for discontinuing the overseas postings/visits was cost saving. While the DEWR Management can present a sound argument as to what it actually cost to send individuals and committees overseas to gain information, they are singularly unable to provide a sustainable cost for discontinuing the process. Furthermore they are unable to provide a for and against argument relating to the overseas visits. I suspect there were two major reasons for discontinuing the process, they being

- It was a simple, visible cost reduction
- Skills assessors that undertook the majority of overseas trips were very junior level public servants and I personally was subject to more than a little aggravation from senior staff members who had difficulty appreciating what we did and why the interviewing trips were necessary. An example of this was a proposed visit to Mauritius; this was refused on the basis of "White Beaches". It was stated quite openly, despite a rather hectic, approved schedule that I was going just to lie on the beach. Mauritius is one of the countries where experienced skills assessors assume that any application is fraudulent until proven otherwise.

- This attitude was borne from experience, quite simply, the majority of applications received from Mauritius had a percentage of documentation that was demonstrably fraudulent.

The reasoning is "ODD", to say the least, as the ability of TRA to "Properly" assess the skills has been significantly eroded as a result of discontinuing the interview/research process.

WHAT HAS IN FACT HAPPENED IS THAT TRA EARNS MILLIONS OF DOLLARS, HAS TROUBLE GETTING A LIVABLE BUDGET AND THE MONIES RETAINED BY DEWR, OTHER THAN TRA SALARIES ETC ARE DIVERTED TO POLICY AREAS, allowing pet projects to proceed, often projects that are unable to gain funding via normal procedures.

The failure to allow TRA to carry out its duties in a proper and professional manner is I believe as a direct result of the Public Service "Clerical" mentality. (I appreciate the fact that I am harping on this point, but having spent some thirty three years in the Public service, all of it in the technical/trades fields, the simple fact cannot be over stated and I say again, the culture of the all purpose clerk pervades all through the service and as a consequence see's specialised organizations such as TRA fighting a losing battle for the attention of the executive and the all important dollar).

Consequent to this reality is the TR Act, that without proper funding and permission to undertake appropriate work practices and investigations has seen the work practices becomes increasingly outdated, clients increasingly dispute the decisions made and workload increases. Couple this to changing migration policy, namely increased skilled migrant intake and suddenly you have massive backlogs.

How do Public Servants resolve this, ongoing overtime (three or so years of it) cut corners, second guess the applicant and if you do recruit new staff provide very poor training?

From this you get more disgruntled clients, other Agencies that are unhappy with the outcomes and an agency executive which DOES NOT understand the function of your organisation complaining about poor performance.

Another example of the appalling ability of the Public Service to understand anything but the "Clerical" process was a review undertaken regarding TRA and whether it could be privatised. After what can only be described as a "Sham" process, the Public Service even refused to accept the Ministers nominated member for the committee, the outcome was to recommend TRA be privatised. The beneficiary of this would have been the TRA Director who took early retirement. I, and a number of colleagues fought the recommendation and after some five years the decision was taken to retain TRA. It is my understanding that the DEWR Secretary eventually accepted our arguments. Luckily for us, we could argue in a manner that had sustainable points and the major reason for disposing of TRA -namely the application rate would be 1500 and reducing, its currently running at around 11000. Those that ran the review simply had no idea of what had to be done, how it had to be done or why. Additionally they did not have the skills to cost their arguments properly.

These are the people who are telling business how to run their companies and how to train people.

WHY AM I BETTER QUALIFIED TO ARGUE HOW TO TRAIN AND/OR RECRUIT SKILLED STAFF, simply, my apprenticeship was in the private sector, early skilled employment was with the private sector and until leaving the Public Service I have always had an ongoing working relationship with the private sector.

THE FUTURE

After so much criticism, it is time to propose some solutions. I suggest some or all of the following will greatly improve our skills base. Therefore I suggest the following needs to be implemented immediately:

- Federal Government set up a “Permanent” Standing Committee to monitor and develop policy on National Skills Recognition
- The committee acknowledge that meeting National skills requirements comes in TWO parts, i.e. national skills training and overseas recruitment
- The committee comprise a “Chair”, the chair coming from the incumbent government and members of all other political parties represented in Parliament
- The committee have formal political representation from each State and Territory, one member from each major party
 - Federal Parliament has to acknowledge that without State/Territory participation, NOTHING can/will change
- Administrative support come in the form of two or three Public Servants
 - Preferably from a skills assessor/recognition background
- The support staff being responsible to the committee, not a government agency
- The committee meet bi-monthly and I suggest in Tasmania.
 - The reason for this is to demonstrate a siren for the process to not be “Pro Canberra”, to be seen to spend Commonwealth funds outside of the big States and to simply STOP the infighting that the big States and the Commonwealth will get into. I can just see it, if it goes to Sydney or Melbourne, who ever loses the meeting point will scream foul, Tasmania is neutral. (No I am not Tasmanian and have never been there).
- Employer bodies and unions be invited to participate.
- Industry training boards be used on a rotational basis, i.e. a group of training boards would sit as members for say twelve months and then the process would rotate to different training boards.
 - This will ensure cross fertilisation and minimise Narrow, industry specific agenda becoming the norm
- ONE Qualification Issuing Authority be set up for each Industry/Profession,
 - this has to be a Federal Authority
 - TRA is a prime example of a Federal Authority that is ideally positioned to take on this role for trade level skills

- Records be retained on computer data base for at least forty years

- A basic premise that must be acknowledged at the outset of implementing any committee system to manage skills recognition is that the process is LONG TERM and that records are going to have to be retained for periods as much as a forty years
- States and Territories be responsible for the delivering and assessment of skills training
- States and Territories be responsible for assessing “Experience” based applicants whom a seeking recognition as “Skilled” in their vocation
- States and Territories accept that the Commonwealth be the issuing authority for skilled qualification documents
- States and Territories be compelled to audit independent trainers and assessors. The Commonwealth WILL have to fund this, otherwise it simply will NOT happen. From what I have seen the training system is regularly abused and State/Territory governments simply refuse to audit because they claim they have NO money
- State/Territory TAFE be audited by a different State territory, e.g NSW TAFES be audited by Victoria or WA
- Recognition of overseas skills/qualification become the exclusive right of the Commonwealth
- The Commonwealth develop a model that permits realistic cost comparisons of sending staff overseas to interview potential skills migrants and to investigate and establish sustainable criteria that allows quicker more cost effective assessments of overseas skilled applicants. Currently it is a best guess scenario and is simply not acceptable
- Subsidiaries to employers to take on apprentices/trainees be withdrawn immediately. They have not worked
- Legislation be introduced that Compels employers to take on trainee’s/apprentices on a pro-rata basis, with start up companies being exempted for specified periods. This WILL negate the cry about level playing fields and poaching. THE SYSTEM DOES WORK, places like India have it and do not suffer our skill shortages
- The committee undertake a “publicity campaign” (TV, radio and press) where the business community is reminded that it is NOT the government’s responsibility to train THEIR staff. I have seen much criticism of Mr & Mrs Average over the years and similar criticism of Unions, much of it warranted, but business, its an untouchable, always with is hand out, always wanting more protection and then demanding the unfettered right to walk away from our country and invest in the future of some where else
- The committee must PUT the country first, there can be no sacred cows, our future is at stake, and business, unions, government and individuals have to acknowledge National goals are more important than individual needs and wants
- The committee accept the premise that if they are unable to co-ordinate the multiple facets of skills recognition, our ability to defend ourselves will disappear, i.e. all the best fighters in the world can’t fly if we can’t fix them.
- A medium term approach of compelling business to train and a properly funded program of overseas skills recruitment will prove to be cost effective