

**Senate Standing Committee on Economics**

**ANSWERS TO QUESTIONS ON NOTICE**

Resources, Energy and Tourism Portfolio

Budget Estimates

3 June 2013

**Question:** BR3

**Topic:** 457 Visa Workers in the Resources Sector

**Proof Hansard Page:** 115

**Senator Urquhart asked:**

**Senator URQUHART:** I want to continue on the issue of 457 visas. You indicated that there had been labour market testing. Can you give some detail, because you talked about skilled and semiskilled jobs, on what exactly that encompasses?

**Ms Constable:** Can you clarify your question? In relation to the labour market testing itself?

**Senator URQUHART:** You talked about the fact that there had been labour market testing and that 457 visa workers were useful in the resource industry in skilled and semiskilled positions. That is what I understood you to say. I am just wondering what that labour market testing entailed. What sort of a process did that go through? Can you elaborate on that?

**Ms Constable:** That is really a question for the Department of Immigration and Citizenship, because the labour market testing requirements are specifically enforced by them and they take responsibility for that labour market testing. They would look at the availability of workers and do sampling as part of the enforcement procedures in the department. So that really is a question for that department.

**Senator URQUHART:** But can you elaborate on what those roles actually are? You talked about skilled and semiskilled, so I am interested as to what sorts of classifications that involved or what it actually entailed.

**Ms Constable:** The skilled positions relate to positions such as engineers for projects. That is a good example of professional skills that would be required. Semiskilled relates to a whole range of trades, including welders, boilermakers-

**Senator CAMERON:** That is the first time I have heard a trade described as "semiskilled", I must say. That is a new definition. Being a tradesman, I have never been described as semiskilled.

**Ms Constable:** The trade says they relate as the classifications are put forward. That is how they are specified: trades and semiskilled.

**Senator CAMERON:** Obviously not by tradesmen.

**CHAIR:** Wait a minute. Senator Urquhart has the call.

**Senator CAMERON:** Don't panic.

**CHAIR:** All right. Don't interrupt.

**Senator URQUHART:** You mentioned that "semiskilled" is tradespeople. Can you outline again exactly what those trades are? How are they defined when the labour market testing is done? What are the definitions used when trades or semiskilled are called for?

**Ms Constable:** I will have to take that on notice and refer it to the Department of Immigration and Citizenship.

**Senator URQUHART:** It would be great if you could take that on notice and get back to me.

**Answer:**

### ***Skilled and semi-skilled occupations***

The Department of Immigration and Citizenship (DIAC) uses the *Australian and New Zealand Standard Classification of Occupations, 2005* (ANZSCO) to determine skill levels of occupations as part of determining eligibility for skilled migration programs.

The ANZSCO classification system provides for the standardised collection, analysis, and dissemination of occupation data. ANZSCO was developed jointly by the following organisations for use in the collection, publication and analysis of occupation statistics:

- the Australian Bureau of Statistics (ABS);
- Statistics New Zealand; and
- the Department of Education, Employment and Workplace Relations (DEEWR).

Definitions for the five ANZSCO Skill Levels are available on the ABS website:

<http://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/C4BECE1704987586CA257089001A9181?opendocument>. The full ANZSCO classification, which provides a listing of skill levels for an extensive range of occupations is available here:

[http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/5FE5DF1371EEE726CA25708900805997/\\$File/12210\\_2005.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/5FE5DF1371EEE726CA25708900805997/$File/12210_2005.pdf)

The standard subclass 457 visa program allows for sponsorship of “skilled” occupations. “Skilled” occupations in this context translates to occupations that are classified at ANZSCO Skill level 1 (highest level) to ANZSCO Skill Level 3.

Specialised migration agreements within the subclass 457 visa program, such as Labour Agreements, can allow concessions to requirements of the standard 457 visa program, by negotiation.

Skill concessions can be negotiated that would allow “semi-skilled” workers to be sponsored under subclass 457 visas. “Semi-skilled” occupations translate to occupations that are classified at ANZSCO Skill level 4.

As an example, ‘711513 – Plastics Fabricator or Welder’ is listed at ANZSCO Skill Level 4 (i.e. “semi-skilled”) while ‘Welders’ are generally considered ANZSCO Skill Level 3 (i.e. “skilled”).

Tradespersons are predominately considered to be ANZSCO Skill Levels 2 and 3, and are therefore considered “skilled” workers in the context of skilled migration programs.

### ***Labour Market Testing***

This question is not a matter for this portfolio and should be referred to the Department of Immigration and Citizenship.