

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(92) Output 1.1: Migration and Temporary Entry

Senator Conroy asked:

1. If there is a relevant award governing employment conditions for a job being performed by a 457 visa holder, this visa holder must be paid the higher of the award wage and the gazetted minimum wage for 457 visa holders, is this correct?
2. What processes does the Department have in place to assess whether there is a relevant award that applies to a job being performed by a 457 visa holder?
3. What percentage of 457 workers in the Australian ICT sector are covered by an award?

Answer:

1. A Subclass 457 visa must be paid the higher of the industrial instrument or workplace law (which could include an award) that governs the employment conditions of the worker or the gazetted Minimum Salary Level (MSL) for Subclass 457 visa holders.
2. Sponsors are obligated to comply with workplace laws in relation to both their Australian and overseas employees.
3. The Department does not hold this information.