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BY: MIB

The Secretary  
Joint Standing Committee on Migration  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

Submission No. 42 CWRDB  
Date Received.....

**RE: Inquiry into eligibility requirements and monitoring, enforcement and reporting arrangements for temporary business visas**

Dear Sir/Madam

In response to your invitation to make a submission to the above inquiry I put the following points forward for consideration as the Regional Certifying Body, Central Western Regional Development Board Inc., for the Central West region.

**English Language Eligibility and Monitoring:**

- Functional English is not an eligibility requirement of the Temporary Business (Long Stay) 457 Visa which is an issue for regional areas. For a skilled migrant to work and become part of a small town's community a functional level of English language is beneficial for assimilation. See table below showing 457 visas certified over two years in medium to small communities.

Central West City/Town:	No of nominee's for temporary 457 visa Jan 2005 – Dec 2006:	Estimated Population of City/Town:
Bathurst	3	37,001
Blayney	4	6,773
Condobolin	1	3,000
Cowra	1	13,185
Forbes	1	9,974
Millthorpe	1	710
Mudgee	2	8,000
Oberon (O'Connell)	1	5,447
Orange	12	37,791
Wallerawang	1	2,061
West Wyalong (Wyalong)	1	3,331

In my experience working with businesses a major issue is the Occupational Health and Safety requirements especially with workers who have minimal to no English skills. The skills shortages for the Central West region are primarily in the mining and engineering sector that is categorized as a high risk industry under OH&S and WorkCover. Employees working in this industry must comply with safety requirements at work such as reading and understanding safety signage and instructions.

English skills for temporary migrants is extremely important not only for the sponsoring business but for the migrant to fulfill his employment contract and perhaps gain permanent sponsorship to stay in Australia under the Regional Sponsored Migration Scheme. In the Central West 95% of businesses are small to medium enterprises and their ability to deliver a quality product and remain competitive relies on both skilled management and employees. An SME's productivity is built on team work and employee interaction within the work environment.

### **Suggestions:**

That consideration be given to have functional English criteria for the Temporary 457 Visa with access to English language tuition for those who require improvement or want to increase their level of English. Not enough services are available to skilled migrants in our region and those that are available can be quite costly to attend. The services that are available are not well promoted to businesses and skilled migrants.

As a suggestion, English tutorial services could be made available for sponsoring businesses to register their skilled migrant/s if their English is an issue in the workplace, preferably that is a community service and has a minimal fee. This would give businesses more confidence with safety issues and also provide a group learning environment for the skilled migrants as well as a social opportunity. The skilled migrants spouse could also use this service to assist with their employment and assimilation into the community.

- **Minimum Salary Levels/ 38 hour week**

Minimum regional salary level of \$37,665 for non-ICT and \$51,570 for ICT has been broadly accepted amongst the businesses in the Central West region. Agricultural businesses have found this more difficult, for example with large wheat growing properties that require temporary workers for harvesting, mechanical repairs etc., have difficulties with the base salary and 38 hour week. These agricultural businesses work extremely long hours and often offer a package to their employees made up of a wage, accommodation and food. Therefore it is very difficult to work out exactly what to pay a temporary 457 visa nominee. Plus it is difficult to work out overtime with new WorkChoices legislation.

### **Suggestions:**

That further investigation and consideration be given to the agricultural sector in rural regional area's to include salary packaging items.

- **Monitoring of Temporary Visa's:**

Businesses in the food sector in particular restaurants, have had difficulty retaining skilled migrants under the Temporary 457 Visa due to competition with higher salaries in metropolitan areas. This issue may require more monitoring although I am not fully aware of the monitoring procedures if the skilled migrant moves out of a regional area and therefore doesn't fulfill their visa requirements.

The sponsoring business not only has the problem of an approved nominated position not being filled but having to find another nominee which can often require the business to re-nominate the position and incur additional costs if the validity period for the nomination has expired. For regional businesses this can be very costly and impact on the businesses productivity without skilled employees. This can be extremely confusing for the sponsoring business and deter them from proceeding with another sponsorship and can lead to the business closing or relocating to a metropolitan area.

**Suggestion:**

That consideration should be given under these circumstances to the sponsoring business in regard to time constraints on the nominated occupation and the sponsorship. Increased monitoring of the skilled migrants in this sector and a review of the reporting procedures between the Department of Immigration and the business would assist with this difficult situation.

I hope this information from my region will be of assistance with this inquiry. If you require any discussion on these issue's please do not hesitate to contact me on 02 63608412 or email [sharon@centralwest.com](mailto:sharon@centralwest.com).

Yours sincerely



Sharon Rabey  
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Central Western Regional Development Board Inc.  
9<sup>th</sup> February 2007