



Australian Government

**Department of Employment and
Workplace Relations**

Joint Standing Committee on Migration

**Inquiry into Skills Recognition, Upgrading
and Licensing**

**Submission by the Department of Employment
and Workplace Relations**

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Executive Summary

In relation to migration, the Department of Employment and Workplace Relations' (DEWR) key interests are the labour market implications of migration arrangements, including the labour market experience of migrants and the implications of migration on economic, demographic and labour market outcomes over the short and long term. The Department also plays a direct role in assessing the trade skills of potential migrants through Trades Recognition Australia (TRA).

DEWR recognises the contribution of temporary and permanent migration to the Australian economy and labour market. In the increasingly competitive international market for highly skilled migrants, analysis shows that Australia's skills recognition and processing arrangements compare favourably with those of other countries (such as Canada and New Zealand).

While there is a need for flexibility in skills recognition and processing arrangements, it is equally important that the skill level of temporary and permanent migrants to Australia is maintained as it is skilled migrants who perform better in the labour market and contribute more to the Australian economy. Similarly, it is important to ensure that migrants entering Australia are subject to a skills - qualification and work experience - assessment process that better allows them to satisfy Australian licensing requirements. Against this background, this submission identifies areas where fine-tuning could lead to further improvement in the effectiveness of these arrangements.

In summary, DEWR considers that, overall, Australia's skills recognition arrangements, particularly as they relate to the assessment of overseas trade qualifications and work experience, work well. The suggested improvements to the policies and processing arrangements outlined in this Submission should further enhance the capacity of our skilled migration arrangements to respond flexibly to changing labour market conditions and circumstances.

1. Introduction

1. The Department of Employment and Workplace Relations (DEWR) works toward the following outcomes:

- an effectively functioning labour market;
- achieving higher productivity, higher pay workplaces; and
- increasing workforce participation.

2. In relation to migration, DEWR's key interests are the labour market implications of migration arrangements, including the labour market experience of migrants and the implications of migration for economic, demographic and labour market outcomes over both the short and long term. DEWR is involved in providing policy advice on these issues to Government and undertaking policy-focussed research in this area. In these activities, DEWR works closely with the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA).

3. In the context of the Joint Standing Committee on Migration Inquiry into skills recognition, upgrading and licensing, DEWR is specifically involved, through Trades Recognition Australia (TRA)¹ as the designated authority under the Migration Act, to assess the trade skills and work experience of prospective migrants.

4. DEWR also provides labour market advice to assist DIMIA and the Department of Education, Science and Training (DEST) – through its National Office of Overseas Skills Recognition (NOOSR) – in the assessment, appointment and monitoring of assessment authorities for professional occupations.

5. In this submission, Section 2 provides some background and sets out some major themes and issues of particular interest to DEWR in the context of the Review. Section 3 provides a brief comparison of international arrangements for the assessment of overseas professional and trade qualifications (as noted in the terms of reference for the Review), while means of improving Australian arrangements for trade qualification assessments are discussed in Section 4. Section 5 highlights the main conclusions of the submission.

2. Background and Issues

6. The skill level of migrants is important in determining employment and settlement outcomes. Research² indicates that young, skilled migrants with recognised qualifications have substantially lower unemployment rates, an ability to find employment more quickly and higher levels of income and expenditure. In recognition of this, and the greater capacity of skilled migrants to make a significant economic contribution, the Government has in recent years moved to increase the Skill Stream of Australia's Migration Program.

7. To be granted visas, Skill Stream applicants generally have to demonstrate a high level of skill, a strong employment history, good English language proficiency and be aged under 45 years. Recent initiatives in respect of overseas students studying at Australian tertiary institutions mean that an increasing proportion of applicants possess Australian qualifications (another determinant of successful labour market outcomes).

¹ For the purposes of this document Trades Recognition Australia is the name used when describing the functions performed of its equivalent office of the past.

² Including Richardson, S, Robertson F and Ilsley, D; *The Labour Force Experience of New Migrants*, National Institute of Labour Studies, Flinders University, Adelaide, August 2001 and Bridge, R, *Migrants in the Australian Labour Market – Some Trends and Developments in People and Place*, Centre for Population and Urban research, Monash University, Vol 9, No 1, 2001.

8. For employer-sponsored temporary business (long stay) entrants who supplement the supply of skilled labour available to Australian employers, formal skills assessment is usually only required for professional and trade occupations for which registration or licensing requirements apply:

- these registration and licensing requirements, which usually reflect State and Territory legislative requirements, exist for public health and safety reasons or to reflect internationally accepted standards of practice. These requirements should not be compromised in the interests of more flexible migration arrangements;
- temporary business (long stay) entrants in self-regulated or unregulated occupations are only required to demonstrate to DIMIA they possess relevant qualifications and work experience appropriate to employment in the occupation for which they have been recruited; and
- changes to the Employer Nomination Scheme (ENS) in April 2005 have further streamlined the skill assessment process that applies to former employer-sponsored temporary business (long stay) entrants employed in self-regulated and unregulated professional and trade occupations.

2.1 Labour Market Experience of Migrants

9. In May 2005, the unemployment rate for all people born overseas was 5.6 per cent, compared with 5.0 per cent for those born in Australia. However, overseas-born people from English speaking backgrounds had a lower rate (4.2 per cent) than the Australian-born and people from “other than main English speaking backgrounds” (6.5 per cent)^{3 4}. DEWR research and analysis indicates:

- several factors influence migrant unemployment rates, including:
 - period since arrival in Australia – generally recent arrivals have a higher unemployment rate than those who have lived in Australia for some years;
 - skill levels – that is, recognised qualifications and relevant work experience;
 - English language proficiency, and
- the unemployment rate for people from “other than main English speaking backgrounds” is more likely to be adversely affected by declining economic conditions.

10. A similar picture emerges from analysis of Longitudinal Survey of Immigrants to Australia (LSIA) data which shows that for principal applicants, as distinct from accompanying dependants who are not required to have their overseas qualifications assessed:

- most categories of Skill Stream migrants have labour force participation rates well above the Australian average after six months residence in Australia. This gap increases after 18 months;
- Family Stream and Humanitarian Program migrants – whose overseas qualifications are not assessed as a condition of visa grant – have lower participation rates than Skill Stream migrants and Australians on average; and

³ Australian Bureau of Statistics, Labour Force Survey, May 2005 (original monthly data)

⁴ The ABS defines English-speaking background countries as the United Kingdom, Ireland, the United States of America, Canada, South Africa, New Zealand (and Australia). All other countries are classified as “other than main English speaking”.

- Skill Stream migrants have unemployment rates that are similar to the Australian average and improve with time.

3. An International Comparison of Skills Recognition Arrangements

11. In an increasingly open international economy and labour market, it is important for Australia to be innovative in its approach to skilled migration and skill recognition arrangements. While the Department considers that, overall, Australia's skill recognition arrangements work well, there remain some areas where fine-tuning could lead to improvements in the effectiveness of current arrangements (see Section 4 of this Submission).

12. In general, all countries have a distinction between qualifications to access regulated professions – i.e. those requiring registration or licensing or a specific education qualification, and unregulated professions. For example:

- in Canada, applicants under the Skilled Worker Visa who seek employment in regulated professional or trade occupations are required to have their overseas qualifications assessed by the relevant licensing authority or self-regulating body at the provincial level. In contrast, for unregulated occupations, applicants may be required to provide an assessment/translation of the overseas qualifications undertaken by private providers or relevant provincial offices:
 - the OECD⁵ has noted that the recognition of overseas qualifications can be particularly difficult in Canada due to their larger number of professionals and trades occupations that are regulated compared with other countries – some 20 per cent of the Canadian labour force work in regulated occupations – the lack of mutual recognition between provinces, restrictive practices by professional organisations and discrimination or lack of information on the part of employers resulting in substantial occupational downgrading of migrants;
 - steps have been taken to address this issue by the Canadian Government through the Canadian Information Centre for International Credentials, several provincial governments through the establishment of specific credential evaluation services, and a number of professional organisations through adopting more transparent credential recognition processes.
- in New Zealand, prospective skilled migrants are required to have their overseas qualifications recognised as a condition to lodging a visa application. For regulated occupations, overseas qualifications are assessed by the New Zealand organisation authorised by law to give occupational registration. For unregulated occupations, overseas qualifications are assessed by the New Zealand Qualifications Authority:
 - however, qualifications issued by overseas academic institutions included on a List of Recognised Qualifications are recognised without requiring assessment. While not exhaustive, this List covers most countries which are major sources of migrants to New Zealand.
- in the United States of America, there are relatively few requirements for the assessment of overseas qualifications. While for regulated occupations, the competent authority for recognition of overseas qualifications is the relevant licensing authority at the State level, for unregulated occupations, there is no formal assessment process and assessment is at the discretion of the hiring employer:

⁵ OECD Economic Surveys: Canada (2003), pp 125-127

- educational institutions are the competent authority for the recognition of overseas qualifications for students enrolling in their courses; and
 - employers, education providers and licensing authorities are free to utilise or refer applicants to independent evaluation services, which usually offer on a fee-for-service basis streamlined recognition processes, assisted by guidelines developed by the National Council for the Recognition of Foreign Academic Credentials.
- within the European Union (EU)/European Free Trade Association (EFTA), the European Parliament recently approved (11 May 2005) a Directive on the mutual recognition of qualifications for regulated professions which consolidated 15 existing Directives:
 - for regulated occupations, member countries must recognise diplomas obtained in another member country and allow people holding them to practise their professions under the same condition as nationals. In particular, automatic registration is prescribed for health professionals, including doctors, dentists, pharmacists, nurses, midwives, veterinarians, and architects;
 - for unregulated occupations, no formal recognition of overseas qualifications issued by an educational institution of another EU/EFTA member country is required. Employers are free to decide how to value the credentials of each worker; and
 - the recognition of an overseas qualification issued by a non-member country by any one EU/EFTA country does not imply similar recognition by other member countries.
 - while, as a member of the EU, the United Kingdom (UK) is subject to the recent Directive on the mutual recognition of professional qualifications, the UK has also introduced a Highly Skilled Migrant Programme (HSMP) for non-EU nationals based on a points-test:
 - the comparability of overseas academic and professional qualifications held by HSMP applicants to UK qualifications is assessed, for a small fee, by the National Recognition Information Centre (NARIC). The assessment is carried out through reference to a current database of foreign accredited institutions and does not require skills assessments. If the NARIC is not able to verify a qualification, the applicant can demonstrate that the qualification equates to a UK academic qualification by providing satisfactory independent evidence; and
 - foreigners who wish to enrol in a UK postgraduate course for doctors or dentists must register with the General Medical Council or General Dental Council, as well as pass an English language proficiency test, before they can start postgraduate training.

4. Australia's Professional and Trade Recognition Arrangements and Suggestions for Further Improvement

13. DEWR would not support any changes to the skill assessment process for professions or trade occupations that resulted in a dilution of the skill level of temporary business or permanent Skill Stream migrants and, as a result, their employability, competitiveness in the labour market and contribution to the economic well being of Australia.

4.1 State and Territory Registration Boards

14. The legislation covering the recognition of professional and trade qualifications varies across States and Territories. In order to practice in certain professions and trades, employees must be registered with the relevant Registration Board in the State/Territory.

15. Subject to certain conditions, if a person is registered to practise an occupation in one Australian State or Territory, they can carry out an equivalent occupation in any other Australian State or Territory after gaining registration with the relevant Registration Board.

16. People who hold current registration or are licensed to practise a professional or trade occupation in New Zealand are entitled to practise the equivalent occupation in any Australian State or Territory where registration is a requirement, and vice versa, after gaining registration with the relevant Registration Board. The Trans-Tasman Mutual Recognition Arrangement (TTMRA) covers all registrable occupations, except medicine. Further information on registration and licensing requirements for occupations is available from State and Territory Registration Boards.

4.2 Regulations in Occupations

17. Each occupation, or group of occupations, has its own distinct pathway to recognition as a professional or tradesperson in Australia. The level of regulation in place largely determines the process. Based on this criterion, occupations can be grouped into three categories – those regulated by law, self-regulating and unregulated.

18. The group of professions regulated by law includes health related professions, veterinary science, and architecture. An applicant's eligibility to practise in these professions is determined on the basis of prescribed assessment requirements often in the form of an examination which applicants must successfully meet to qualify for registration by State and Territory Registration Boards. In some cases, applicants must undertake a period of practical experience as part of the recognition process.

19. In self-regulating and unregulated professions, competency based assessments and/or assessments based on qualifications may apply. In some professions, such as accountancy and law, additional country-specific training in Australia is usually required as a pre-requisite to employment.

4.3 Australian Assessing Authorities

20. One of the core criteria for permanent entry to Australia is the assessment of an applicant's skills - qualifications and work experience - by an Australian assessing authority gazetted for that occupation. Assessing authorities have been authorised by DIMIA to undertake an assessment of whether an applicant has qualifications that will be recognised and work experience that is appropriate to employment in the profession or trade occupation in Australia. A positive assessment enables a person to apply under DIMIA's skilled Migration Program.

21. These assessing authorities are responsible for undertaking skills assessment for migration purposes only. The assessing authorities are not employment agencies and are not in a position to assist migrants or applicants to find jobs in Australia.

22. More detailed information on the framework can be found in the DIMIA submission.

23. The Minister for Immigration and Multicultural and Indigenous Affairs gazettes approved authorities to undertake assessments of applicants' skills in a number of professional occupations (including accountancy, architecture, chiropractic, dentistry, dietetics, engineering, information and communications technology, medical laboratory science, medical radiation science, medicine, nursing, occupational therapy, optometry, osteopathy, pharmacy, physiotherapy, podiatry, psychology, quantity surveying, social work and welfare work, speech pathology, surveying, translating and interpreting, and veterinary science).

24. Information on the skill assessment process for applicants with professional qualifications is available through the DIMIA website at www.immi.gov.au or through the website of the Professional Recognition Unit (also known as the National Office of Overseas Skills Recognition (NOOSR)) at <http://aei.dest.gov.au/AEI/QualificationsRecognition/>.

Trade Occupations

25. The term "trades" in Australia is used to describe occupations that require technical knowledge and manual skills and where training is usually through a formal apprenticeship. In the past, trades skills and knowledge have been recognised in Australia through a trade certificate. Recent changes to Australia's training system enable competence to be acquired and assessed through the Australian Qualification Training Framework (AQTF). The qualification for a trade under the AQTF is usually at the Australian Qualification Framework (AQF) level III and in some cases the AQF level IV. These qualification levels also apply to other occupations, and the qualification itself does not make an occupation a trade nor does it necessarily demonstrate trade-level job readiness. A trade is defined by the combination of the type of knowledge and skill involved, together with the level of qualification.

26. TRA provides two trade level skills assessment streams – international and domestic.

27. TRA assesses the trade skills and experience of prospective migrants as a Relevant Assessing Authority under *Migration Regulation 2.26B(1)*. The occupations assessed by TRA in the international stream are primarily sourced from those listed on the Skilled occupation List (SOL). Some of the SOL occupations also appear on the Migration Occupations in Demand List (MODL).

28. In the domestic stream, TRA administers the *Tradesmen's Rights Regulation Act 1946* (the TRR Act). For the past 59 years, the Act has provided a means for national recognition of metal and electrical trade skills developed informally in Australia; formally or informally overseas; or in the Australian Defence Force. Successful applicants are awarded the Australian Recognised Trade Certificate (ARTC). The trades assessed under the TRR Act are listed in the schedules to the legislation. These trades are approved by Local and Central Trades Committees (CTC) established under the TRR Act. These Committees comprise representatives from employer associations and unions and are chaired by a senior officer of the Department. The domestic stream applications are assessed against criteria set by the CTC and TRA.

29. Prior to 1992, TRA only assessed the 49 occupations listed in the schedules to the TRR Act for pre-migration purposes. Since that time, the number of occupations assessed in the international stream has increased significantly with the inclusion of non-TRR Act trades and occupations. Today, TRA assesses approximately 170 occupations.

30. The international stream application rate has steadily increased since the introduction

of Pre-Application Skills Assessments (PASA) in 1999. Applications received prior to this date were submitted undercover of a migration application. The vast majority of applications received post-June 1999 are not undercover of a migration application. The number of international applications now far outweighs domestic applications. In 2004-05, it is anticipated that 14 200 pre-migration applications will be received by TRA, compared with 1140 domestic applications. This trend is expected to continue – TRA is forecasting an increase in applications in 2005-06 of 10-15 per cent. Past application rates are listed at Attachment A.

31. Major source countries of trade training for international applicants remain the United Kingdom, India, Australia, China, South Africa and the Republic of Korea. Around 10 per cent of applicants were temporary residents who had completed an Australian Qualifications Framework (AQF) qualification while living in Australia.

32. *Migration Regulation 2.26B(2)* empowers TRA to set the standards used for the assessment of applications. The Uniform Assessment Criteria (UAC) is the standard established by TRA. See Attachment B.

33. An Australian tradesperson is generally recognised on completion of a formal apprenticeship. Trade status is then confirmed by way of appropriate remuneration and conditions conferred under the relevant industrial award. Accordingly, TRA has applied the benchmark of trade training and work experience equivalent to that of an apprenticeship-trained tradesperson in determining ‘tradespeople’ in the international assessment context. TRA applies a ‘Skill Pathways’ approach to international assessments.

34. A Skill Pathway is the course by which an individual obtains the skill set necessary to meet the benchmark of an Australian tradesperson. Skill Pathways provide TRA staff with a complete assessment framework across all SOL occupations and all source countries. TRA skills assessors are required, from the evidence provided through a paper-based process, to determine an applicant’s skilled status, as well as the occupation for which they are to be assessed based on the requirements of at least one of five possible skill pathways, eg formal apprenticeship, informal apprenticeship, vocational traineeship, work experience or an Australian qualification.

35. TRA has a review process available to both successful and unsuccessful applicants. Successful applicants may seek a review of the occupation awarded. Unsuccessful applicants may seek a review of the original decision made on their application as drawn for the original evidence provided.

36. Pursuant to the Australian Government’s *Cost Recovery Guidelines*, TRA charges fees for service in both the international and domestic streams. International applicants are charged \$300 for a standard application, \$500 for a priority application and \$300 for a review application which, depending on the outcome, may be refundable. Domestic applicants’ fees range from \$100 to \$300, depending upon the nature of the application. It is estimated that total revenues in 2004-05 will be around \$6 million. The fee structure is under review.

37. Additional information on the skill assessment process for trade applications is available at www.workplace.gov.au/tra.

4.4 Trades Recognition Australia – Reengineering Initiatives

38. TRA’s primary aim for 2005-06 is to assist skilled migrants to enter Australia as quickly as possible, particularly in occupations where skill shortages exist.

39. The reengineering of TRA’s international business processes in 2004 has laid a strong foundation for continued performance improvements. A replacement internal IT system,

TRADES, was launched in September 2004. Information provided to clients has been simplified. A personalised telephone feedback service for applicants and their agents is now operating. New assessment processes are in place through the UAC to improve application turnaround time, while maintaining the high standard of audit and fraud control.

40. These reengineering initiatives have delivered benefits to TRA and its clients. Processing times have been significantly reduced. Currently, 90 per cent of international applications are being finalised within 60 days, compared with 120 days in 2003-04. TRA's output is also increasing – in 2004-05, TRA will finalise around 40 per cent more cases than in 2003-04.

4.5 Recent Government Initiatives and Suggestions for Further Improvement

41. In the context of the 2005-06 Migration Program, the Australian Government recently announced the establishment of a national skills web portal to help new migrants and potential skilled migrants have their overseas skills and qualifications recognised in Australia. The web portal will be developed by DIMIA in conjunction with DEWR, DEST and State and Territory Governments, and will have links to other relevant websites. The establishment of a national skills web portal will address recommendations of the DIMIA *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants (2003)* which found that many new arrivals had difficulty getting their overseas qualifications recognised in Australia.

42. Against that background, TRA is working with key stakeholders to ensure broad awareness and understanding of its policies, procedures and requirements. This includes upgrading the online and hard copy information provided to applicants and their agents. TRA, with DIMIA, also participates in regular briefings, meetings and presentations to migration agent organisations, training providers and employer bodies.

43. In announcing increases in the Skill Stream in the 2005-06 Migration Program, the Government indicated it was aiming to ensure that the increase in the Skill Stream of the Program is targeted to meet the skill shortages in the Australian labour market. As part of this initiative, priority processing would be provided to applicants from occupations on the MODL. Accordingly, TRA's business procedures are being further streamlined and resources increased to deliver revised 2005-06 performance targets. The targets are '98 per cent of international applications from the MODL are finalised within 60 days' and '95 per cent of all other applications are finalised within 90 days'.

44. One area for possible improvement is the way in which skills recognition and statutory licensing arrangements interact. For example, TRA's assessments of trade skills in the international stream are made for migration purposes only. State licensing bodies, such as electrical licensing boards, do take account of TRA's award of the ARTC. However, potential migrants often face a number of hurdles, involving various authorities, before they can put their skills to work. The Government has decided that DIMIA will work with DEST and DEWR to obtain State and territory government cooperation to speed up and make more consistent the processes for licensing relevant trade occupations. For its part, TRA is also looking to streamline the process involving applicants that wish to be processed through both the international and domestic streams. This issue is being examined by the joint Commonwealth-State working group which was established by COAG in June 2005 to address barriers across the vocational education and training system to achieve a national approach to apprenticeships and training.

45. A further related proposal that may be considered as part of a review of the TRR Act is an increase in the occupations covered beyond the electrical and metal trades. For example, the schedules to the TRR Act could be expanded to include the hospitality, building and

construction, horticultural, hairdressing and other non-TRR Act trades from industries that TRA assesses. The process could offer a low cost one-stop-shop, timely process for the recognition of skills developed outside of the formal processes. The expansion of trades covered by the TRR Act could unify the occupations to be assessed for migration purposes under the one regulatory vehicle. It would enable alignment of the decision making processes thus realising greater consistency, yet flexibility and adaptability to new initiatives over time, with the underpinning confidence and support of a modernised committee structure composed of employer, employee and training representatives.

5. Conclusion

46. The main points made in this submission are set out below:

- The skill level of migrants is important to determining employment and settlement outcomes – young, skilled migrants have a substantially lower unemployment rate, an ability to find employment more quickly, and higher levels of income and expenditure.
- DEWR would not support any significant changes to the skill assessment process for overseas qualifications that resulted in any dilution in the skill level of temporary or permanent migrants to Australia.
- Analysis shows that, taken as a whole, Australia’s migration criteria, skills recognition arrangements and processing arrangements compare favourably with those of other countries.
- TRA will continue to reduce application completion times to assist skilled migrants to enter Australia as quickly as possible, particularly in occupations where skill shortages exist.

Trades Recognition Australia - Application Trends

Years	International Stream	Success Rate %	Domestic Stream	Success Rate %	Total Received
1988-89	5726	55	5123	*	10849
1989-90	7081	55	5399	*	12480
1990-91	7943	54	5803	*	13746
1991-92	5283	47	5249	*	10532
1992-93	3787	53	4163	*	7950
1993-94	3681	63	4418	*	8099
1994-95	5639	63	2948	*	8587
1995-96	5461	62	3483	64	8944
1996-97	3321	58	1980	71	5301
1997-98	2544	66	1218	82	3762
1998-99**	3569	72	1135	82	4704
1999-00**	5692	70	860	85	6552
2000-01	6955	75	786	88	7741
2001-02	7190	78	757	87	7947
2002-03	8798	67	834	81	9632
2003-04	9979	63	1075	83	11 054
2004-05#	14 200	TBA	1140	TBA	15 340

* These figures are not available.

** These figures are the number of applicants, not applications.

Preliminary figures.

Trades Recognition Australia – Uniform Assessment Criteria – July 2005

1. Working definitions for the UAC

- 1.1 **Tradesperson:** A tradesperson is an individual who has undergone formal or informal training or on-the-job trade-level work experience evidencing that they meet the benchmark of an Australian tradesperson.
- 1.2 Accordingly, a ‘tradesperson’ is a person who can demonstrate trade-level skills in their designated trade and, where relevant, be able to:
- 1.2.1 work unsupervised across a wide range of trade duties;
 - 1.2.2 follow complex written and verbal directions;
 - 1.2.3 complete trade work in accordance with relevant industry standards;
 - 1.2.4 plan the method and order of progressing trade work;
 - 1.2.5 work safely in accordance with workplace health and safety regulations;
and
 - 1.2.6 identify, select and use tools and equipment to complete trade tasks.
- 1.3 **Technician:** A technician is an individual who has completed formal structured technical training at the AQF Certificate IV level or higher or who has otherwise met the equivalent international standard (1.7) and whose range of duties consist primarily of the following:
- 1.3.1 uses test equipment;
 - 1.3.2 undertakes technical tests and tabulates testing results;
 - 1.3.3 assembles pre fabricated parts and equipment; and
 - 1.3.4 works in support of and/or under the instruction of an engineer(s).
- 1.4 **Associate Professional:** An associate professional is an individual who is involved with design and test analysis of product(s) and/or undertakes a supervisory/management function (for example, a chef).
- 1.5 Associate professionals would normally have completed an Associate Diploma or Diploma educational qualification or otherwise met the equivalent international standard (1.7) in the relevant field.
- 1.6 Associate professionals will be considered under all skill pathways.
- 1.7 **References:** In determining an ‘equivalent international standard’, TRA may refer to publications including ‘The training of skilled workers’ (Central Trades Committee Tripartite Mission reports) or Country Education Profiles published by Australian Education International - National Office for Overseas Skills Recognition (AEI - NOOSR).

2. Authority

- 2.1 In accordance with Regulation 2.26B(1) of the *Migration Regulations 1994* (Cth) ('the Regulations'), the Minister for Immigration has approved Trades Recognition Australia ('TRA') as a relevant assessing authority for skilled occupation.
- 2.2 In accordance with Regulation 136.222 of Schedule 2 of the Regulations, TRA is required to determine whether the skills of a person for a nominated skilled occupation are suitable for that occupation.
- 2.3 Regulation 2.26B(2) provides the authority for TRA to determine, at its sole discretion, the standards against which the skills of a person are assessed as being suitable for their nominated occupation.
- 2.4 TRA has determined that the Uniform Assessment Criteria ('UAC') is to be the standard by which the skills of a person are to be assessed for the purposes of Regulation 2.26B(2). The UAC displaces all previous standards, criteria or determinations to the extent of any inconsistency.

3. Benchmark of an Australian tradesperson

- 3.1 An Australian tradesperson is generally recognised as such on completion of a formal apprenticeship. Trade status is then confirmed by way of appropriate remuneration and conditions conferred under the relevant industrial award.
- 3.2 Accordingly, TRA has applied the benchmark of trade training and work experience equivalent to that of an Australian apprenticeship-trained tradesperson in determining whether an applicant's skills in their nominated trade are suitable for that trade.

4. Skill Pathway Assessments

- 4.1 For the purposes of determining whether an applicant meets the benchmark of an Australian tradesperson, TRA applies a 'Skill Pathways' approach. An overview of this approach is set out in section 5.
- 4.2 Skill Pathways provide TRA staff with a complete assessment framework which can be applied to all source countries and all relevant occupations listed in the Australian Standard Classification of Occupations ('ASCO').
- 4.3 Applicants must provide sufficient evidence to support each claim made in their application. Evidence must be capable of independent verification by TRA.

4.4 TRA Assessors ('Assessors') are required, from the evidence provided by the applicant, to determine whether an applicant satisfies the requirements of at least one skill pathway in relation to a nominated skilled occupation and whether the applicant should be recognised as satisfying that skill pathway.

4.5 Applicants who have demonstrated that their skills are suitable for their nominated skilled occupation (i.e. have meet the benchmark of an Australian tradesperson) are deemed to have had their claims 'accepted' and are awarded a designated ASCO occupation and relevant code for migration purposes only. Accepted applicants may be subject to additional licensing or registration requirements before they are eligible to practice in their nominated skilled occupation in Australia e.g. those imposed by State / Territory governments.

4.6 Where necessary, Assessors determine whether the applicant is also eligible for recognition as a supervisor and/or as a vocational teacher.

5. Skill Pathway Overview

Skill Pathway	A	B	C	D	E
Notional Title	Formal Apprenticeship	Informal Apprenticeship	Vocational Traineeship	Work Experience	Australian Qualification
Employment requirement	4 years	5 years	5 years	6 years *	900 Hours ** <i>or</i> 4 years ***
Training requirement	900 Hrs formal training	900 Hrs formal training	1800 Hrs formal training	Verifiable skill level transition process	CRICOS AQF III <i>or</i>
Specific requirements	Regulated apprenticeship		Recognised traineeship		Acceptable workplace assessment
Primary Outcome	Designated Occupation				
Additional requirements	3 years post-trade experience				
Secondary Outcome	Supervisor / Vocational education teacher				

* 7 years for electrical trades

** For Australian trained applicants (10.4)

*** For AQF holders who have undergone acceptable workplace assessment (10.6)

6. Skill Pathway A (4 years formal apprenticeship)

6.1 **Recognition:** The apprenticeship cited must be one that is regulated (and endorsed as having been completed) by an authorised governing body whose standards can be independently verified by TRA (eg. government, military or recognised industrial party).

6.2 **Employment:** The apprenticeship cited must comprise of a period of directly related and relevant employment, which may include military service, and relevant formal training of not less than four years duration.

6.3 In addition, the employment must meet the following conditions:

6.3.1 the apprenticeship was formalised by a contract entered into between the employer and the apprentice and registered with the authorised governing body;

6.3.2 the apprentice completed on-the-job training under the direct supervision of a qualified tradesperson in the occupation or trade;

6.3.3 successful completion of the apprenticeship resulted in the person being recognised by an acceptable employer as a fully qualified tradesperson; and

6.3.4 where applicable, the apprentice had reached the standard required to be recognised as a tradesperson by the military service and/or upon discharge, be eligible for recognition by the relevant union or industry association as a skilled tradesperson.

6.4 **Formal training:** The training cited must be formal, vocational training which:

6.4.1 consists of not less than 900 hours of structured tuition (including tuition by the military);

6.4.2 has been conducted in concurrence with employment;

6.4.3 is directly related to the occupation;

6.4.4 has been accredited by an authorised governing body whose standards can be independently verified by TRA (eg. government, military or recognised industrial party); and

6.4.5 results in the award of certification verifying completion of such training.

6.5 **Restrictions:** A formal apprenticeship has not been completed where the applicant cites circumstances which include but are not limited to:

6.5.1 training which is determined not to be equivalent (see paragraph 1.7);

- 6.5.2 an apprenticeship in a country or countries where no formal apprenticeship system exists; or
- 6.5.3 an apprenticeship in a country or countries where there is no authorised governing body whose standards can be independently verified by TRA.

7. Skill Pathway B (5 years informal apprenticeship)

- 7.1 **Employment:** The apprenticeship cited must comprise of a period of directly related and relevant employment and acceptable formal training of not less than five years duration.
- 7.2 In addition, the employment must meet the following conditions:
 - 7.2.1 the apprentice completed on-the-job training under the direct supervision of a qualified tradesperson in the occupation or trade; and
 - 7.2.2 successful completion of the informal apprenticeship has resulted in the person being recognised by an acceptable employer as a fully qualified tradesperson.
- 7.3 **Formal training:** The training cited must be formal, vocational training which:
 - 7.3.1 consists of not less than 900 hours of structured tuition;
 - 7.3.2 has been conducted within 2 years of the directly related employment; is directly related to the occupation;
 - 7.3.3 has been accredited by an authorised governing body whose standards can be independently verified by TRA (eg. government, military or recognised industrial party); and
 - 7.3.4 results in certification verifying completion of such training.
- 7.4 **Restrictions:** An informal apprenticeship has not been completed where the applicant cites circumstances which include, but are not limited to:
 - 7.4.1 training which is determined not to be equivalent (see paragraph 1.8); or
 - 7.4.2 an apprenticeship or employment arrangements which are determined not to be equivalent or are incomplete.

8. Skill Pathway C (5 years vocational traineeship)

- 8.1 **Employment:** The traineeship must comprise of a period of directly related and relevant trade-level employment and acceptable formal training of not less than five years duration.
- 8.2 In addition, the employment must meet the following conditions:

- 8.2.1 the applicant completed on-the-job training under the direct supervision of a qualified tradesperson in the occupation or trade; and
 - 8.2.2 successful completion of the traineeship resulted in the applicant being recognised by an acceptable employer as a fully qualified tradesperson.
- 8.3 **Formal Training:** The training cited must be formal, vocational training which:
- 8.3.1 consists of not less than 1800 hours of structured tuition;
 - 8.3.2 has been conducted within 2 years of the directly related employment; is directly related to the occupation;
 - 8.3.3 has been accredited by an authorised governing body whose standards can be independently verified by TRA (eg. government, military or recognised industrial party); and
 - 8.3.4 results in certification verifying completion of such training.
- 8.4 **Restrictions:** A vocational traineeship has not been completed where the applicant cites circumstances which include, but are not limited to:
- 8.4.1 training which is determined not to be equivalent (1.8); or
 - 8.4.2 traineeship or employment arrangements which are determined not to be equivalent or are incomplete.

9. Skill Pathway D (work experience)

- 9.1 **Employment:** The applicant must have completed a period of employment of not less than six years (or seven years in the case of electrical trades) that is both relevant and directly related to the trade or occupation and involves a *verifiable skill level transition process* under the supervision and direction of a fully qualified tradesperson.
- 9.1.1 *A verifiable skill level transition process* is one which articulates the applicant's acquisition of the full range of trade-level skills, commencing with a period of supervised semi-skilled work; progressing to supervised trade skilled work; and finally progressing to unsupervised trade skilled work.
- 9.2 In addition, the employment must have resulted in the applicant having been formally recognised as a skilled tradesperson and remunerated by an employer as a skilled tradesperson or licensed as a skilled tradesperson by an authorised governing body whose standards can be independently verified by TRA (eg. government, military or recognised industrial party).

10. Skill Pathway E (Australian Qualification (AQ) holders)

- 10.1 **Work experience:** Applicants citing Australian Qualification Framework ('AQF') qualifications awarded on the basis of acceptable formal training (10.4) must also provide evidence of relevant and directly related work experience equalling not

less than 900 hours.

10.2 Applicants citing AQF qualifications awarded on the basis of an acceptable workplace assessment (see paragraph 10.6) must also provide evidence of relevant and directly related work experience equalling not less than 4 years.

10.3 Such work experience must be;

10.3.1 verifiable work experience under the supervision and direction of a suitably-qualified person (ordinarily a fully-qualified person in the relevant occupation); and

10.3.2 for the purposes of paragraph 10.1, completed within 2 years of the commencement of cited formal Australian training.

10.4 **Formal Training:** Acceptable formal training must be bona fide formal vocational training which:

10.4.1 is delivered by a Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) provider in accordance with the Education Services for Overseas Students (ESOS) Act;

10.4.2 is a CRICOS registered, full time course; and

10.4.3 results in the award of an appropriate qualification, under the AQF, for a relevant skilled occupation listed in the ASCO.

10.5 **Credit Transfer (CT) / Recognition of Prior Learning (RPL):** Applications citing AQF qualifications awarded on the basis of acceptable formal training (see paragraph 10.4) which include competencies recognised by CT / RPL, must include evidence of how the competencies recognised by CT / RPL were achieved.

10.5.1 Such evidence may include transcripts provided by alternative CRICOS providers or evidence of acceptable work experience (see sub-paragraphs 10.3.1, 10.3.2).

10.6 **Workplace Assessments: Acceptable workplace assessments must be conducted:**

10.6.1 by an Australian Registered Training Organisation;

10.6.2 by a qualified workplace assessor (AQF IV or above);

10.6.3 in the presence of an Australian trained and qualified subject matter expert;

10.6.4 across any and all compulsory core competencies as defined by the relevant training package; and

10.6.5 consistent with the requirements of the relevant training package.

11. Supervisor or Vocational Education Teacher

- 11.1 **Supervisor:** Applicants must first be recognised under a skill pathway (A–D) and also possess at least three years post-recognition supervisory experience involving qualified tradespersons.
- 11.2 A supervisor is expected to demonstrate a working understanding of staff management, occupational health and safety policies and procedures and relevant quality standards. In addition, a supervisor would be expected to demonstrate that they have had direct supervision of at least four subordinates in allied occupations.
- 11.3 An applicant under consideration for recognition as a supervisor will also be entitled to claim a maximum 1000 hours credit resulting from the completion of supervisory-related training. This training must have been completed within two years of commencing in a supervisory role.
- 11.4 **Vocational education teacher:** Applicants must first be recognised under a skill pathway (A–D) and also must demonstrate at least three years post-recognition experience as a vocational teacher.
- 11.5 A vocational education teacher is expected to demonstrate an understanding of:
- 11.5.1 adult education processes particular to vocational disciplines;
 - 11.5.2 adult student supervision;
 - 11.5.3 management of student records;
 - 11.5.4 occupational health and safety policies and procedures; and
 - 11.5.5 relevant quality standards.
- 11.6 An applicant under consideration for recognition as a vocational education teacher will also be entitled to claim a maximum 1000 hours credit resulting from the completion of vocational education related training and assessment. This training must have been completed within two years of commencing an educative role.
- 11.7 Applicants who achieve recognition through pathway E are eligible for consideration as a vocational education teacher upon completion of the following additional requirements:
- 11.7.1 AQF Certificate IV in assessment and workplace training; and
 - 11.7.2 minimum three years experience in a vocational teaching capacity (11.5).