



THE SENATE
SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE
REFERENCES COMMITTEE

**Inquiry into the proposed Comprehensive and Progressive Agreement for
Trans-Pacific Partnership (TPP-11)
Public Hearing –Monday, 30 July 2018
Questions Taken on Notice
Red meat and livestock industry**

1 HANSARD, p. 28

Senator MOORE: I'll just follow up on that question first: are you all using the current Home Affairs process? From your perspective, what's the difference between the current process and what could be in this new agreement?

Mr Robertson: From our perspective it's the potential for the labour-market-testing requirement to be waived from some certain markets.

Senator MOORE: I would expect that you are all very experienced in labour-market testing because of the information you've just provided to us. So what's the advantage in an industry that you know so well where you have got existing labour-market-testing processes and not having to do it?

Mr Robertson: It can speed up the process of recruiting labour from overseas.

Senator MOORE: By how much?

Mr Robertson: I think the requirement under the new system is for something like demonstrating advertising for a few months, at least.

Senator MOORE: Have you quantified it? Would you be able to give us on notice what your data shows?

Ms Kerr: Yes.

Senator MOORE: How about in grain? I would have thought you would have had existing processes well in place, particularly in the more remote parts.

Mr Mathews: There are others within our industry representative body who are more appropriately placed than me to answer that. it's not put on notice for you.

Senator MOORE: I'll put that on notice for you, then, Mr Mathews.

Mr Mathews: Sure.

Senator MOORE: Red meat?

Mr Hart: I'll also take that on notice.

Response supplied by the Australian Meat Industry Council (AIMC)

Many of AMIC's processor members have a Meat Industry Labour Agreement (MILA) in order to source skilled meat workers from overseas due to the extreme difficulty that they have in recruiting and retaining local workers.

One of the strict conditions that the MILA applies to these establishments relates to the labour market testing requirements.

To nominate an employee for a Temporary Skills Shortage (TSS) visa, a business must demonstrate that they have tested the labour market. Labour market testing includes demonstrating that the business unsuccessfully advertised for the nominated position. Evidence must be supplied as part of the application and the evidentiary requirements are very specific. In most cases, two advertisements placed within the last 4 months ending on the day on which the nomination form in relation to the nominated application is lodged, for a minimum period of 28 days, however there are instances when this will not be sufficient, and alternative evidence is required.

The kind of evidence that must accompany a nomination for a select occupation, or a select position is a written submission made by the nominator that provides reasons why a suitably qualified and experienced Australian citizen or Australian permanent resident, or suitably qualified and experienced eligible temporary visa holder, is not readily available to fill the nominated position. The kind of evidence that must accompany any other nomination is a copy of the advertising material used to advertise the position.

These requirements are a major burden to processing establishments. It places restrictions on these business both in the ability to be competitive and as well as operating at a higher production capacity.