

Mr Tim Watling  
Committee Secretary  
Senate Education, Employment and Workplace Relations Committees  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Mr Watling

**Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012**

I refer to your email of 29 August 2012. Thank you for the opportunity to make a submission to this Inquiry.

Skills Tasmania is Tasmania's State Training Authority responsible for the administration of vocational education and training in Tasmania. It also provides advice to the Tasmanian Minister for Education and Skills on vocational education and training policy, strategy and on skills and workforce development.

Our contribution to the Inquiry is informed by our collaboration with industry associations and enterprises on workforce development and planning.

From a workforce development perspective it is reasonable that employers seeking to use Enterprise Migration Agreements (EMA) have to demonstrate that they have made reasonable attempts to recruit and train suitable employees locally.

The determination of what constitutes reasonable attempts should be scaled according to the size of the employer and the nature of the occupation. In relation to the latter, Skills Tasmania supports the approach adopted by Skills Australia (now the Australian Workforce and Productivity Agency [AWPA]) in its publication *Australian Workforce Futures*. The publications are available on the Agency's website at <http://www.awpa.gov.au/publications/publications.html>. The methodology puts the focus on specialised occupations where:

- long lead time - skills are highly specialised and require extended learning and preparation time over several years;
- high use - skills are deployed for the uses intended (i.e. good occupational 'fit'; and)
- high risk - the disruption caused by the skills being in short supply is great, resulting either in bottlenecks in supply chains or imposing significant economic or community costs because an organisation cannot operate.

In addition, the occupation must fit the following criterion:

- high information - the quality of information about the occupation is adequate to the task of assessing future demand and evaluating the first three criteria. (Australian Workforce Futures, p. 21).

Reasonable attempts need to assess the employer's actions and endeavours to recruit from local, regional and national labour markets.

A further consideration is the extent to which the perceived need can be satisfied by better skills utilisation within the employer's existing workforce. Again the research and publications by AWWPA are useful background to this question, in particularly *Better Use of Skills, Better Outcomes*

The employer's contribution to developing skills in the potential workforce is a matter that may be both a requirement in order to access an EMA and a condition placed on the approval of an EMA.

Skills Tasmania suggests that employers' active engagement in workforce planning at enterprise, regional and industry sector levels is an appropriate demonstration of reasonable attempts to recruit and develop suitably skills workers from within the Australian labour markets.

Yours sincerely

Dr C A Berryman  
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