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Information Technology Contract & Recruitment Association

**SUBMISSION TO THE
JOINT STANDING COMMITTEE ON MIGRATION**

Inquiry into Temporary Business Visas

28 February, 2007

EXECUTIVE SUMMARY

The Information Technology Contract and Recruitment Association (ITCRA), welcomes the Commonwealth Parliament's current inquiry into temporary business visas being undertaken by the *Joint Standing Committee on Migration*. This submission addresses the terms of reference, as set out.

We have taken into account the temporary business visas which allow visa holders to undertake salaried work in Australia in very limited circumstances, in addition to the long-term employer sponsored visa (subclass 457) which includes the Labour Agreement visa.

Since employers within the information communications technology (ICT) industry are predominantly users of the long-term employer sponsored visa i.e. the Temporary Business (Long Stay) 457 visa, we have concentrated our submission on this particular visa. This is the visa that is most commonly representative of ITCRA membership usage.

According to the latest Department of Immigration and Citizenship (DIAC) figures, the demand for temporary foreign workers grew by 44.5% over the previous year. Therefore in order to satisfy employer demands within the ICT industry, Australian employers actively seek the assistance of an ITCRA member to recruit highly skilled and qualified IT or contract persons from either the domestic or international marketplace.

Our members do not use the 457 visa program to minimise their obligation to recruit, hire and/or train Australians. They utilise the flexibility and speed of the 457 visa program as a supplementary measure in order to satisfy the present and impending skills shortage and employment demands in Australia, which, at present levels will reach a zero net migration point in the foreseeable five to ten years.

ITCRA unequivocally supports the continued preservation of the Temporary Business (Long Stay) 457 visa program and/or any enhanced successive regime as a supplementary means to job creation in the employment market thereby, growing and sustaining, public/private business and the Australian economy.

Since one in five temporary foreign workers become Australian citizens in time, the transitional contribution skilled migrants offer Australian communities along the pathway from temporary to permanent residency is highly significant.

This submission to the Joint Standing Committee on Migration quantifies the position taken by the Association and presents to the Committee what we believe is a pragmatic approach including recommendations on behalf of the membership under the terms of reference. Therefore, ITCRA welcomes the opportunity to elaborate our position to the Joint Standing Committee on Migration in session.

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INTRODUCTION

Unquestionably, the on-going preservation of the Temporary Business (Long Stay) 457 visa is a key strategy for government and business in order to accomplish the shortfall of skilled personnel in Australia. ICT industry 457 visa holders play a significant role beyond the knowledge and skill-set they bring to Australian business through temporary migration.

Not only do 457 visas holders add to the business base and skills pool of their employer, they contribute a portion of their earnings to the Australian economy whilst not having the ability to access certain government benefits as do citizens or permanent residents, thereby becoming self-sustaining in not calling on the Australian tax payer or the Commonwealth. In 2005 the median income of computer professionals, managers and administrators was over \$100,000 whilst that of professionals was \$63,000.

As temporary migrants, 457 visa holders are however required to pay; direct taxes (income tax), indirect taxes (as GST), health Medicare levy, motor vehicle taxes, stamp duties, regulatory fees and payroll taxes (through employment). They are however not eligible for social security benefits, Medicare, settlement services, hospital and other state provided health services, public housing, or free primary/secondary schooling as provided in a number of States and Territories.

Government policy which underpins the 457 visa program is the demand for highly skilled personnel. Through the temporary skilled visa program this has been successfully and routinely accomplished by business and in particular by the ICT industry where demand is highest. This success is not only critical to business through the flow of talent, but is unquestionably 'government critical' for the continuation and enhancement of efficient government ICT systems and infrastructure benefiting all Australians.

With Australia experiencing a strong domestic economy it becomes essential for business to have the use of a developing, and adaptable skilled migration policy that efficiently delivers an improving raft of service deliveries to sponsoring employers whilst ensuring temporary foreign workers are successfully integrated into the Australian business environment and community.

Whilst ITCRA has taken a holistic view of the current 457 visa regime underpinning our submission, not surprisingly ITCRA's interests reside in the ICT industry, and therefore the focus of our submission is ICT sector generic.

ITCRA BACKGROUND AND COVERAGE

The Information Technology Contract and Recruitment Association or ITCRA, was incorporated in 1998. Since incorporation, the Association's Code of Conduct has been published; its collateral has been produced; it participates in a number of key Commonwealth and State government projects, has an active full-time secretariat and its membership has been significantly enlarged.

ITCRA is now represented in both Australia and New Zealand. Current membership stands at approximately 130 member companies in Australia and 20 member companies in New Zealand.

The aim of the Association is to be the pre-eminent body in the IT contract and recruitment industry in Australia and New Zealand, setting the direction for the industry and influencing its standards and code of practice. ITCRA excels in representing its member's interests to government, employers and employees and in providing industry specific and cost efficient forums and programs.

The Association's objectives are to:

- enhance and promote the information technology contract and recruitment industry
- maintain a Code of Conduct consistent with good practice and sound business objectives
- promote the professionalism and image of the industry
- conduct training and educational activities for the industry
- provide an industry forum/lobby group for specialist IT recruitment and contract labour providers

ITCRA membership is governed by a professional Code of Conduct which provides a framework within which members operate their business in a professional and ethical manner. All members of the Association subscribe to the Code of Conduct and are thereby committed to ensuring that their staff are provided with the appropriate training and development required to uphold the standards of professional practice reflected in it.

The Association has two categories of membership;

- General Membership is for companies whose core business is IT recruitment and contractor management
- Affiliate Membership is for companies who supply services to the recruitment industry

ITCRA is managed by a Board elected by the members annually, and is administered by an Executive Director who reports to the Board. Between Board meetings the President, Vice President and Executive Director, act as the Executive of the Association.

ITCRA'S RELEVANCE TO THE JSCM INQUIRY

Department of Immigration and Australian Bureau of Statistics (ABS) figures concur that the top five occupational groups consistent with the current Australian Standard Classification of Occupations (ASCO) nominated by employers in 2005-2006 who use the Temporary Business (Long Stay) 457 visas program were;

- registered nurse
- computing professional
- business and information professional
- slaughterperson
- general medical practitioner

ICT computing professionals and, business and information professionals as a group are clearly the highest single industry sector of temporary migrants to Australia. Whilst DIAC and ABS figures for the identical period concerning individuals applying for permanent residency in Australia confirm, ICT industry computing professionals remains the top single occupation of permanent migrants.

Thereby utilising the Temporary Business (Long Stay) 457 visa program as a means of supplementing the local employment pool, ITCRA views the program as a vital and necessary component to achieve this goal for its individual member companies.

Demonstrating ITCRA's commitment and responsibility to Australian immigration law, members are regulated by clause 5.6 contained in the Association's Code of Conduct, i.e.

- 5.6 *Candidates who are not legally entitled to work in Australia or have limited work rights, should only be referred to clients when full details of their immigration status are provided to the client, and the client has been advised of the steps necessary to comply with Australia's immigration laws*

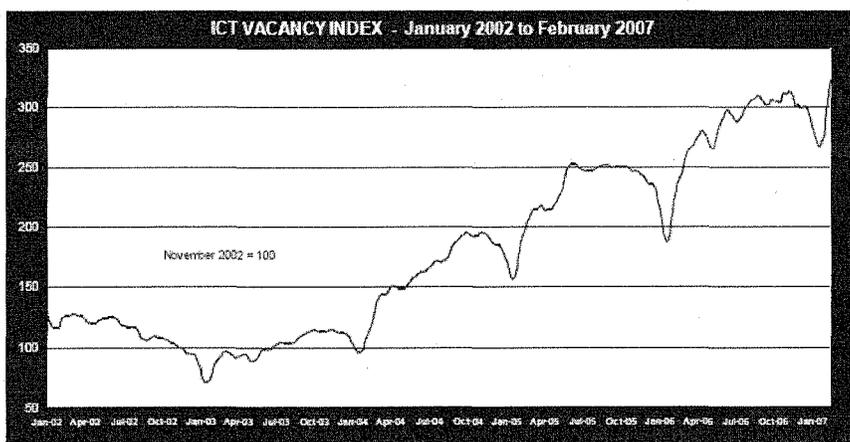
ITCRA and its membership are unreservedly committed to the preservation and coexistence between recruitment endeavors from the local Australian market in the first instance and through recruitment options from the international marketplace as a supplementary measure in order to satisfy present and foreseeable employment demand and skills shortages in Australia.

ICT SECTOR LABOUR SHORTAGES IMPACTING THE 457 VISA PROGRAM

For an industry sector which generated in excess of \$78.8 billion for the fiscal year 2005-2006, the Temporary Business (Long Stay) visa assisted Australian ICT employers to fill skilled vacancies where they were unable to fill their recruitment needs from the local labour market or through local training measures. They accomplished this either by recruiting personnel offshore from the international market, or by individuals onshore holding other temporary visas in Australia on the basis to work for periods between 3 months and 4 years.

In order to meet the demand in accelerated employment growth by Australian businesses and government rapidly over the past ten years, the ICT industry has experienced continued and increased shortages of highly qualified skilled, Computing Professionals, Computing Support Technicians, Information Technology Managers and Information Professionals.

According to the Department of Employment and Workplace Relations (DEWR) latest Vacancy Report (January 2007) the ICT Vacancy Index is at its highest level since August 2001.



The DEWR ICT Vacancy Index increased to 323.6 over the four weeks to mid February 2007 and is 35.1% higher than in February 2006. The ICT Vacancy Index is at its highest level since August 2001. The three Australian ICT online recruiting sites included in the ICT Vacancy Index averaged around 24 100 vacancies in the four weeks to mid February 2007. The ICT vacancy series is not seasonally adjusted

Industry sources advise us that the demand in the ICT employment growth market is unlikely or expected to decrease in the foreseeable future.

Demand for IT staff has increased to 19% since July, according to a recent survey by Best International. The Best Talent Index for information, communication and technology has found "demand for ICT labour skills in the Australian market is at an all-time high, recording a 19% increase since the start of the financial year and a significant increase over the November 2006 figures". Permanent jobs are outweighing contract jobs by a third, with permanent roles up 12 percent and contract roles rising by 8 percent. Best reported, "The five-week period from January 01 to February 06, 2007 has shown the highest numbers of jobs ever recorded for ICT labour skills in Australia".

DIAC recognizes the critical nature of the ICT industry demands in so much that it lists eleven ICT occupation classified specialisations on the current Migration Occupations in Demand List (MODL) i.e. C++, C#, C, CISSP, Java, J2EE, Network Security, Oracle, PeopleSoft, SAP and SIEBEL.

ITCRA recommends that in addition to the current occupation classifications listed on the MODL for computing professionals specialising in particular skill sets, that this list be increased expeditiously in order to reflect the present and foreseeable demand.

Therefore, as the crucial nature of skilled labour shortages in the ICT industry sector continues to impact Australian business and government, reliance on the Temporary Business (Long Stay) 457 visa as a supplementary means to alleviate this pressure would as a minimum be heightened.

TEMPORARY BUSINESS (LONG STAY) 457 VISA

Within the legislative framework and other relevant government instruments the Minister of Immigration and Citizenship delegates vested powers to DIAC which administer the Temporary Business (Long Stay) 457 Visa program. Under this authority DIAC thereby approve or refuse an application based on assessment concerning the suitability of the match between the nominated position, the personal attributes and employment background of the applicant. Additionally, assessing health and character requirements and other criteria, particularly ensuring the applicant and the employer continue to meet minimum salary requirements and Australian workplace laws. DIAC enforces the 457 visa program through a rigid formula of compliance and on-going monitoring.

CURRENT ELIGIBILITY REQUIREMENTS

The ITCRA membership takes the responsibility of sponsorship of an employee from the international market place as a serious commitment. In doing so, member companies undertake their responsibility in regard to eligibility requirements concerning the 457 visa regime, ensuring that ICT companies who sponsor personnel will be of benefit to Australia through;

- creating or maintaining employment opportunities for Australians within the ICT industry
- contributing to the competitiveness of the ICT sector within the Australian economy
- improving Australian ICT business links with the international market

As a result, ITCRA member companies ensure ICT industry sponsoring employers demonstrate that their business;

- will introduce or use new ICT technology and/or business skills
- have a record of, or commitment to training Australians in its operations
- lawfully and actively operates in Australia
- shows there is a direct employee-employer relationship between the sponsoring business and the visa holder
- ensure there is a direct remuneration relationship between the sponsoring business and the visa holder
- is able to comply with the obligations of business sponsorship
- is able to, and/or has previously complied with Australian immigration and workplace law

Additionally, ICT industry sponsoring employers must demonstrate that the employment in Australia of the visa holder would contribute to;

- creating or maintaining employment opportunities for Australian citizens or Australian permanent residents
- contributing to the competitiveness of the ICT sector within the Australian economy
- improving Australian ICT business links with the international market

MINIMUM SALARY LEVEL

As at 03 May 2006, DIAC set the minimum salary levels at; \$57,300 for non-regional information technology professionals (excluding allowances and salary packaging) compared to \$41,850 for other non-regional professionals. Simultaneously regional MSL's were adjusted pro-rata to accommodate concession levels available to regional employers for both designated groups allowing regionally based employers to recruit and sponsor a broader range of skilled occupations. Minimum Salary Levels are reviewed at least annually by DIAC and adjusted as required in consultation with industry and government.

The ITCRA membership recommends that any alteration to the MSL for regional and non-regional information technology professionals above current levels is totally unnecessary and that a reasonable number of 457 visa holders are being remunerated above these levels.

However in saying this, there is a compounding negative factor which affects development of smaller to medium ICT companies in Australia through the enforcement of minimum salary levels. This in fact has forced the average salary levels up needlessly across the entire industry sector, which has disadvantaged small to medium companies expanding their employee pool and the industry's employment rate.

MIGRATION OCCUPATIONS IN DEMAND

The Migration Occupations in Demand List (MODL) is an indicative list of those skilled occupations the Minister considers critical in demand due to labour availability shortages between given periods customarily reviewed and distributed annually. As a rule, the MODL has little effect on the administration of the 457 visa regime as its most relevance is to permanent residency matters. The MODL does however provide DIAC a supplementary tool when assessing 457 visa applications which need a clearer definition of a nominated job classification.

Due to current and recurrent shortages in the ICT sector for highly qualified and skilled, computing professionals and information professionals, ITCRA recommends that in addition to the current occupation classifications listed on the MODL for those professionals specialising in particular applications, that the MODL list be increased expeditiously in order to reflect the present and foreseeable demand to meet market and industry needs.

ENGLISH LANGUAGE PROFICIENCY

Since the inception of the 457 visa program in its current form in 1995, the highest proportion of 457 visa holders emanate from source countries where English is the first language e.g. the United Kingdom, United States of America, South Africa, Canada, the Irish Republic, or from countries where English is predominant in business e.g. Singapore, India, Philippines, Malaysia, France, the Netherlands etc

Acknowledging the data concerning source countries, DIAC figures attest that English language proficiency is not an issue for the bulk of the program given the 457 visa is for temporary stay in Australia where applicants are only required to meet appropriate English language proficiency to 'functional' level per current migration instruments.

Whilst ITCRA acknowledges the argument to examine the suitability of some of the proposed occupation classifications contained in the forthcoming Australian and New Zealand Standard Classification of Occupations (ANZSCO) and their appropriateness with regard to visa holders being able to conform to occupational health and safety standards, for those in the ICT industry ITCRA believes this is not the case.

Should changes be made to the current criteria concerning English language proficiency, it is ITCRA's recommendation that changes should not include those individuals broadly classified as; computer professionals and business information professionals given, the overwhelming majority of applicants in the ICT industry emanate from the source countries as detailed. Additionally, ITCRA members undertake rigid English proficiency vetting and evaluation during the recruitment process which ensures employer and migration suitability.

ITCRA further recommends that English language proficiency would be an excessive mandatory prerequisite for occupation classifications Groups 1 to 3 of the current Australian Standard Classification of Occupations (ASCO), which, if introduced would have needless and detrimental effect on the efficiency of the temporary business visa program and the growth of high end skilled employment in general.

SKILL

The Temporary Business (Long Stay) 457 Visa program was established to allow Australian employers to bring highly skilled workers from the international marketplace to Australia in order to assist business to meet their needs in a time of significant skill shortages through a swift approval and entry process.

ITCRA agrees with the government, that current usage of the 457 visa program compliments other government interventions and initiatives in an effort to enhance the Australian knowledge-base and skill-base. An example of ITCRA's unwavering commitment to skills enhancement is the Association's participation as a key leader in 'Skills Match' a government driven project by the federal government for a national ICT skills matching system for use throughout Australia.

Since 2005, ITCRA together with DEWR, AIIA, ACS and a number of other IT industry organisations has been represented on the *ICT Skills Foresighting Working Group* established by the Commonwealth Department of Communications Information Technology and the Arts. The group has been part of the Commonwealth Government's strategic approach to ensuring Australia can identify the skills needs of the ICT industry and provide information to IT professionals looking for employment opportunities.

In 2006, the Minister for Communications Information Technology and the Arts announced the Commonwealth would provide funding for the creation of a *National ICT Skills Monitoring Establishment Project* based on the existing Multimedia Victoria model which ITCRA has been an integral participant as a contractual partner since 2003. ITCRA has been invited to lead the enlarged Commonwealth research project and has together with its consortium partners that include, DEWR, MMV and AIIA, matched the government's funding dollar for dollar.

Skill is without question the foremost and most critical component of an individual's success in the ICT sector. As a result, ITCRA members who act on behalf of their employer clients when matching the suitability and appropriateness for a temporary worker, are compelled to assess an applicant's skills-set particularly against qualifications and industry experiences in order to qualify the position available. This process also satisfies and compliments any skills prerequisites for a 457 visa.

ITCRA takes the position that the current skill level requirements for 457 visa entrants are suitable and prudent particularly for those occupations Groups 1 to 3 of the current Australian Standard Classification of Occupations (ASCO) and recommends skill level requirements are not altered for 457 visa applicants.

TRAINING

One of the fundamental objectives underlying the Temporary Business (Long Stay) 457 Visa program is for sponsoring employers to demonstrate their commitment to training. The commitment of training by ITCRA remains foremost to membership.

ITCRA is committed to maintaining high standards in the Information Technology Recruitment and Contracting markets. To this end, it has developed the Certified Recruitment Professional Program as a means of ensuring best practice and adherence to the ITCRA Code of Conduct for its membership. A key goal of the program is to ensure that not only senior management of member companies are committed to the Code of Conduct, but the values and aims of the code are expressed and upheld at all levels of the member organisations.

Sponsoring employers seek to work with consultants and companies who are of a demonstrably high standard. Through approved and certified RTO and training providers ITCRA managers, IT professionals, recruiters and their support staff addresses the training needs at all levels. Training standards include topics as; qualifying candidates, legislation and compliance, occupational health and safety, manage workplace information systems, in addition to a host of crucial ICT business training standards

Due to the highly specialised nature of the ICT profession qualified research shows ICT 457 visa holders more often than not pass on their acquired knowledge, skills and experience to Australian work colleagues supplementing an employer's training regime. ITCRA believes the current DIAC policy compelling employers to take responsibility for the training needs of their employees are entirely appropriate and do not need alteration.

LABOUR MARKET TESTING

ITCRA categorically does not support the re-introduction of Labour Market Testing for the Temporary Business (Long Stay) 457 Visa program. Labour Market Testing was unreservedly withdrawn by the Department of Immigration (previously known as DIMA) on the premise that it was a futile exercise that compromised the objectives of the 457 visa program specifically; expediency and efficiency.

Fortunately, sponsoring employers no longer have to bear the cost of protracted recruitment processes through mandatory, futile and inappropriate advertising especially for positions which clearly fall into the skills labour market shortage environment, including quite incongruously, those positions listed on the Migration Occupations in Demand list (MODL).

By virtue of DIAC distributing a critical skills shortage list, alongside an acknowledged nationwide shortage of skilled personnel across almost every industry sector, any thought of re-introduction of Labour Market Testing would constitute a blight on the objectives of the 457 visa program and have a catastrophic effect on Australia's business capacity to meet the demands of labour shortages in a growing and buoyant domestic economy.

EFFECTIVENESS OF MONITORING

It appears the effectiveness of monitoring the Temporary Business (Long Stay) 457 visa program has been undermined somewhat in recent times due to the well publicised lack of human capital and/or or funding resources within DIAC. As a result DIAC have been unable to respond appropriately to the significant increase in approval rate for the 457 visa.

Like other business sponsors, ITCRA members are monitored from time to time to test their compliance with the undertakings they make to DIAC concerning sponsoring personnel. It is unlikely that sufficient resources will ever be available to monitor all business sponsors.

If monitoring the 457 visa program is to be effective it should be linked to government needs thereby focusing on detecting non-compliant trends and activities. Consequently, monitoring activities should be designed to concentrate on likely, previous or repetitive or non-compliant businesses through a vigorous system of repeated and inquisitorial reporting. Whilst for the vast majority of compliant business sponsors where there are only sufficient resources for limited monitoring efforts, a streamlined and expeditious process needs implementation reflecting one of the objectives of the 457 visa program being, expediency and efficiency.

ENFORCEMENT

The Migration Regulations were altered in 1994 which allows the Department of Immigration to impose sanctions and penalties against a business sponsor who exploit the Temporary Business (Long Stay) 457 visa program by failing to comply with either or both immigration or workplace law. To date, these legislative changes have not been altered.

When examining the current DIAC powers of enforcement re sanctions and penalties, it does appear they are not a suitable deterrent to the small proportion of businesses who willfully choose to exploit the 457 visa regime, therefore ITCRA unreservedly endorse DIAC's review of this aspect of the program and unequivocally supports the imposition of tougher legislative sanctions and penalties against business sponsors in breach.

In addition to external enforcement measures placed on members, ITCRA members are governed by the Association's Code of Conduct which ensures compliance concerning professional practice. The Code of Conduct is administered by the Association's disciplinary process when a member is in breach. An expression of ITCRA's commitment and responsibility to Australian immigration law is clearly demonstrated where members are regulated by a specific clause contained in the Associations Code of Conduct which guarantees enforcement.

ITCRA and its individual member companies have forged a reputation with government and business in the area of immigration compliance and governance, therefore the imposition of tougher sanctions and penalties in order to discourage any willful exploitation of the 457 visa program to the detriment of compliant businesses is not a concern for the Association and the membership.

PROCEDURES WHICH CAN BE IMPROVED

DIAC regularly publicises standards for processing times for applications including the Temporary Business (Long Stay) 457 Visa. For the period 2005-2006, DIAC claimed processing times averaged 29 days covering both high and low risk cases. However despite published timelines, in actuality completion times by DIAC (through well publicised lack of resources), were often protracted well beyond acceptable levels for Australian ICT employers forced to wait, given the attractiveness of the 457 visa regime is its speed and effectiveness in having applications approved expeditiously.

ITCRA takes the position that within any proposed enhancement of the 457 visa program, effectiveness of the assessment period of an application from the time of lodgement to the time of decision be investigated and improved accordingly, particularly rewarding those sponsoring businesses who have a working relationship with DIAC and a history of compliance.

LABOUR AGREEMENTS

The principle objective of a Labour Agreement is to formalise arrangements between the Commonwealth Government (represented by DIAC and DEWR) and an employer or industry group. These agreements enable employers to recruit specific numbers of workers from the international marketplace either on a temporary or a permanent basis.

In reality, Labour Agreements are more suited to the needs of those employers who required semi-skilled workers as opposed to the highly skilled 457 visa entrants who easily confirm to the criteria requirements of the 457 visa program where minimum salary levels, qualifications, work experience and/or licensing and industry registration are not an issue.

A common complaint industry vents concerning the process of attempting to conclude a tripartite Labour Agreement are the onerous, time consuming and bureaucratic process they must undertake. If the Commonwealth Government can streamline the process and make the entire procedure more business efficient then the appeal of Labour Agreements for those semi-skilled industry sectors would make formalising a Labour Agreement more attractive. This was demonstrated in February when the Minister for Immigration announced the conclusion of a Labour Agreement after an extremely protracted timeframe for the entry of meat workers to Queensland.

For the ITCRA membership, a Labour Agreement may not necessarily be the most beneficial framework to operate within as the very nature of identified skilled occupations, the appropriateness of eligibility criteria, the track record of reporting and monitoring compliance by individual member companies provides no greater advantage over the much streamlined and expeditious 457 regime compared to a Labour Agreement regime.

CONTRACT MANAGEMENT COMPANIES

There have been concerns expressed by DIAC as to the suitability of contract management companies or CMC's and their appropriateness to the Temporary Business (Long Stay) 457 visa program.

Contract management companies cannot gain full membership of ITCRA. The charter of the Association prevents a company which does not fit the definition 'whose core business is IT recruitment and contractor management' from joining the Association.

One of the fundamental criteria of the 457 visa regime concerning contractual and remuneration requirements is for sponsoring businesses to demonstrate all three of the following, that;

1. there is a direct employee-employer relationship between the sponsoring business and the visa holder
2. there is a direct remuneration relationship between the sponsoring business and the visa holder
3. there is a contract of employment between the sponsoring business and the visa holder

Contract management companies by nature of their modus operandi and services offered allow skilled local and foreign workers to source their own employment positions in various industries and subsequently offer services to manage the contract and the payroll between the worker and the employer. Therefore, contract management companies are suppliers of management services to employees and not recruitment services.

The ITCRA membership takes the position that legitimate recruitment companies cannot, and should not be viewed in the same light as are contract management companies by DIAC re their appropriateness to the 457 visa program.

EFFECT ON THE TRANSITIONAL PATHWAY CONNECTING TEMPORARY BUSINESS ENTRY AND AUSTRALIAN RESIDENCY

Following recommendations by the Joint Standing Committee on Migration post inquiry, the Commonwealth Government should be mindful that any purported changes in policy that DIAC may apply to the Temporary Business (Long Stay) 457 visas program may have a negative flow on effect and impact the transitional pathway connecting temporary business entry and Australian permanent residency.

Currently the 457 visa regime is the major temporary visa source which allows a direct pathway for skilled temporary entrants to apply for Australian residency through the Employer Nominated Scheme (ENS) and the Regional Sponsored Migration Scheme (RSMS) following a designated qualifying period in Australia. This significant feeder into the Australian migration program could be undermined should DIAC not give careful thought to the flow-on effect changes bring, which could disadvantage the Australian community.

An example could be, DIAC changes policy and they issue 457 visas for specific periods of employment. For highly skilled ICT workers, they may not find it attractive to take up an assignment in Australia for short periods of employment given a number of them look at this as a pathway to residency. Additionally, sponsoring employers would be burdened with the unnecessary cost of time and expense having to apply for multiple 457 visas in order to accommodate any contract extensions for employees.

Ensuring forthcoming changes to the Business (Long Stay) 457 visa program are well structured and appropriate is critical to its on-going success. One of the key indicators will be the continuation of the transitional pathway from temporary business entry to Australian permanent residency through a workable and flexible migration program. If this is achieved, Australia attains the benefits of quality permanent residents (and in most cases citizens) who significantly contribute in a most positive fashion to the domestic economy.

CONCLUSION

ITCRA would like to thank the Joint Standing Committee on Migration for allowing the Association the privilege of submitting our submission on behalf of the ITCRA membership and look forward to an opportunity to elaborate our position to the inquiry in session.

ACRONYMS

ABS	Australian Bureau of Statistics
ACS	Australian Computer Society
AIIA	Australian Information Industry Association
ANZSCO	Australia and New Zealand Standard Classification of Occupations
ASCO	Australian Standard Classification of Occupations
ATO	Australian Tax Office
DEWR	Department of Employment and Workplace Relations
DIAC	Department of Immigration and Citizenship
DIMA	Department of Immigration and Multicultural and Indigenous Affairs
ENS	Employer Nominated Scheme
ICT	Information Communication Technology
ITCRA	Information Technology Contract and Recruitment Association
JSCM	Joint Standing Committee on Migration
MMV	Multimedia Victoria
MODL	Migration Occupations in Demand List
MSL	Minimum Salary Level
RSMS	Regional Sponsored Migration Scheme
RTO	Registered Training Organization