

16th April 2006

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

cytech intersearch pty ltd 65 justin street lliyfield nsw 2040 australia

phone +61 2 9555 9554 iex +61 2 9555 6670

info@cytechIntersearch.com www.cytechIntersearch.com

Dear Joanne,

Thank you for your letter, which my office received on Monday 26th March 2007, regarding the current inquiry into the Temporary Business (Long Stay) 457 Visa program.

I understand and appreciate the objectives of the committee and would certainly like to assist in any way that I can for the committee to finalize their findings. I note that certain statements about Cytech Intersearch have been referenced by the Australian Nursing Federation in their Submission, No 63, to your office. As we take our sponsorship obligations seriously, and the level of work and detail we provide in order to support our overseas Nurses, I am submitting this response in support of the inaccuracy of those statements made by the Australian Nursing Federation.

Following this letter, is documentation supporting the above:

- 1. Letter of support from Cytech Intersearch's migration agents, including an overview of their services;
- 2. Overview of previous Cytech Intersearch monitoring, including a recent response from DIaC;
- 3. Cytech Intersearch response to the ANF Submission No 63;
- 4. Overview of Cytech Intersearch process for relocation/recruitment and Fijian Nursing program;
- 5. Previous Advertising and Questionnaires to our Nurses; and
- 6. Copy of documentation we send to our Fijian Nurses in order to make an application for registration as a Nurse.

I would welcome the opportunity of any representative from your office to meet with myself, to review our files and processes. We do not require any notification, as we would welcome the opportunity of providing signed documentation relating to each nurse from Cytech Intersearch prior to relocating, on relocation and during their contract term with our organization.

Should you have any questions or queries, please contact me via phone on 9555 9554, email (<u>Bernard@cytechintersearch.com</u>) or letter in order to respond to your questions.

Yours sincerely, Bernard O'Bree Director

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Cytech Intersearch Migration Agents Letter of Support



I M M I G R A T I O N C O N S U L T A N T S

Suite 501, Level 5, 20-22 Macquarie Street PO Box 383 Parramatta NSW 2124 Phone: (02) 9635 4344 Fax: (02) 9635 4366 website: www.scimmigration.com.au email: info@scimmigration.com.au

> MEMBER OF ATION INSTITUTE F AUSTRALIA ---

12th April 2007

Ms Lindsey Walker Managing Director Cytech Intersearch Pty Ltd 65 Justin Street LILYFIELD NSW 2040

Dear Lindsey,

We are writing in response to your request to outline the nature of our relationship to Cytech Intersearch. You have also sought our feedback on the Australian Nursing Federation's (ANF) submission to the JSCM inquiry into temporary business visas.

We have been retained by Cytech Intersearch Pty Ltd (Cytech) since the latter half of 2003 to provide immigration advice and assistance in relation to long stay temporary business visas (subclass 457), and for sponsored permanent residence under the Employer Nomination Scheme (ENS). Broadly speaking our service to Cytech falls within two areas. The first is application-specific, in that we lodge and manage applications for 457 and ENS nominations and visas, and applications by Cytech to be approved as a sponsor. Secondly, we provide advice on immigration legislation and policy, particularly with a view to assisting Cytech to run its business in a way that is compliant with immigration's rules. One example of the latter, is the input which we had in assisting Cytech to develop it's strategy for Residential Care Officers (RCOs) during 2005.

The broad aim of the RCO strategy is to source experienced foreign Registered Nurses whose qualifications are not recognised by Australian State and Territory Nursing Boards, to provide them with interim employment in an occupation relevant to their training and skills, and then to access upgrade training such as that run by the NSW College of Nursing. Upon successful completion of the upgrade training and subsequent Registration as RNs, Cytech is to offer them sponsorship as an RN. In a very genuine sense, this is Cytech's contribution to alleviating the critical shortage of RNs in Australia. Without this strategy, it is highly unlikely that the particular nationality of Nurses (Fijian) targeted by Cytech would ever have the opportunity to be registered in Australia.

The strategy was developed following discussions with the NSW Business Centre of the then Department of Immigration and Multicultural and Indigenous Affairs (Immigration). Those discussions were at all times open and transparent as to the purpose of the strategy. The applications which we have lodged on behalf of Cytech and it's nominees have been equally transparent as to the nature of the work to be performed by the applicants, evidenced at time of application by job descriptions and employment contracts. Immigration has not to date, to our knowledge, expressed any concerns over the strategy. In fact, we are aware that Cytech has been the subject of periodic monitoring by Immigration on at least two occasions since the commencement of the RCO strategy, the latest concluded as recently as 30 March 2007, without any adverse findings.

We now turn to the submission by the ANF. First and foremost, we would like to draw your attention to the significant error made by the ANF in its description of the duties of an RCO. As a matter of policy, Immigration draws its occupational definitions from the Australian Standard Classification of Occupations (ASCO), 2nd Edition, Australian Bureau of Statistics 1997. ASCO states as follows in relation to RCO:

Skill Level:

The entry requirement for this occupation is an AQF Diploma or higher qualification or at least 3 years relevant experience. In some instances relevant experience is required in addition to the formal qualification.

Tasks Include:

- ensures residents are washed, dressed, fed and ready for educational and recreational activities
- organises and participates in educational and recreational activities
- supervises residents during domestic activities such as dining and showering
- assists with social and living skills, and trains residents unable to live independently or work in open employment

• enforces behavioural standards, compile disciplinary reports and assist in implementing remedial measures

• may assist in serving meals and performing other housekeeping tasks

This description bears no resemblance to the definition quoted by the ANF in its submission. We can only speculate as to its origin. Contrary to ANF's argument, which is based on a mis-quotation of ASCO, the description above has a strong correlation to the in-house position description (see attached) used by Uniting Care facilities, the end-user of Cytech's RCOs.

Secondly, the ANF asserts that Cytech is using sponsored RCOs to fill "assistant in nursing" positions. The title of "assistant in nursing" does not appear in ASCO. However there is an ASCO definition of "Nursing Assistant", which states as follows:

Skill Level:

The entry requirement for this occupation is an AQF Certificate II or higher qualification or at least 1 years relevant experience.

Tasks Include:

- provides daily care to patients under the guidance of a registered nurse
- participates in the planning of care for individual patients

• observes and reports any changes in condition or any complaints about care to a registered nurse

• may perform basic procedures such as taking blood pressure and applying and changing dressings

• may assist patients with personal hygiene and grooming

Having compared the above to the position description and associated core competencies which are used for RCOs working for Uniting Care, we are of the opinion that the latter clearly refers to a broader skills set than nursing assistant/assistant in nursing. In our opinion the ASCO description of an RCO is a far better fit for the Uniting Care positions than assistant in nursing.

Thank you for seeking our input.

Yours sincerely

Kevin Clark JP MMIA Senior Partner MARN 0316510

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Cytech Intersearch Migration Agents Service

CYTECH INTERSEARCH MIGRATION AGENTS

1300 Visa Help, formerly Sellanes Clark and Associates has provided immigration advice and assistance to Cytech Intersearch Pty Ltd since the former commenced trading in August 2003. Sellanes Clark and Associates' two Directors, Carlos Sellanes and Kevin Clark are Registered Migration Agents with close to 40 years combined experience in the migration field. The majority of that time was spent as employees of the Immigration Department itself.

1300 Visa Help offers a range of cost and time-effective services to Cytech Intersearch Pty Ltd. These services are largely underpinned by internal processes at Cytech that have been developed with the close assistance of 1300 Visa Help. A complete listing of the services provided is shown in the table below.

What sets 1300 Visa Help apart from many other migration agents is their ability and commitment to partner with clients to grow their businesses in ways which make the most advantage of what the immigration system has to offer, while ensuring compliance with the strict regulatory environment. An example of that partnership is the development of the "RCO Strategy" which allows overseas qualified (but not recognised) RNs to be sponsored to work in Australia at a lower level while undergoing up-skilling to recognised RN status.

Cytech also retains 1300 Visa Help to give ad-hoc advice. This is an unlimited service and is available 24-7. Cytech staff may contact 1300 Visa Help at any time to discuss immigration related matters. 1300 Visa Help also undertakes to brief Cytech on emerging matters, changes to law and policy, and any new business opportunities, or risks, arising. As Members of the Migration Institute of Australia (MIA), 1300 Visa Help Directors have wide access to the many forums and networks which the MIA uses to inform its members about changes to law and policy, often prospectively.

Service Type	Cytech Role	1300 Visa Help Role
457 Visas	Obtain all documentary evidence from applicant. Instruct re medicals. Prepare e-visa application in DIMIA e-lodgement system. Forward docs and e- lodgement ref no. to 1300 VISA HELP	Checks e-visa application for accuracy. Check docs for completeness. Lodge and pay for e-visa application on day received from Cytech or no later than next working day. Follow-up processing with DIMIA and respond to queries as necessary. Follow-up medicals with LCU as necessary.
457 Sponsorship	Supply all required information and documentary evidence to 1300 VISA HELP	Advise on document types and standards. Suggest remedial action. Prepare, lodge and pay for e-application for business sponsorship (1196). Attach or forward all supporting documentation. Follow-up processing with DIMIA and respond to queries as necessary.
457 Nominations	Instruct to lodge	Prepare, lodge and pay for e-nomination applications as per number approved in business sponsorship. Follow-up as necessary with DIMIA
Retainer	Ad-hoc enquiries by telephone, e-mail and fax contact with 1300 VISA HELP	Respond to enquiries. Pro-actively raise matters of relevance to Cytech's business.



Previous Monitoring

CYTECH INTERSEARCH MONITORING BY THE DEPARTMENT OF IMMIGRATION SINCE INCEPTION IN 2000

During the first few years in business, Cytech Intersearch used Deloitte Touche Tohmatsu to assist with all of our immigration needs when employing IT Consultants on the subclass 457 Visa Program. From late 2001 until late 2002, Cytech Intersearch worked with the Department of Immigration direct for all related matters. From 2003 until present, Cytech Intersearch have used Carlos Sellanes and Kevin Clark, as our Migration Agents (Company Name: 1300 VISA HELP). Carlos and Kevin are ex immigration employees of the Department of Immigration. They provide a high level of support and training to Cytech Intersearch.

MONITORING

<u>2001</u>

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Cytech Intersearch were first monitored in 2001, completing the necessary paper work.

<u>2002</u>

June 2002 – Monitoring Reports completed and filed with the Department of Immigration.

December 2002 – Monitoring Reports completed and filed with the Department of Immigration. **DIMIA meeting May 2002**

Lindsey Walker (former co director) met with the Department of Immigration to talk about our business, processes and other outstanding relevant visa matters. Lindsey Walker had regular meetings, as well as attending some seminars, to keep abreast of immigration issues. Unfortunately we no longer have the relevant emails to support this as we had an office break in, in 2000, and all emails at that time were lost. Contacts at the time were Carlos Sellanes and Christine Vaseer from Parramatta Business Centre.

18 December 2002

Glenn Evans and Kerry Lambos from the Monitoring Department came into our offices in which Lindsey Walker talked them through the current nurses and all their employment scenarios. Glenn Evans stated that after we had gone through the monitoring, it would strengthen our position, 'next time you go to renew your PQBS'. Glenn and Kerry asked questions about Cytech's process of recruiting and relocating Nurses, our benefits and services, if we pay our employees when we don't have work for them, and our relationship with our clients. Glenn and Kerry's attitude throughout the meeting was very appreciative that Cytech were co-operative and that Cytech would provide any requested information. He said "you passed the last monitoring" and the information Cytech provided was excellent and very thorough, exactly what they needed and they know Cytech have always provided very thorough information.

<u>2003</u>

Lindsey Walker and Bernard O'Bree met with Peter Job in Canberra, who was then the Director of the Subclass 457 program, to outline our business and the manner in which we recruited and relocated overseas staff for Australian positions. The meeting was positive in which the department were comfortable with our processes.

<u>2004</u>

March 2004 – Monitoring Reports completed and filed with the Department of Immigration. Various correspondence with the Parramatta Business Centre, confirming our processes. **November 2004** – Monitoring Reports completed and filed with the Department of Immigration.

<u>2005</u>

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January 2005 - Received feedback from Jane Allen in Monitoring, advising that our business is fulfilling its sponsorship obligations from the November 2004 report.

January 2005 – Worked with Robyn Hansen, Manager for Regional Sponsorship migration to enquire about Cytech Intersearch employing Nurses in regional Australia.

Worked with the Parramatta Business centre to begin sponsoring Residential Care Officers/Assistants in Nursing. Provided feedback to Tomas Boncales (Manager) regarding the Department of Immigration working with our office and the positive relationship.

<u>2006</u>

March 2006 - Monitoring Reports completed and filed with the Department of Immigration. **December 2006** - Monitoring Reports completed and file with the Department of Immigration.

7th December 2006

Onsite Visit by Tina Pholsena and Sarah Gowing. Tina requested copies of the most recent PAYG summary, two recent payslips for each of our visa holders and a Payroll List of our current nurses. This was provided to her office, as with additional documentation regarding our processes.

<u>2007</u>

April 2007

Received a letter from Monitoring of Cytech Intersearch meeting our sponsorship obligations. See attached



Australian Government

Department of Immigration and Citizenship

Name of Sponsor: Cytech Intersearch Pty Ltd Sponsor's Client ID: 10423007496

Ms Lindsey Walker Director Cytech Intersearch Pty Ltd 65 Justin Street LILYFIELD NSW 2040

Dear Ms Walker,

Thank you for returning the completed Business Sponsor Monitoring form.

I am pleased to advise that on the information you supplied, I am satisfied that Cytech Intersearch Pty Ltd is meeting the sponsorship obligations.

Please contact this office if you have any questions or if there are any changes in circumstances that may affect the ability of the business to meet the sponsorship obligations.

I take this opportunity to remind you to advise the Department within 5 working days of the cessation of employment of a sponsored employee. This can be done via fax or by e-mail.

Thank you for your cooperation in this process.

Yours sincerely

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Tina Pholsena NSW Monitoring Unit Sydney CBD Business Centre Fax Number: (02) 9032 4724 E-mail address: <u>tina.pholsena@immi.gov.au</u> 30 March 2007

people our business



Response to Submission 63 by the Australian Nursing Federation

Submission Response by Cytech Intersearch to the Joint Standing Committee on Migration

Cytech Intersearch Pty Ltd employs internationally qualified nurses under the Temporary Business (Long Stay) Visa (Subclass 457) to work in NSW and VIC aged care facilities and Private Hospitals, as Registered Nurses and Residential Care Officers, respectively.

- Cytech Intersearch employs Nurses from South Africa as Registered Nurses, as their qualifications and skills are recognized by the NSW and VIC Nursing Boards. Therefore, they are able to make an application for registration whilst still living and working in their home country.
 - Cytech Intersearch employs Nurses from Fiji in Residential Care Officer positions, primarily for Aged Care facilities, as their skills are not recognized by the NSW and VIC Boards. Cytech Intersearch employs the Nurses and obtains their Subclass 457 Visa in order to relocate. Once in Australia, Cytech works with the Fijian Nurse to apply to the NSW Nurses and Midwives Board for a position with the Royal College of Nursing training assessment, in order for the Nurse to sit their theoretical and clinical assessment. We assist the Nurse with this process, and have in the past utilised the help of Lynn Thompson, Manager for Royal College of Nursing. However recently, the Nurse has dealt directly with the Royal Collage of Nursing, as the Nurses were tending to rely heavily on Cytech for the submission and placements, something we can not guarantee, only assist with. We encourage our Fijian Nurses to seek Registration as a Nurse as soon as practical, however some Nurses (who have years of experience) wait at least twelve to eighteen months prior to making an application. Again, we can not force a Nurse to seek registration as a Nurse in the state they are working. Furthermore, some Nurses are required to sit the theoretical assessments more than once, as they failed the initial training assessment.

The Department of Immigration and Multicultural Affairs (DIMA) now DIaC requires a minimum skill level for all employees from other countries. This minimum skill level "**must be of an equivalent skill level and nature**" to the Australian Standard Classification of Occupations' (ASCO) gazetted list of skilled occupations.

When Cytech Intersearch Pty Ltd (Cytech) recruits internationally qualified nurses, we submit our advertising for Registered Nurses and Assistant in Nursing/Residential Care Officers. The classification depends on the location of the country we advertise in. Over time we have changed the wording for classifications our advertisements after experiencing queries from the Nurses and therefore have a more tailored advertisement that we currently utilize. Our advertising program is very basic. It does not include expensive print mediums. Rather, we use simplified text to keep costs down and to generate interest.

- 3.3 Internationally qualified nurses working as RCOs who seek registration or enrolment with the NSW Nurses and Midwives Board need to attend a seven week full time course run by the College of Nursing (NSW College of Nursing).
 - Cytech informs each Nurse prior to relocating to Australia, of the role they will be working in and the opportunity for applying for RN status once in Australia.
 - Cytech further provides the Nurse on relocation with information regarding the RN application process.
 - Cytech provides the Nurse with written information once they have been in the country for a few months, of a step-by-step process in order to apply for RN status. We make no guarantees as to the Nurses being accepted by the NSW Registration Board and therefore the College of Nursing. We provide an outline only.
 - Cytech and our client, allows the Nurse to take time off in order to attend the course. This is made up of paid annual leave and non paid annual leave. Cytech must consider the minimum salary threshold for Nurses when approving leave (DIMIA/DIAC).
 - Cytech's commitment to our Nurses, is to assist in the step-by-step process of making an application for status as a registered nurse, continual follow up, contact if necessary with the boards, allocated paid and unpaid time off in order to attend the course, follow up after the course to ascertain if a position is available after their status has changed, and therefore a new salary level, and a new visa required to reflect the nurses change in circumstances.
 - Cytech does not force any nurse to make an application for registration as a Nurse. Rather, we <u>encourage</u> our nurses, as once they receive status as an RN, they will be on a higher salary level, therefore the increase assisting financially in their personal lives. The Nurses gain a higher status in Nursing, which only improves their opportunities for future work, once they have served their contractual term with Cytech Intersearch.

3.4 The RCO classification Cytech is utilizing, benefits fourfold;

- It is assisting first and foremost, for our clients (Aged Care facilities in NSW). Cytech's clients only work with our model when they have exhausted various avenues for locating suitable staff. Our clients are desperate when they approach Cytech for staff; they have usually done any number of the following: their own advertising externally, advertising internally, utilized casual agency staff, or utilized agencies for locating permanent staff. The program Cytech Intersearch worked with our client for the RCO positions, was due to the extreme shortage they were experiencing for suitable nursing staff. Primarily this has been for aged care facilities where there is an extreme shortage, over and beyond the public hospital or private hospital environment.
- It is an opportunity for overseas Nurses, who are not automatically recognized by the Boards, to be able to work for a period of time and then seek registration as a nurse. Otherwise, overseas Nurses have to

fund their own way to Australia, paying for flights, accommodation, transfers, course fees, living expenses, travel to the course and much more. Further they would then need to find a sponsor in order to study.

- It is an opportunity for Cytech Intersearch to broaden our scope of positions available to applicants, therefore not been limited to only recruiting Registered Nurses.
- It is assisting the national shortage of Nurses by relocating qualified and experienced Nurses into Australia, who are able to work as a Registered Nurse upon passing the assessment course, thus providing training to other local Australian junior nurses and narrowing the gap of qualified nurses in Australia. This certainly assists in the overall competitive world market for Nurses. Many countries are cross poaching nurses, and Australia is continually been targeted, primarily by the United Kingdom, Canada, Ireland, Saudi Arabia, New Zealand and the United States of America.
- The position of RCO does require minimum skill and training. Nurses in all
 positions are in short supply nationally and internationally. Cytech
 continues to do its best to inform our Nurses and clients with all
 developments in the process of working in the above capacity and
 applying for RN status. We are continually looking at ways of improving
 the process and keeping our Nurses up dated. All of our previous
 information regarding the program may be viewed in order for a third
 party to assess if they believe it is 'misleading and deceptive' as stated by
 the ANF.
- 3.5 Cytech Agrees with the statement by the ANF that `....DIMA improve monitoring, enforcement and reporting arrangements for the issuing of 457 visas to nurses, including the requirement for potential skilled migrants to be fully and properly informed before they enter into the sorts of arrangements described above'. Cytech agrees with the above in support for continually monitoring the Subclass 457 Visa program and for migrants to be properly informed when they enter into agreements. The majority of nurses are so enthusiastic to leave their home country, that they want the process to happen very quickly and will do what ever is required. Cytech works with our Nurses to inform them the process is not a quick process, due to both DIMIA and/or the Nursing Authority guidelines and checks in order to be able to enter the country. The process takes a minimum four months, up to nine months, dependent upon the Nurse's personal circumstances. Therefore, giving the Nurse a long period of time to consider their decision and lifestyle changes. During this time our Nurses ask many questions regarding lifestyle which we address via email with opinions and facts. Cytech Intersearch also provides weekly updates to our Nurses prior to relocating. This includes information regarding cost of living, the position, the facility, the location, shifts etc.

3.6 Cytech Intersearch agrees with the ANF in the following statement; 'DIMA must supervise and inspect information provided to potential immigrants ensuring that the information is correct'.

Cytech Intersearch have been working with the department over the last six months in submitting all relevant information to the Department in order for them to assess what we are providing to our Nurses. That documentation includes, however is not limited to: a) paperwork to be completed by our nurses on arrival; b) explanation letter regarding working for another company, c) Expense Policy prior to coming to Australia, d) Life in Australia documents sent prior to coming to Australia, e) letter outlining all that was discussed and agreed on relocation between nurse and Cytech relocation consultant, f) outline of paperwork to be completed on arrival, g) feedback and written legal documentation on issues with any nurses. Please note: as at 30th March 2007, Cytech Intersearch received notification from the Department of Immigration that we are meeting our obligations based on the recent monitoring and documentation submitted. Please also note the list of documentation provided above outlines a many areas of consideration for a Nurse prior to coming to Australia, as also indicated in 3.5.

In our experience, our Nurse, Cytech Intersearch and our client are all disadvantaged and disappointed if we do not provide as much detail as possible. This is why we are painstakingly thorough with the documentation we provide to our Nurses and have them sign again on arrival.

We would like to rectify the statement from the ANF 'that the position being made available is indeed the position that the applicants believe they are being employed for. And further, that no disadvantage is experienced, either financially or otherwise once workers from other countries arrive as regards the need for further education or gaining of skills'.

Cytech Intersearch works with each Nurse verbally and via email prior to coming to Australia. Furthermore, the Nurse is telephone interviewed by our clients prior to coming to Australia. On arrival, the Nurse has a dedicated relocation consultant for their first week in which one of the objectives in that week, is to meet with the client prior to actually starting their position, thus making the nurse feel secure and confident with their role and work site. The Nurses we have employed over time have primarily been from Zimbabwe, South Africa and Fiji. All Nurses from Zimbabwe and Fiji are not only financially better off, once they have settled into their life in Australia, however are personally more safe and secure and are advancing their careers in Nursing. The Nurses from Fiji and Zimbabwe certainly want to fast track the process of transitioning from RCO to RN, as they are aware of the financial benefit and career advancement they may have. Cytech Intersearch encourages all of our Nurses to make the application for registration as a Nurse, and then therefore the training, as soon as they arrive. We do this as we know the process can take some time and the courses are prebooked months in advance. It is the priority for 99% or our Nurses to stay in Australia permanently. In order to do this, our nurses must make an application for Permanent Residency. In order to apply for Permanent Residency, they do require at least twelve months of experience as a Registered Nurse in Australia. Therefore we do encourage our Nurses to attend the course ASAP to meet their personal goal of staying in Australia permanently through a Permanent Residency application.

The Nurses enter the country without any financial support and rely heavily on their salary. The benefit, up until recently, was that they did not have to pay for the course as they were on a Subclass 457 Visa. However, the change that came into affect over the last month by the College of Nursing was that the Nurses are now required to pay \$7000.00 to attend the Course. Unless a Nurse is committed to working in Australia as an RCO for a minimum 18 months, we will not be in a position to relocate any more Nurses for RCO positions. This is because Cytech Intersearch and the Nurse can not afford \$7000.00 per person for completing the training assessment.

3.7 Cytech Intersearch does not appreciate the ANF making reference throughout their Submission 63 to Cytech Intersearch, and in the same submission make reference to the following; 'The Victorian Branch of the ANF supplied an example of a Melbourne nursing home that had employed patient care assistants (PCAs), predominantly from India and Nigeria, who were charged for 'education' that was delivered by the Director of Nursing in her home – subject to no scrutiny or standards. The PCAs then allegedly were required to do 260 hours of unpaid work before they were considered 'qualified' for a position that actually has no qualification requirements in Australia. The so called clinical experience was not supervised by an educator and often exceeded safe working hours and shift lengths, a serious occupational health and safety issue for nurses and other care staff which also placed patients at risk. This amounts to nothing less than slave labour, an indictment on Australia as hosts to these workers.'

If the ANF are going to make reference to Cytech Intersearch, they must do so clearly in the paper and do not confuse the submission with an organization unrelated to Cytech. Again, we take our business, sponsorship and nurses seriously. At no time is it our intention, in our communication or actions, to miss use the knowledge or lack of knowledge by our Nurses. We put a great amount of time and effort into the documentation and conversations we have with our Nurses, to explain as much as possible. The Nurses are our direct employees and as such are treated that way. Some of our own internal office staff have experienced moving countries and understand the personal, professional and financial experiences and decisions our Nurses go through. Furthermore, because the Nurses we offer employment too are very eager to relocate quickly we have learnt to place great emphasis on the detail in which our documentation is sent and the level of support a Nurse and their family requires.

3.8 The ANF makes a statement regarding 'it has been brought to our attention that deductions from wages...'

Cytech Intersearch works within the guidelines of the minimum salary threshold and work choice legislation. Cytech Intersearch have only deducted funds from a Nurse, after seeking written approval from the Nurse, for advance of salary or loans. Nurses, who have overspent and are unable to meet payment deadlines, often come to Cytech Intersearch in order for a loan. The Nurses have no one else to seek help from. We inform the Nurse we can offer an advance in pay, for example of \$200.00, and deduct from the Nurses pay \$50.00 per week over a four week period, so as not to further impact them financially. Further, Nurses who have not kept their rental property in good order or condition often incur loss of bond, and we have in the past assisted the nurses in making the premises good by advance salary for the payment of specialist cleaners or new paint. <u>Note:</u> Our Relocation Consultants educate each nurse on their obligations as a Tenant. We supply them with residential tenancy information and fact sheets on their arrival into Australia. Any other payment that is due to be 'deducted' from a Nurse, we first obtain written approval from the Nurse.

All deductions are agreed too by the Nurse and we offer the Joint Standing Committee the opportunity to view any pay slip for any Nurse. We would like to clarify:

- Cytech do not deduct from wages for administration costs;
- Cytech do not deduct from wages for educational costs, unless the Nurse can not meet any costs for a course they wish to attend, and Cytech provides an advance on salary;
- Cytech do not deduct from wages for rental accommodation, we only deduct what the nurse may owe Cytech, with their written permission. All Nurses who come to Australia come without <u>any</u> money. Cytech pays for rental accommodation costs on their arrival for up to a value of \$600.00 only. Any further costs the Nurse is expected and agrees to pay, prior to relocating and on relocation. Only then, we will assist by paying the additional costs and deducting from a Nurses pay, over a period of time, which is agreeable by the Nurse for the cost of additional accommodation expenses; and
- Cytech explains all of the above to the Nurse.

If further suggestions of how much clearer Cytech can be, are offered, we would be happy to accept the suggestion and put in place. At this stage, we feel we have adequate conversations and written communication with our Nurses regarding any deductions from wages. Furthermore, if a Nurse has any questions regarding their payslip they are required to complete a Pay Slip Query Form in order for their concerns to be addressed verbally and in writing. We take any query seriously, so as to alleviate concerns a Nurse may have or an explanation required. All of which are recorded on their personal file. 3.9 Cytech agrees that companies "must be held accountable and be subject to strict inspections and monitoring by DIMA to ensure such violations do not occur", as stated by the ANF.

Cytech is currently being monitored every six months by the city Monitoring Unit of the Department of Immigration. Cytech Intersearch, further, is involved in 'self reporting' by informing the Department of any change in circumstances with our visa holders. We adhere to the guideline of notifying the Department of any employee ceasing to be employed within five days of cessation date.

3.10 Stringent penalties must be enforced against those found breaking regulations", as stated by the ANF.

Cytech Intersearch welcome's inspections both on an unannounced and announced basis. Further, we welcome the inspection of payment and leave records for all staff Cytech have employed over the period since inspection. We also welcome the viewing of any employee file that we have employed that can confirm the following:

- Signed documentation by a Nurse understanding all of their expected pending relocation costs;
- Emails sent to a Nurse on all pre relocation matters, for example; visa documentation, nursing documentation, what to expect about life in Australia, their role, their contractual obligations, family information, schooling information where relevant, what to bring to Australia, what the relocation will involve. Please see attached example 'Life In Australia' document and 'Expense Policy' each nurse receives prior to relocating to Australia;
- All details discussed and agreed to on relocation;
- All correspondence to a Nurse throughout their 18 month term, i.e.: queries answered in writing, any concerns answered in writing, new developments in nursing, nursing registration process, questionnaires, newsletters, process for VISA renewal if relevant, process for end of contract and their options etc; and
- All expenses the Nurse is due to pay to Cytech Intersearch, based on their choice of expenses prior to relocation.

6. 442 Visas

Cytech Intersearch do not utilize 442 Visas. We have only ever utilized the Subclass 457 Visa program. Therefore the entire section under 442 Visas is of no relevance to Cytech Intersearch and must be noted.

In concluding the contents of the above response, Cytech Intersearch welcomes the Joint Standing Committee to view any documentation in order to assess our processes and procedures, and any aspect of how we communicate to our Nurses and treat our Nurses.

Cytech Intersearch place a lot of emphasis on the support we give to our Nurses. Recruiting is only 20% or our business and relocation is 80%. We do not charge a Nurse for relocation support. We more than appreciate our Nurses' enthusiasm when they are in their home country about the prospect of living and working in Australia. Australia is the 'land of opportunity' and a wonderful place to live and raise a family. We also appreciate the emotional roller coaster ride our Nurses take, when embarking on such a decision and move. Therese reasons, coupled with the fact that our Nurses are financially motivated to relocate, is why our business is 80% relocation. Organizations do not appreciate the level of work involved in relocating a Nurse, and that all of our Nurses, once settled in to life in Australia realize the euphoria of moving to Australia wears off. We support them in learning all about 'making a new life' and continually support the nurse through this emotional change. At this point expectations and goals change, where our continual support and written documentation is paramount to assisting the nurse in settling in and adapting. Cytech Intersearch are here for the Nurses through out their 18 month assignment and hopefully our client at the end of the 18 month term, should a role be available

We were assisted by our Agents and the Department of Immigration with the RCO program. We admit, by human error, to have used the AIN terminology incorrectly in the past in some documentation, however not intentionally and not to disadvantage our Nurses and our clients.

We respect what the ANF stands for and the time in which they have spent in researching their information for the Submission No 63. However, we do not respect and appreciate such gross over exaggeration and incorrect information and statements relating to Cytech Interseach's processes and treatment of our Nurses. We certainly would have provided to the ANF with an open book policy, should they have requested to review our processes, prior to 'pigeon holing' our organization. However, our open book policy is now only available to the Joint Standing Committee.

Thank you for your time in reading this somewhat emotional response, however for a small business, who really does care our about employees, we now 'care' about rectifying the statements made in Submission 63 by the ANF.

EXPENSE POLICY

PRE ARRIVAL

1. FAXES

Any expense incurred by the Nurse for faxes to Cytech Intersearch, will be at the Nurse's own expense.

2. **INTERNET CAFÉ**

Any expense incurred by the Nurse for emails within an internet café is at the Nurse's own expense.

3. **POST**

Any local 'posting' expenses to Cytech Intersearch, will be at the Nurse's own expense.

4. COURIER

All courier costs are at the initial expense of the Nurse and will be refunded by Cytech Intersearch (upon presentation of receipts) up to ^A\$100.00, as part of the visa and medical expenses incurred due to your relocation process. All courier expenses must be authorised by Cytech Intersearch

5. **IMMIGRATION**

Cytech Intersearch provides assistance to the Nurse in obtaining their 457 Visa application. In addition, Cytech Intersearch covers the cost of one (1) visa application only for the Nurse and their immediate family with the Department of Immigration.

If your immediate family is not included on the initial visa application, then any fees for additional visa applications will need to be met by the nurse.

6. **MEDICALS FOR FAMILY – VISA**

Medical and X-Ray expenses incurred for the Nurse and/or the Nurse's family will be met by Cytech Intersearch up to the value of ^A\$100.00. Those Medical and X-Ray expenses must be authorised by Cytech Intersearch. Any additional medical expenses or medicals that are required to be repeated will be at the Nurses expense.

7. NURSE REGISTRATION AND RENEWAL

Cytech Intersearch will assist the Nurse in obtaining their Nurses Registration in Australia. The expense for lodging the Registration application only, will be met by Cytech Intersearch. The Nurse, whilst in Australia, will meet any future expenses for the renewal of their Nurses Registration within Australia, ie: every twelve months. This is a mandatory requirement for practicing as a Registered Nurse in Australia. Please note if additional documentation is required by the Board, or documents are required to be certified again, those expenses must be met by the Nurse.

8. **BROCHURES/INFORMATION**

Any expenses incurred for obtaining and sending brochures and information to the Nurse pre and post arrival will be met by Cytech Intersearch and is at the discretion of Cytech Intersearch.

<u>ARRIVAL</u>

9. **FLIGHTS/AIRFARES**

All flights for the Nurse and their immediate family (as approved by Cytech Intersearch) will be arranged for and pre paid by Cytech Intersearch. However, Cytech Intersearch will pay for the **Nurses flight only**. All other flights are due to be paid back by the Nurse prior to their arrival into Australia.

If the Nurse is unable to reimburse Cytech Intersearch for the booking of his/her families flights prior to their arrival into Australia, then the Nurse will be required to travel to Australia on his/her own initially. The Nurse will be required to save the appropriate amount of money on a weekly basis for his/her family's flights. Once all money has been saved, Cytech Intersearch can organise

, have read and understood all the points on this page and agree to the above.

Signed:

I, ____

for the family's flights at a discounted rate with the company travel agent. The Nurse will be required to reimburse Cytech immediately for the payment of the family flights prior to the booking. Should the Nurse wish to organise the flights with their own travel agent they may do so. Alternatively if the Nurse wishes to relocate with his/her family, they will be required to pay for the flights prior to the booking being made by Cytech Intersearch.

10. **FURNITURE HIRE OR PURCHASE**

Depending on the Nurses location and individual circumstances, Cytech Intersearch will arrange the rental of all Furniture. Cytech Intersearch can pre arrange for the hire on a monthly basis for all basic furniture required for the Nurse to set up a home in Australia. Please note rental of furniture is very expensive. Cytech usually arranges for a lounge, beds for all members of the family, TV unit, dining table and chairs. A contract will be signed for the Nurse for a six or twelve month period. These contracts cannot be amended or cancelled once you are in Australia. You are obligated to complete the contract for the period you choose, ie: six or twelve months. Twelve months is cheaper. The Nurse must specify which term you want prior to your relocation to Australia.

If you would like Cytech Intersearch to purchase furniture for your arrival, we will purchase beds for all family members, dining table and chairs, TV Unit and a lounge suite. The cost of this purchase must be paid for prior to arrival into Australia. (ie: Through a transfer of funds).

11. APPLICANCE RENTAL

Cytech Intersearch organises basic household appliances to enable the Nurse to live comfortably and easily. The appliances are rented over a period of six (6) months with an amount being payable each month to Radio Rentals or PABS Hire. Additional items can be added to the inventory, which will incur an increase in cost each month. (Cytech arranges for a Fridge, TV, and washing machine only). You are contracted for six to twelve months in which you are not able to cancel the contract during that time.

12. HOUSEHOLD GOODS

Cytech Intersearch purchases general household goods, which will include:

- Kitchen items: such as knives, forks, cups, pots, pans
- Laundry items: such as iron, ironing board, clothes basket
- Bedroom items: such as pillows, duvet, towel

The cost of this purchase is to be paid by the Nurse prior to their arrival into Australia. (ie: through a transfer of funds).

13. AIRPORT TRANSFER

Cytech Intersearch will arrange for an airport pick up for the Nurse and their family on arrival, in which Cytech Intersearch will incur the associated costs. If the Nurse's family arrives at a later date, the Nurse will be responsible for incurring the additional airport transfer expense. This amount will be deducted from the Nurses salary at the time of the family's arrival and the cost has been determined.

14. SALARY PAYMENT PROCESS

The Nurse will be paid their base award rate, as graded by the Hospital, on a weekly basis. In addition, any allowances and/or penalties due will be paid to the Nurse. As per government statutory requirements, the Nurse is due to pay taxation to the Australian Government on all wages earned (www.ato.gov.au). Cytech Intersearch is responsible for deducting taxation and making payments to the Australian Taxation Office on a monthly basis.

In addition, Cytech Intersearch is due to pay Superannuation for the Nurse. Superannuation is an additional government statuary requirement, which is a 'Retirement Fund' for all employees. The Fund however, cannot be accessed until the Nurse reaches the age of 55 or leaves Australia permanently (conditions apply).

Cytech Intersearch pays are processed weekly, in which Nurses are required to complete a timesheet, signed by the Nurse Unit Manager of the Hospital, on a weekly basis and faxed to

EXPENSE POLICY

I, _____, have read and understood all the points on this page and agree to the above.

Signed:

Cytech Intersearch in order to be paid promptly. Any late submission of timesheets will result in a basic wage being paid, and additional monies/allowances due will be paid the following week.

Sick Leave and Annual Leave. All Nurses are entitled to a minimum of four weeks annual leave and 10 days sick leave in their first year of employment. Should any Nurse take additional days sick leave, this leave will be taken from their annual leave. After twelve months of service, depending on how many additional Saturdays and Sundays the Nurse has worked, Cytech Intersearch will ascertain if the Nurse is due any additional Annual Leave as per the Nursing Award Wage for the State the Nurse will be working in. Please note Nurses are not entitled to advanced leave or leave unpaid as per Immigration law.

15. **MEDICAL INSURANCE**

Due to Immigration regulations (<u>www.dima.gov.au</u>), people on a 457 visa are required to be covered for comprehensive medical insurance whilst in Australia. Therefore, Cytech Intersearch will deduct an amount from the Nurses salary on a weekly basis in order for payment to be made to an approved Medical Fund. Once the Nurse obtains Permanent Residency, it is at the discretion of the Nurse as to whether they would like to continue or cease their private health insurance.

16. **RENTAL LEASE**

Cytech Intersearch arranges for an apartment or house to be set up for the Nurse and their family on arrival. A Lease will be signed and an initial payment of four weeks rent and the Bond will be paid on the Nurses' behalf. The bond, and an initial two weeks accommodation, will be due back to Cytech Intersearch from the Nurse. The amount for the rental accommodation must be paid to Cytech Intersearch prior to arrival through a transfer. Afterward, the weekly rent due is the responsibility of the Nurse.

Note: Cytech Intersearch pays for the Nurses initial accommodation in their work venue city for an initial two weeks, **up to** a total value of AUD \$600.00 dependent upon location. This accommodation may be in an apartment or Hotel and will be determined by your Relocation Consultant closer to your arrival date. This amount is for accommodation only and does not cover any additional expenses ie: telephone calls, meals etc.

Leases are contracted for six or twelve months. It will be the responsibility of the Nurse to make payments, keep the apartment in a good condition and meet inspection times (inspections are conducted to ascertain if the property is being kept in good condition, which is law) with the Real Estate agent for the property. At the end of the lease term, the Nurse can either extend the term or find alternative accommodation. Rental Bonds are a deposit on the property constituting four weeks rent. The Bond is sent to the Bond Board Authority and is returned at the end of the lease term (upon the property being inspected and is in good order). An additional charge of AUD\$15.00 for setting up the Lease is at the Nurse's expense.

17. UTILITY/GAS/ELECTRICITY

Cytech Intersearch will connect the Nurse's telephone, gas and electricity on arrival. The payment for such a connection will be added to the first month's electricity or gas or phone bill. Monthly payments thereafter are due to be paid by the Nurse to the relevant company. The Nurse may choose to change companies ie: find a cheaper telecommunications carrier.

18. **PROFESSIONAL INDEMNITY INSURANCE**

Cytech Intersearch pays for Professional Indemnity insurance to cover <u>Cytech</u> for the Nurse. Additional Professional Indemnity is due to be paid by the <u>Nurse</u> for the Nurse. The amount is deducted weekly from the Nurse's salary and made payable to the appropriate institution. This insurance is law for any Registered Nurse working in a Private Hospital in Australia.

19. **CARS**

Cars can be expensive in Australia. Therefore, you will be required to utilise public transport until you are in a financial position to afford a car.

EXPENSE POLICY I, , have read and understood all the points on this page and agree to the above. ^ Cytech will pay for some of the Nurses expenses, ie courier costs, obtaining medicals and x-rays for their Visa application. Cytech Intersearch pays for the expenses in US Dollars to a maximum of A\$100.00, which is paid to the Nurse on arrival into Australia.

You MUST ensure you bring all your receipts with you or Cytech Intersearch will be <u>UNABLE</u> to pay the A\$100.00.

Please sign below and fax this page to Cytech Intersearch as soon as possible, to indicate you have read and understood all of the above. You are signing this page to indicate you have read each point in this five page document, understood each area, your obligation, Cytech's responsibility and your responsibility as an employee once living and working in Australia.

I, _____, agree to and understand the above expense policy by Cytech Intersearch.

I agree to the following:

OPTION 1: TRAVELLING WITH FAMILY

 \Box I will bring my family with me and will transfer US\$3,000.00 to pay for all of the above to Cytech Intersearch prior to my flight being booked and arrival. (Furniture, Household goods, rental etc).

AND

Choose one of the following options:

A) \Box I will transfer the amount for my family's airfare directly to Cytech Intersearch prior to their flight being booked and their arrival. This amount can vary from US\$1500.00 up to US\$5,500.00 depending on the number of family members, season the flight is booked, and exchange rate of the Australian Dollar.

OR

B) \Box I will arrange to purchase my family's airfares myself and do not require Cytech Intersearch's assistance.

OPTION 2: TRAVELLING ON MY OWN

 \Box I will not bring my family initially to Australia until I have saved the amount due, however I will bring US\$1,500.00 with me to pay for my own expenses outlined above.

Nurse signature

Date

Note:

- 1. Once you have paid the above money to Cytech Intersearch, your Relocation Consultant will arrange for all of the above ready for your arrival. You will also need to bring some cash with you for your first few weeks in Australia for general living expenses.
- 2. Cytech Intersearch is aware that in some cultures it is customary to continue supporting families once the Nurse has relocated to Australia. Please keep in mind

EXPENSE POLICY PAGE 4
I, _____, have read and understood all the points on this page and agree to the above.

Signed:

that this practice would greatly affect your weekly income and we highly recommended that you do not continue this custom until practical i.e.: you have paid off any expenses to Cytech Intersearch, you are able to ascertain how much it will cost you and your family to live weekly, and you are in a better position financially to support your family. This can be made at your own discretion once you are in Australia.

3. The international transfer of funds required to Cytech Intersearch prior to your arrival will cover some or all of the following areas, dependent upon your personal circumstances:

- Rental of Appliances First month rent
- Elights for family members
- Furniture Purchase
- Furniture hire
- Household goods purchase
- Rental Bond and initial rental

You will be required to make the international transfer through a banking institution into an account in order for the payment and then the arrangement of your relocation. Any fees incurred for making such a transfer are at the Nurses own expense.

4. We ask that you contact your Relocation Consultant **As Soon As Possible** if you do not understand or agree with the information set out in this document. In our experience, it is necessary to outline as much as possible in order to better assist our Nurses in relocating countries.

If you feel you are unable to work with Cytech Intersearch, have signed this document but do not have the necessary funds required or your position changes on any of the points covered in this document, Cytech Intersearch will be obligated to re-evaluate your position in Australia.

Cytech Intersearch is not a financial institution. As per company policies and procedures, Cytech Intersearch does not provide any financial assistance to any employee under any circumstances.

Should you have any questions regarding the above, please contact your Relocation Consultant.

Cytech Intersearch reserves the right to make any necessary amendments to this document and its contents as per company policies and procedures or for any other related reason. All amendments will be made at the discretion of Cytech Intersearch and are only to be made by Cytech Intersearch. Employees of Cytech Intersearch will be notified of any relevant changes immediately and an updated Expense Policy will be forwarded to the employee for their signature.

____, have read and understood all the points on this page and agree to the above.

PAGE 5

Signed:

LIFE IN AUSTRALIA

To ensure your relocation is as stress free as possible, we are constantly trying to improve our process and as such we value feedback from our Nurses. The following information is to enable you to assist both yourself and Cytech during the course of obtaining your registration, visas and of course during your relocation into Australia. Therefore, we aim to highlight to you as much as possible to give you and your family a greater understanding regarding what to expect and to help us to eliminate any confusion.

RELOCATION RELATED:

Airfares

As part of our agreement Cytech Intersearch pays for the Nurses flight only. All other flights are to be paid for by the Nurse and their family.

<u>Option One:</u> If you are able to send money to Cytech prior to your arrival, then Cytech will also arrange for your family's flights so you can travel together. The amount must be paid in full prior to the final booking. (This is towards a final amount due to be paid to Cytech prior to your arrival, see at the end of this document).

<u>Option Two:</u> If you are **unable** to pay for the flights prior to arrival, then what we suggest is that you plan to travel without your family and once you are settled in Australia you either have Cytech organise the flights for your family or you are able to organise the flights yourself. Assuming you don't have the available funds to pay for the flight and you will need to save for the cost of the flight please allow 2 month to 6 months depending on the number of people travelling. Cytech can book the flights with our discounted travel agent, you can pay the money to Cytech and the bookings will be made. Alternatively you may make and pay for the bookings yourself.

Nurse Comments (ie: Option 1 or 2):

Accommodation

Cytech pays for two weeks accommodation up to a value of AUD \$600.00 (dependent upon location). Therefore you will be required after this period to start to pay rent to the Real Estate Agent you will be renting the property from. Your lease will be for either six or twelve months (we try to limit the lease to 6 months so you have the option to move after this period should you wish too) in which you will be contracted to the Real Estate for that period. Should you wish to change your accommodation, you may do so **after** the initial term with written consent. Your rent will equate to approx. 1/3 of your weekly net salary (also depending totally on your requirements and number of bedrooms). Where possible Cytech will obtain a six month Lease for you. However, sometimes this is not always practical, therefore a twelve month lease will be signed for.

Nurse Comments:

Furniture

<u>Option Two:</u> Cytech may be able to arrange for second-hand or used furniture to be purchased on your behalf. This furniture is subject to availability at the time of your arrival and in some cities may not be possible to arrange at all. Only some pieces may be able to be purchased all at once, so you will need to consider purchasing additional items at garage

As you will not be bringing furniture with you on arrival, Cytech Intersearch can arrange for the purchase or hire of furniture ready for your arrival.

<u>Option One:</u> If you are able to pay Cytech prior to your arrival the amount of money to purchase furniture, then Cytech will arrange for the furniture to be delivered and assembled at your rental property. This furniture package includes the basics of bed, sofa, coffee table and possibly dining table depending on the amount of expense money you bring. It costs approximately AU\$1,000.00. (This is towards a final amount due to be paid to Cytech prior to your arrival).

sales or second-hand furniture shops after you have arrived in Australia. Obviously this furniture is cheaper so you are able to obtain more items than buying new furniture, however the quality and style can not be guaranteed.

Furniture continued...

<u>Option Three</u>: If you are not able to pay Cytech the money prior to your arrival, then we will arrange for the rental of furniture. This will be a weekly expense that is your responsibility. It is very expensive and you are locked in to a 12 month contract which you will not be able to cancel. After then you may purchase the furniture or finish the contract. Nurse Comments (ie: Option 1 or 2 or 3):

Renting Appliances

As you will not be bringing appliances with you, Cytech will arrange for basic appliances to be rented. This will include a TV, Washing Machine and Fridge. It will be your responsibility to pay for those appliances monthly to the appropriate company. You will be locked into a six or twelve month contract and you will not be able to cancel the contract until the end of the term. At the end of the contract you can return the appliances, purchase the appliances or extend the lease. If you do not want all three appliances ready for your arrival, you must let me us know ASAP, otherwise they will be arranged for you on your arrival. require Nurse Comments (ie: Yes you appliances): all 3

Household Goods

We suggest and if anything to make it easier for you PLEASE you must bring linen for your beds, towels etc. As you will not be able to bring other household goods with you, due to the limit on luggage aloud with the airlines, Cytech Intersearch will purchase basic items, for example plates, knives, pots pans, etc on your behalf for your arrival. The cost of such goods will be due to be paid to Cytech Intersearch prior to your arrival. (This is towards a final amount due to be paid to Cytech prior to your arrival, see below). Nurse Comments:

Electricity/Telephone/Gas

Living in rented accommodation the costs for electricity, telephone and gas will be your responsibility on a monthly basis. This means that using electricity, a telephone and gas (this may be for your oven) incurs costs from those companies. Your relocation consultant will pick the most economical telephone company for you when you arrive, however, you are able to change this to a company of your choice once you have settled into your accommodation. Water rates are paid by the landlord therefore you do not have to pay for water. Nurse Comments:

Purchasing a Car

Your Relocation Consultant can tell you where to purchase the most economical. However you must understand the cost of a car will impact your weekly living expenses. The public transport system is very good in Australia and a rented apartment will be found as close as possible to the Hospital you will be working at. Please keep in mind this may be ten or fifteen minutes walk from the Hospital, however again, we will endeavour to obtain an apartment as close as possible.

Nurse Comments: _

Credit Cards

As you are on a 457 Visa and you are not a Permanent Resident or Citizen of Australia, you will not be able to obtain a Credit card in Australia. Therefore, were possible, if you can bring a Visa card with you from your country of origin prior to coming to Australia it could be of help.

Nurse Comments:

Community Groups

Australia is a very multicultural environment. There are community groups and other organisations that you can get involved with that offer a network of meeting other people, like yourselves who have arrived into Australia. It will be up to you to initiate those networks and work on 'getting out' and meeting people. People can keep to themselves and may not go out of their way to introduce you to others, therefore you must understand it is up to you and your family to meet new people.

Nurse Comments: ____

Childcare

Due to laws and regulations in Australia, you are not able to leave children under the age of 14 on their own. If you feel you will require childcare during the day, while you are at work please discuss this with your relocation consultant.

Your child's immunisation card and/or history will be required. Nurse Comments (ie: Answer to the above questions):

Schooling

In New South Wales only, the Government has imposed a fee on children being educated under a 457 Visa. Cytech applies for and you will receive an exception for any additional school fees. The exemption on the fee can only be applied for once you are in Australia and you have met with the school you would like to enrol your child in. You will then have to complete forms and send them in to the Education Department of NSW. Your Relocation Consultant is able to assist you in understanding what documentation is needed. If your exemption is approved you will pay a nominal fee per child to be educated per year (as anyone educating their children pays in the public system). For other States in Australia, the fee has not been imposed. Please keep in mind the process for the exemption can take up to six weeks to arrange. Therefore, you must think about who will look after your children until such time as they can start school. Please ensure that you bring your child's school report cards with you.

Nurse Comments:

Husbands/Wives

As a Nurse, your spouse can work for any organisation in Australia. Generally anyone coming to Australia without organising a job prior to arrival could expect to work in a capacity different than what they are used too. For example if someone is a Manager for an accounting firm, often it would be hard for that person to find a suitable role and work as a Manager in an Accounting firm. Please note that your spouses will be taxed at a higher rate than yourself. This is due to the Nurse receiving a Living Away From Home Allowance, which is tax free portion of your salary.

Nurse Comments: _

Permanent Residency

Should you wish to obtain Permanent Residency (PR) you may do so. To assist you with your application, we can advise you of the services of a Migration Agent. You are able to apply yourself and not use an agent if you so choose. (we would ask that if you do apply yourself you please inform Cytech of your application). The cheapest agent we have found for our Nurses is around AUD \$3000.00, this includes using a Migration Agent to assist you. There are also fees that need to be paid to the Department of Immigration. PR is not necessarily easy to obtain but if done correctly can be made relatively easy. There is a large amount of paperwork involved and understanding the process of applying for PR. Please note it is your responsibility as a Visa Holder to inform Cytech Intersearch when you intend applying for PR. Nurse Comments:

Homesickness

We understand it is exciting being in a new country, however we have found that this subsides after a few weeks. This is once you and your family have settled in and are starting

to 'live your life'. Many of our Nurses become home sick around this time as they realise that life is as normal as it was at home. What we mean by this is, you have to work, you have to pay bills, you have to catch public transport, work a variety of shifts etc. Please remember it is normal to feel homesick and it takes a while to start to feel like Australia is your new home

Sending Money to your Family

We understand with some cultures it is customary to send money back to their home country for their family. You can wire or even directly transfer money from Australia to almost every country in the world.

We would recommend you wait 4 weeks after your arrival before you consider sending money to your family, so you can get settled and used to your initial weekly budget. Nurse Comments: _____

Maids/servants

Only very wealthy families in Australia have a maid. You will be required to cook, clean and look after your children without the assistance of a maid. This can be quite a change to your lifestyle and social life if you are used to having domestic help, however you will not be able to afford the services of a maid, so you will need to adapt quickly. Please note, there is no Visa available to cover relocating someone with you, therefore this is not an option. Nurse Comments:

EMPLOYMENT RELATED:

Salary

In Australia a person's salary is considered confidential and is therefore not discussed with colleagues, peers or strangers. This includes talking to any staff members at the hospital about your pay or difficulties you may be experiencing since moving to Australia. The Hospital is Cytech Intersearch's client and it is very unprofessional to discuss issues about your salary or relocation with the client, i.e. the Hospital. If you have any questions relating to your salary or relocation these must be addressed with your Relocation Consultant at Cytech Intersearch. Under no circumstances are these issues to be raised with the hospital. Nurse Comments:

Salary Advances

Are not common practice in Australia and it is therefore very unusual to receive one. The only situation where one may be granted would be under extraordinary circumstances, which would be at the discretion of Cytech Intersearch to determine. It is not customary to ask fellow colleagues, peers or strangers for money or charity. Cytech Intersearch assists you with your relocation in order for you to be at ease with the basic necessities required to be comfortable. Your Relocation Consultant is available to offer you support and guidance during your relocation and throughout your contract term and you are encouraged to contact them if you are having any difficulties or concerns. As Cytech Intersearch do not offer salary advances, it is very important for you to bring extra cash with you on arrival. Nurse Comments:

Terms of Employment Period

Your employment with Cytech Intersearch is for a set period of eighteen months of employment. You are not able to terminate your employment early otherwise you will be required to pay for all recruitment, relocation, general office relocation expenses. The basis of the employment is full-time and for Nurses this is a minimum of 38 hours per week of 76 hours per fortnight or 152 hours a month etc. You may be required to work a full time rotating shift, which can include PM, Nights and Weekend work. Upon your arrival, you must be available for work following the roster set by the Hospital or Aged Care Facility. For all contractual obligations and conditions of employment, please refer to your legal Contract of Employment issued by Cytech Intersearch.

Remuneration

Remuneration includes the salary, allowances, loadings and other like items specified in the employment contract. The dollar value of the salary is normally outlined in Federal and State nursing awards or agreements. The minimum salary varies between States and Territories and is periodically reviewed and adjusted.

Superannuation

Employee superannuation is payable pursuant to the Commonwealth Superannuation Guarantee Charge. Currently employers are required to pay a minimum of the nurse's ordinary time earnings into a superannuation fund. Ordinary time earnings are the wages, allowances and loadings that a nurse would normally receive on a week-to-week basis. Superannuation is paid into funds that are approved under the legislation. Health Super (HESTA) is the preferred fund for the majority of nurses.

Hours of work

The hours of work arrangements will be determined on your arrival and are subject to change by the Hospital/Aged Care facility, however information can be given that may include the following:

- The days on which the nurse is to attend work;
- The hours to be worked eg start and finishing times and meal breaks;
- The rostering arrangements for the nurse(s) eg how the roster is determined, displayed and changed etc.

* It is important to note that penalty payments may apply for work undertaken outside the hours specified in the employment contract.

Annual Leave

Nurses receive a minimum of four weeks annual leave for each completed twelve months of employment. If the nurse is required to work as a shift worker, or work on weekends, they receive five weeks leave for each completed twelve months of employment. When proceeding on annual leave nurses receive their ordinary pay plus a loading of 17.5%. However as Cytech Intersearch Nurses work for various Hospitals, Aged Care Facilities and the like, annual leave entitlements will vary and further information should be requested.

Sick Leave

All nurses who are absent from work on account of personal illness are entitled to sick leave. Entitlement to sick leave varies between States and Territories and normally falls between 15 to 20 days per year. Sick leave not taken in any one year accrues and may be used in future years. Normally, where the employee is absent on sick leave for more than three consecutive days they are required to provide a medical certificate and advise the employer of the estimated or expected duration of the absence. Note if the Nurse is away on sick leave either on a Friday or Monday (either side of a weekend), a medical certificate is required even if only one day was taken as sick leave.

Dispute Resolution Procedure

In the event of a grievance or dispute arising in the workplace the parties should in the first instance, try and resolve the matter through discussions and negotiations at the workplace level. If the matter remains unresolved then further discussions should take place involving employer and employee representatives. If there is still no resolution the matter should be referred to the Australian Industrial Relations Commission for conciliation or arbitration. Cytech Intersearch highly encourages our Nurses to join the Nursing Union as soon as they arrive in Australia. Guidance and assistance is of great benefit to all nurses.

Workers Compensation

The requirements concerning Workers' Compensation are determined by State and Territory legislation. In conjunction with entitlements arising from the specific legislation, employees

are also entitled to payments under the Accident Pay provisions of the various nursing awards or agreements. The Accident Pay Clause requires an employer to pay the difference between the amount of compensation payable under the legislation and an employee's actual weekly wage (excluding shift penalties, overtime payments or other similar payments). This payment continues for a specific period or aggregate of periods in relation to any one injury (eg 39 weeks), however it will be necessary for employers to refer to the relevant award or agreement for more specific details, or contact the Australian Nursing Federation for advice. Please note Accidents in the place of work must be reported to Cytech Intersearch immediately, no later than 24 hours of the event.

Occupational Health and Safety

Under State and Territory legislation, employers are required to provide a workplace that is safe and without risk to health. In addition to the legislative requirements established under the relevant Act and Regulations, enterprise bargaining agreements can address occupational health and safety and rehabilitation issues in more detail, establishing specific communication and consultative arrangements and implementing particular programs designed to complement legislative requirements. The health care facility you will be working in will provide information on arrival regarding the facilities occupational health and safety management. It is your responsibility as a Nurse in Australia to familiarize yourself with the practices immediately.

Confidentiality

Under nursing standards and codes of professional conduct and ethics, nurses are required to ensure the confidentiality of an individual's health information. In addition to professional obligations there are also Commonwealth, State and Territory confidentiality and privacy laws, which apply to health service providers, including nurses. The employer should provide details of the relevant legislation in this area and how it is implemented within their organisation.

Termination of Employment

Cytech Intersearch provides four weeks notice of termination to our Nurses unless for the reasons as set out in your employment Agreement. Please refer to your contract of employment for full details to understand your obligations to Cytech Intersearch.

Public Holidays

In general, nurses are entitled to between 10 and 13 public holidays per year depending on the particular State or Territory. The entitlement relates to a day off without loss of pay. If a nurse is required to work on a public holiday, penalty rates apply ranging from 100 to 150 percent on the hourly rate.

Hospital/Aged Care Facility Shifts

Due to the fact that your skills are not 'known' to the Hospital or Nursing Home, as you have only just arrived, you will be working a variety of shifts, day, night, afternoon etc. You will not be in a position to ask for the shifts you prefer to suite your family lifestyle. You are contracted to that Hospital or Nursing Home in which they will set the shifts that you are to work. Due to rules and regulations with Health Care in Australia, you may be supervised for a certain period before you are able to work independently. This is not dependent upon what country you are from, this is for any Nurse new to working in the Australian Health care environment. It takes at least six months for the Hospital or Nursing Home to assess your skills and be comfortable with your ability. Therefore, should you wish to change shifts or seek alternative shifts, you must speak with your Relocation Consultant after at least twelve months with the Hospital or Nursing Home. Nurse Comments:

Professional Indemnity Insurance

Due to the profession you are in, i.e.: Health Care, Nurses are required to be fully covered for Insurance in Australia. This is law. There are two parts to the Professional Indemnity Insurance, one for the Nurses paid by the <u>Nurse</u>, and the other for the Nurse paid by <u>Cytech</u>. Therefore you will be required to pay for the Insurance weekly, in which Cytech will deduct this on a weekly basis from your salary. The Insurance covers the Nurse should an accident occur and a patient decides to sue that Nurse, ie: take them to court. It is a minimal cost of approx. \$73.00 per month.

Nurse Comments: ____

After 18 Months:

After your 18 month term with Cytech, you will have four (4) options.

- 1. You will be able to join the Hospital directly as a permanent employee. Please note the Hospital will need to take over your 457 sponsorship (if you don't have Permanent Residency).
- 2. You will be able to join a new Hospital/Sponsor (if you have not obtained Permanent Residency).
- 3. You will be able to return to your home country.
- 4. Continue working for Cytech Intersearch.

Nurse Comments: _

Although we have outlined the some obvious points to you, I hope this email has given you further insight into making such a move to Australia, what is involved, and the reality of the expectations.

As mentioned throughout this document, there will be expenses you will need to pay Cytech Intersearch prior to your arrival, they include but are not limited to:

- Family Airfares
- Bond (4 weeks rent)
- Short term accommodation costs
- Furniture Purchase or Hire
- Household Goods
- Rental of Appliances, initial payment
- Any additional application fees for your immediate family who are not included in your initial visa application

Should you have any questions, please let me know immediately by email and I will contact you to discuss. Otherwise, I will make plans for the above.

Kind regards

Relocation Consultant



Cytech Intersearch Overview

CYTECH INTERSEARCH OVERVIEW

I am the owner of Cytech Intersearch Pty Ltd (**`Cytech Intersearch**") overseeing all areas of the business, primarily sales and recruitment.

Cytech Intersearch was formed by my business partner at the time, Lindsey Walker, and I, in May 2000. At this time we focused on the international recruitment and contracting of IT staff. After the IT crash in 2002, we moved our focus from IT to international nurse recruitment, relocation and employment. From inception to date, all of the employees Cytech Intersearch have relocated into Australia, have been located as full time employees of Cytech Intersearch, whether it be for the IT or the Health Care sector.

Cytech Intersearch initially utilized the wording 'Assistant in Nursing' due to being so directed by our Client and after research into the Award classification. Upon receiving feedback regarding the classification of Assistant in Nursing and Residential Care Officer, Cytech Intersearch, over time, have changed our documentation to continually reflect Residential Care Officer. At no time has it been our intention to miss use any classification. At no time is it our intention, in our communication or actions, to miss use the knowledge or lack of knowledge by our Nurses. We put a great amount of time and effort into the documentation and conversations we have with our Nurses, to explain as much as possible (see attached the document titled Life in Australia and Expense Policy). Some of our staff have experienced moving countries and understand the personal, professional and finanical experiences and decisions our Nurses go through. Furthermore, because the Nurses we offer employment too are very eager to relocate quickly, we have learnt to place great emphasis on the detail in which our documentation is sent. Over time we learn from experience and feedback from our Nurses regarding our documentation, in which we are continually improving the amount of written communication we provide.

We first met with our Client in 2003 to discuss registered nursing recruitment. It was at that time, the then HR Director, discussed the possibility of recruiting and relocating Residential Care Officer/Assistants in Nursing ("**RCO/AIN**") from overseas for their site. The main reason our client had difficulties finding staff at that time was their remote location, and a lack of public transport, therefore not being able to attract staff. After a highly successful recruitment campaign and hiring approximately twelve nurses, our client approached Cytech Intersearch six months later to carry out the same process and find a further ten RCO's for the same facility. The relationship was always a supplier agreement. At no time did our client want to employ the nurses directly and, in particular, they did not want to take over the Subclass 457 Visa Sponsorships. These are the Visas held by Cytech Intersearch.

In December 2004, Bernard O'Bree (company Director) telephoned various Applicants to ascertain who was suitable for the positions available. Bernard O'Bree explained the process and then requested staff to send the applicants information regarding the visa and the process of relocating to Australia. We also explained the fact that it would be an RCO role and not a Registered Nurse position. After the interviews, various nurses were presented to our client, who conducted a further interview to ascertain suitability for the roles.

We commenced the process of recruiting nurses, which consisted of:

- (a) An advertisement in the *Fijian Times* for AIN's (note incorrect classification, however not rectified) to work for Cytech Intersearch in Australia. At the time this was the Award that we understood the roles to fall under.
- (b) Received an email from nurses expressing their interest in working in Australia.
- (c) Contacted the nurses and conducted telephone interviews to ascertain suitability and explain the process in coming to Australia;
- (d) Shortlisted Nurses for interview with our client;
- (e) Offered employment agreements to the relevant Nurses to be employed by Cytech Intersearch for an interim period of 18 months; All Nurses are informed that it is the intention after the 18 months to join the client direct, however there are other options subject to availability at the time.
- (f) Those Nurses accepted the position to work for Cytech Intersearch.
- (g) Cytech Intersearch started the process to obtain the Nurses relevant Subclass 457 Visa;
- (h) Cytech Intersearch obtained the visa for the Nurses and paid for their airfare to arrive into Australia, initial accommodation, airport transfers, assistance with settling into their area;
- (i) At all times, Cytech Intersearch communicates via telephone and email to the Nurses. All Nurses are sent many forms and documentation to review regarding coming to Australia. This includes signing documentation as to what household goods, appliances etc they require. Cytech Intersearch sets up rental accommodation, house hold goods (appliances, furniture, crockery, linen etc), assists with tenancy agreements, opening bank accounts, obtaining tax file numbers, lodging all employment forms, including superannuation, orientation of the hospital and surrounding area, introduction to the client, medical insurance set up and much more.
- (j) The nurses arrive and within one week of settling, start to work for Cytech Intersearch on site at our client.
- (k) The Nurses are supported throughout their time with Cytech Intersearch by a dedicated Relocation Consultant, answering any queries, concerns, etc
- (I) Six weeks prior to the end of the Contractual term with Cytech Intersearch, the relocation consultant works with the nurse in understanding what their options are, i.e.: returning to their home country, working for another sponsor, possibility of continuing with Cytech Intersearch, or working for our client directly. All of which are subject to available positions at the time, the preference of the nurse, the visa status etc.

Interview notes and consultant's report relevant to the nurses' initial recruitment are available for viewing. Employment contracts are presented to the nurses for signing before leaving Fiji. Letters are sent to the nurses detailing the employment arrangement with the Nurse, on their arrival.

A Temporary Business (Long Stay) – Standard Business Sponsorship ("457 Visa") visa is arranged through the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), as it was then, and associated costs met by Cytech Intersearch. Cytech Intersearch act as the Nurses sponsor and are required under the visa arrangements, to act as the Nurses employer and notify the Department of any changes in matters impacting upon the sponsorship or visa arrangement.

We also undertake to accept obligations as the direct employer. Cytech Intersearch is also responsible to pay a minimum salary to all sponsored staff of \$ 41,850 (formerly \$ 39,150 and \$38,000) per annum. This is paid to protect people entering the country on 457 visas. As such the nurses are paid by Cytech Intersearch in line with the DIMIA (now DIaC) requirements. Please note this salary level is higher than a local Australian RCO working in a health care environment.

The nurses are told where they will be working (our client), their role as an RCO and that they would not be able to obtain registration as a nurse without completing further professional training.

Cytech Intersearch provides administrative support for facilitating training to enable possible registration as a nurse in Australia. After the nurses' arrival we present the Nurse with all current documents, which are the same documents sent to the Nurse in Fiji. They are also presented with a schedule to their Employment Contract which outlines their salary and the details of their pay from Cytech Intersearch. We maintain comprehensive employment files for each nurse, including time and wages records, leave records and DIMIA (DIAC) records for sponsorship. All of which are viewable at any time to confirm all of the points contained in this overview.

Cytech Intersearch conduct disciplinary interviews or counseling for conduct or work performance, if necessary. The client would call Cytech Intersearch and we would organize meetings with the employee to go over any concerns or issues, and then with the client if required.

The cost of initial vocational training is met by Cytech Intersearch. Cytech Intersearch provide a one or two week settling-in-period free of cost to our client. The client would not pay Cytech Intersearch for the services of the nurses as it was to enable the Nurse to settle into their role and also allow the client time to train the Nurse. This period was totally funded by Cytech Intersearch and the Nurses are paid their salary as normal for this period.

The supply contract stipulates:

- (a) That the nurse is not to be an employee or agent of our client. There is a clause stipulating non Solicitation by the client of Cytech Intersearch staff;
- (b) Cytech Intersearch are to be responsible for the nurse's workers compensation insurance, superannuation cover and Professional indemnity insurance. In practice, Cytech assume responsibility for all insurance.
- (c) Cytech Intersearch outline rates of pay with the employee pay all remuneration and remit PAYE group taxation to the ATO. The payment made to each nurse was approximately \$5,000 per year above the award rate. The DIAC requirements were above the rates in the applicable state award. Group Certificates are available for viewing.
- (d) Our Client is to utilize the nurse for no less than 5 shifts in each 7 day period, with scope to work additional hours. Additional hours were as required by our client and recorded on a time sheet maintained by the nurse. The nurses would complete a standard Cytech Intersearch timesheet and fax it to the office each Monday. Time sheets were to be checked by our client and sent to our office for processing. Overtime was paid in line with the award and would be approved by our client and paid by Cytech Intersearch.

- (e) All pay slips are issued by Cytech Intersearch.
- (f) Any penalties, allowances and loadings are paid by Cytech
- (g) Our Client could employ the nurse after the end of the initial term of 18 months, but only with Cytech Intersearch's written consent. All Nurses are informed there is no guarantee of position.
- (h) The employment was intended to be for an initial term of 18 months as set out in each of the schedules attached to both the supply and employment contracts.

The initial nurses recruited as Residential Care Officers, were around December 2004 and commenced work at our client, an Aged Care facility, around April 2005.

We welcome the Joint Standing Committee to view the amount of detail in our documentation to our Nurses, to understand that we try to do our best with each Nurse and provide as much information as possible. The Joint Standing Committee may view any information they require, in order to appreciate that the comments by the Australian Nursing Federation are grossly unfounded.

Sincerely,

Bernard O'Bree Director **Cytech Intersearch**



Previous Advertising



Australian Nursing

Cytech Intersearch is an Australian Company specialising in Nursing Recruitment, Immigration and Relocation. Cytech offers you and your family the reassurance of knowing you will arrive safely, the satisfaction of being assissted throughout the immigration process and the realisation that it will be an economical move.

If you are an RGN with Theatre, Surgical ward, Oncology, ICU/HDU, Emergency Nursing (Nurse Practitioners very welcome) and General Hospital experience or you have an Aged Care, Palliative, Dementia or General Medical background then we have a number of roles offering excellent career prospects within one of Australia's leading specialist Aged Care groups. You will be given full induction, ongoing training, support and a real career opportunity.

Your benefits will include: Salary, Long Term Career Opportunities, ongoing Training, Full Work Visas (families included), Assistance with Permanent Residence, Paid Holidays + Loadings, Schooling Assistance upon arrival, Paid Sick Leave, Uniforms Supplied, Nurses Airfare (family repatriation if required), Nurses Registration, Transfers, Initial Accomodation and much more including the appointment of an experienced relocation professional, who will manage the whole process from registration to arrival for you and your family.

To enquire about these or other opportunities through Cytech please email your detailed resume to Cytech Intersearch: info@cytechintersearch.com

phone: + 61 2 9555 9554 www.cytechintersearch.com



Nursing in Australia

RCO's - Residential Care Offices

(Northern Territory - Darwin, Alice Springs or Katherine - Australia)

Cytech Intersearch, specializes in the recruitment and relocation of RCO's - Residential Care Offices (AIN's -Assistants in Nursing) into Australia. We have roles in Aged Care facilities (Nursing Homes) in Darwin, Katherine or Alice Springs. These are remote locations and you MUST be prepared to remain in these locations for a period of not less then 18 months.

These are not registered nursing roles they are Care Offices whereby you will be assisting the Registered Nurses with their duties. If you are a registered nurse in Fiji trained in Fiji) you may not be able to gain registration in Australia. However, at the end of the initial term of 18 months, Cytech will assist you in applying for the educational courses required to apply for RN status in Australia. We DO NOT guarantee you will be able to get into the courses or gain your Australian Nursing Registration, however we will assist where possible.

Requirements: At least 3 years as an RN, Willing to work in Australia (Remote Locations) for a minimum of 18 months and applicants should be Fijian citizens and have a current passport.

Applications will only be accepted by email and please Include a digital photo. To apply, please send us your complete resume to Cytech International Pty Ltd.

Email:info@cytechintersearch.com

Australian and New Zealand Nursing

For Nurses seeking a lifestyle and career change...

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* Theatre *Anesthetics and Recovery *ICU/CCU *Surgical/Medical Ward * Psychiatric * Aged Care * Oncology Ward * Palliative Care * Rehabilitation

Your Benefits Will Include: Salary Packaging, Long Term Career Opportunities, Ongoing Training, Full Work Visas (families included), Assistance with Permanent Residency, Paid Holidays, Schooling Assistance (minimal cost), Paid Sick Leave, Uniforms Supplied, Airfare, Nurses Registration, Transfers, Initial Accommodation and much more including the appointment of an experienced relocation professional, who will manage the whole process from registration to arrival. To enquire please email Eva Arelic:

Email: eva@cytechintersearch.com

www.cytechintersearch.com

Phone +61 2 9555 9554

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