

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Supplementary Budget Estimates 2014-2015**

Agency - Fair Work Ombudsman

Department of Employment Question No. EM1598_15

Senator Cameron asked on 23 October 2014 on proof Hansard page 43

Question

FWO - Provide details of the examples found in data

Senator CAMERON: Unable to locate sponsor: 76. How does that work? Mr Campbell: It might be that the business is no longer trading or that it was a contractor on a site somewhere. There are a range of reasons, and I am happy to give you some more examples on notice if you like. I do not have a list with me at the moment, other than the data you have got. Senator CAMERON: So the sponsor is the legal body that employs the 457 worker. Have you found 457 workers with no sponsors? Mr Campbell: There can be a point where a visa holder is no longer in the employ of a sponsor, but they have a period of time in which they need to find another sponsor before their working visa comes to a conclusion. Senator CAMERON: But that is a different thing. This says that you cannot locate the sponsor. If someone moves from one sponsor to another, the sponsor does not disappear; the sponsor is still there. They might be with another employer, but the sponsor does not disappear. So what has happened to these 76 sponsors? Senator Abetz: He has taken that on notice. Mr Campbell: I just want to try to round out our role in this space. We monitor these circumstances, these workplaces. Where we find an issue—say that the employee is no longer in the employ of the sponsor, then we refer that back to the department of immigration, which has overall responsibility for the migration scheme. So they then action this information. Senator CAMERON: I assume the department will be listening in. CHAIR: Questions on notice for the department of immigration are due on 31 October. Senator CAMERON: I suppose they are back again next week sometime, so we will deal with that. Given the nominated position concerns, this is something that has had a fair bit of controversy—people coming in as engineers and working as labourers. What kind of thing were you finding? Mr Campbell: That is one example. Senator CAMERON: Can you provide details of the examples that you found, on notice? Senator Abetz: Do you want all of them or just a random sample? There are 83 of them. Mr Campbell: Yes. Senator CAMERON: If you have got it, we should know what is going on. Mr Campbell: Yes.

Answer

Where the Fair Work Ombudsman is unable to locate a sponsor during a monitoring visit at the address provided by the Department of Immigration and Border Protection, the Fair Work Ombudsman records this and advises the Department of Immigration and Border Protection.

For full details of the concerns identified by the Fair Work Ombudsman during monitoring activities related to 'nominated positions' please see the attached 457 Visa Monitoring – Details Report. This report is also available on the Fair Work Ombudsman's website on its Freedom of Information Disclosure Log available at: <http://www.fairwork.gov.au/ArticleDocuments/716/457-visa-monitoring-details-report-18.9.13-to-30.6.14.pdf.aspx>.