

Question: 10

Topic: Non-Australian Citizens Employed by the Department/Agency

Written: 17 June 2015

Senator LUDWIG asked:

1. What is the Department/Agency's policy with regard to hiring non-Australian citizens?
2. Does the agency have a Culturally and Linguistically Diverse (CALD) policy? If yes, please provide a summary.
3. How does the Department/Agency determine whether a person is a non-Australian citizen?
4. How many staff who were not Australian Citizens have been hired by the Department/Agency since the Federal Election in September, 2013? Please break the numbers down by:
 - a) Levels at which they are employed
 - b) Immigration Status (Visa)
 - c) Cultural Background
 - d) Linguistic Background
 - e) How many were hired to satisfy CALD targets?

Answer

Subsection 22(8) of the *Parliamentary Service Act 1999* states that, "A Secretary must not engage, as a Parliamentary Service employee, a person who is not an Australian citizen, unless the Secretary considers it appropriate to do so."

The department's Policy on Recruitment states that, "In general, it is expected that prospective employees (both ongoing and non-ongoing) will be Australian citizens. However, consideration may be given to a permanent resident or a person with a relevant working visa. Such considerations are secondary and must be noted in the [selection] report but, as they are secondary considerations, should only be considered by the Clerk or the delegate once the committee's recommendation is made."

The department does not have a Culturally and Linguistically Diverse (CALD) policy. The department does, however, have a Workplace Diversity Program which is established in accordance with section 18 of the *Parliamentary Service Act 1999* and Part 4 of the *Parliamentary Service Determination 2013*.

Two employees, who are non-Australian citizens, were engaged by the department since September 2013. One employee was engaged at the Australian Parliamentary Service Level 1 classification and on a casual basis and the other was engaged at the Australian Parliamentary Service Level 5. Both employees hold the necessary visas to work in Australia. One employee is a Brazilian national and Portuguese is her first language. The other is from Scotland and English is his first language.

The department does not have a CALD target. The department engages employees in accordance with merit as defined by subsection 10A(2) of the *Parliamentary Service Act 1999*.