

# human connections

| ISSUE 9 MARCH 2012 |

## Expanding our horizons New places and new faces at ISA Group

**W**elcome to the March 2012 edition of Human Connections.

ISA Group has started the year with an expansion of our reach and of our resources. In this edition we outline changes to our operation that are designed to ensure we continue to provide the best possible service to our existing customers, while positioning the group to offer the same high quality service to new clients.

With the expansion of mining, oil and gas and construction in Queensland, ISA Group's newly-established presence at Airlie Beach means we are now well-placed to offer international resourcing and migration solutions to companies based on the eastern seaboard. We will also consider extending this presence to other mainland States over the coming 12 months.

In addition to our existing training centre in the Philippines, we have now established an office in Johannesburg, South Africa, to enable ISA to cast the net wider, offering our clients a greater choice of staffing skill sets.

Our expansion plans also include discussions with partners in Korea and China and the



Johannesburg, South Africa.

establishment of a professional presence in the United Kingdom.

According to ISA Group Directors, Noelene and Brett Merrey, the skills shortage is one of the major concerns being highlighted by Australian businesses. "We have a unique product and a great reputation in the marketplace, but we can't afford to sit still, as new entrants will emerge to capitalise on growing labour market opportunities," says Noelene Merrey. "We know we must continue to grow and to streamline our processes so that Australian businesses can reap the benefits."

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ISA Group is in the business of ensuring our clients get the right people, at the right time and in the right place. This principle also applies to our own organisation. Like all successful businesses, the quality of our services is directly related to the quality of our staff.

ISA Group's expansion sees the appointment of a number of new staff in Western Australia, Queensland and in the Philippines. We welcome those people aboard and know they will do everything they can to ensure our clients receive the highest possible level of service.

## ISA Group

Your complete immigration and overseas recruitment service

To meet the demand for skilled labour in some industries, Australian businesses need to find and recruit people from overseas to service existing contracts and secure new projects.

ISA Group helps businesses engage new staff for short to long-term work assignments by providing cost-effective and tailored visa and immigration solutions.

For more information, go to [isa.com.au](http://isa.com.au), or call us on **+61 08 9346 8888**.



**See inside:**

**Reforms to the Permanent Employer-Sponsored Visa Program - page 2**

**Introducing ISA in QLD - page 3**

**Reforms to Living Away from Home Allowance - page 4**



# Reforms to the Permanent Employer-Sponsored Visa Program

The Australian Government has announced reforms to the permanent employer-sponsored visa program to be introduced on 1 July 2012.

## New visa structure

The current employer-sponsored visa classes and subclasses will be replaced with two new visas:

- Employer Nomination (Class EN) Employer Nomination Scheme (subclass 186)
- Regional Employer Nomination (Class RN) Regional Sponsored Migration Scheme (subclass 187).

Within each of these visa subclasses there will be three streams:

### 1. The Temporary Residence

**Transition stream** is for subclass 457 visa holders who have worked for their employer for at least the last two years and the employer wants to offer them a permanent position in that same occupation. Applicants won't need to have their skills and qualifications assessed for the permanent visa because of their prior employment and continuing employer sponsorship.

**2. The Direct Entry stream** is for applicants who are untested in the Australian labour market and have not held a subclass 457 for at least the last two years, or are applying directly from outside Australia. Direct Entry stream applicants will have an untested relationship with their sponsor and limited familiarity with Australian working conditions. To ensure they are able to achieve the best workplace and settlement outcomes applicants will be expected to meet more stringent English language proficiency and skill requirements.

**3. The Agreement stream** is for applicants who are being sponsored

## The key changes

- collapsing the existing visa subclasses from six to two
- removing the existing distinctions between inside and outside Australia
- replacing the permanent labour agreement visa with streams in the ENS and RSMS
- replacing the current exceptional circumstances provisions with more objective exemption categories
- introducing a simplified pathway to permanent residency for 457 visa holders
- raising the upper age limit to less than 50 years
- amending key visa criteria, including English language and skill requirements
- introducing one consolidated sponsored occupation list
- integrating a skilled migrant selection model—SkillSelect.

by an employer through a highly-scrutinised and negotiated labour agreement or regional migration agreement. Applicants will need to meet the requirements outlined in their nominator's labour agreement. A labour agreement is a formal arrangement negotiated between an employer and the Australian Government and will only be considered where:

- a genuine skills shortage exists; and
- no suitably qualified or experienced Australians are readily available.

## Benefiting regional Australia

An employer located in regional Australia who chooses to use the RSMS will have:

- access to a broader range of occupations at ANZSCO 1 – 3 skill level
- reduced application fees
- relaxed skill requirements for prospective migrants

- no obligation to meet relevant training criteria.

## SkillSelect

These reforms will coincide with the implementation of *SkillSelect* on 1 July 2012.

*SkillSelect* is the new skilled migration selection process. It is based on an expression of interest system which aligns the best available prospective skilled migration candidates with the fluctuating demands of the labour market.

As part of the introduction of *SkillSelect*, sponsors and visa applicants will be able to apply online for the new permanent employer-sponsored visas.

## More information

For more details about these reforms please go to the DIAC website at [www.immi.gov.au](http://www.immi.gov.au), or contact an ISA Group consultant.

## International Resourcing and Business Development Manager appointed



ISA Group is pleased to introduce our new International Resourcing and Business Development Manager, Judith Uren.

Judith has extensive experience with overseas training and skills assessments in China, Africa, the Middle-East and Asia through her work with Education and Training International (ETI). This invaluable experience is expected to significantly benefit ISA Group's clients.

With a large international network and strong project management skills, Judith will lead ISA's International Resourcing team, responsible for Business Development, Recruitment and Skills Testing – both in Australia and across our expanding international operation.

Judith's networks and relationships include government, private sector organisations and education and training providers around the globe. She has also managed offshore skills assessment services for VETASSESS. This experience, combined with her ETI background, has given Judith a strategic understanding of the assessment of skilled offshore workers prior to their migration under the Australian General Skilled migration scheme.

We welcome Judith to ISA Group and anticipate that she is going to be an enormous asset to our clients worldwide.

# Introducing ISA Group, Queensland

Strong demand from existing national clients, coupled with increasing enquiries from potential clients, has led to the establishment of a new ISA Group operation in sunny (and lately, wet) Queensland.

Our new office is strategically located at Airlie Beach, positioned within touching distance of Mackay and the coal fields to the South, within reach of the Bowen Basin to the North and not too far from Rockhampton and Gladstone.

There has been an immediate positive response to our presence on the Eastern seaboard, with existing and new clients seeking to partner with us to take advantage of our immigration and recruitment services.



Being based in Airlie Beach puts us within easy access to significant client bases of Mackay, Rockhampton, Gladstone, Townsville and Cairns.

As has traditionally been the case with our clients, we continue to partner with a healthy blend of large national contractors, as well as small, privately-owned businesses.

### Skill shortages not confined to WA

After only a short time in Queensland, it has become clear to us that the skill shortages faced in Western Australia are being mirrored on the opposite side of the country. With a considerable increase in mining production and planned new projects for the coming years, the challenge of sourcing qualified employees, seems set to grow.

There is a definite feeling that this is the lull before the storm, or perhaps more appropriately, the storm after the storm. Extensive flooding over the past 12 months has stalled a considerable amount of mining activity. With this behind us, the amber light is set to turn to green. Many companies are expecting to ramp up properly in the third and fourth quarter of this year.

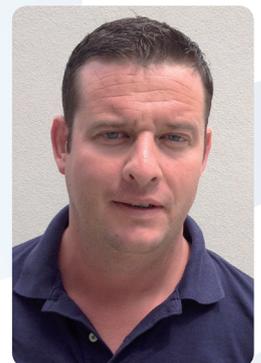
### Helping you plan your staffing

With our recruitment and visa process being continually improved, our clients are finding our timeline of 12-14 weeks (from placing their order, to new employees arriving ready for work in Australia) to be an invaluable guideline for planning extra staffing for the rest of the year.

Many clients are planning their recruitment in 'waves' to allow for smoother integration and in accordance with their growing workload.

### Meet Gregor Black

ISA Group's new General Manager in Queensland is Gregor Black.



Gregor comes to ISA after running an international recruitment business from Dubai. That experience saw him successfully supplying skilled workers from a broad range of nationalities to resource-hungry companies across the Middle-East.

If you would like to discuss how partnering with ISA Group could help your company with current or anticipated staffing shortages, please contact Gregor on 0457 966 055, or send an email to [Gregor@isa.com.au](mailto:Gregor@isa.com.au).

## Reforms to Living Away from Home Allowance

The Federal Government recently announced changes to the Living Away from Home Allowance (LAFHA). The reforms will apply from 1 July 2012 for both new and existing arrangements.

From this date, LAFHA can only be claimed by people who maintain a home for their own use in Australia and who live away from this home for the purposes of performing work.

For example, if your company sends you to Karratha for work, you could only claim LAFHA if you have a home in, say, Perth.

In contrast, under the current LAFHA arrangements, many 457 visa holders claim the allowance on the basis that they usually reside overseas and are working in Australia on a temporary basis.

With effect from 1 July 2012, the following changes affect taxpayers who are currently receiving living-away-from-home allowances and benefits:

1. Access to the tax exemption for temporary residents will be limited to those who maintain a residence for their own use in Australia, but live away from this residence for work purposes, for example 'fly-in fly-out' workers.
  2. Individuals will be required to substantiate their actual expenditure on accommodation and food.
- No permanent resident who is legitimately using this tax exemption for accommodation and food expenses will lose any entitlements.

Please note that these reforms will not affect other tax concessions, such as those applying to travel and meal allowances and remote area fringe benefits.

For more details, please visit the ATO and LAFHA websites.

## Market salary rates and employer obligations

All sponsors of Subclass 457 visa holders are required to adhere to specific Sponsorship Obligations. For standard business sponsors, there is an obligation to ensure that Subclass 457 visa holders will benefit from the same terms and conditions of employment as are provided to an Australian undertaking equivalent work in the same workplace at the same location. Equivalent terms and conditions of employment means that overseas workers must be paid the market salary rate.

### How to determine market rates

Where there is an equivalent Australian in the workplace, the market salary rate will be determined by the industrial arrangement that applies to this worker. Examples of industrial arrangements include an enterprise agreement, industrial award, award conditions with over award salary rates and common law contract. Most ISA Group clients have common law employment contract arrangements.

Where no Australian citizens are performing equivalent work in the same workplace, the employer may demonstrate the market salary rate by reference to the applicable modern award or enterprise agreement.

In the absence of an award or agreement, the employer must provide the Department of Immigration & Citizenship with a range of evidence to substantiate the market salary rate. The employer is required to satisfy DIAC that the terms and conditions of employment proposed are appropriate for that location and industry.

### Temporary Skilled Migration Income Threshold (TSMIT)

For an employer's nomination to be approved, the market salary rate must also be greater than the TSMIT. Nominations for which the applicable market salary rates are below the TSMIT are likely to be refused.

The TSMIT is currently set at \$49 330 per annum. It is set at this level to ensure that all Subclass 457 visa holders have sufficient income to independently provide for themselves in Australia.

However, it is vital for ISA Group clients to understand that it is the market salary rate for the nominated occupation which is relevant. It is not possible for a sponsor to inflate a nominated worker's proposed salary in order to meet the TSMIT requirement.

For additional information please refer: <http://www.immi.gov.au/skilled/457-market-salary-rates.htm>

## Welcome to our new starters

### Western Australian Office

**Elena Koulikov:** Registered Migration Agent

**Julie Hillier:** Senior Resources Consultant

**Saffron Bowler:** Human Resources Officer

**Kelly Li:** Recruitment Advisor

**Joanna Lim:** Registered Migration Agent

**Jackson Merrey:** Liaison Officer

### Philippines Office

**Jennifer Sarangay:** Document Officer

**Sheila Alaba:** Document Officer

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