



ACCI POLICY STATEMENT

SKILLED MIGRATION POLICY

Introduction

Immigration must not be seen in isolation as a panacea for skill shortages, but in the context of a wider population and workforce policy.

While skilled migration can deliver skilled workers for immediate or emerging shortages in relatively short timeframes, it must complement robust training and workforce participation arrangements. Information about labour and skills shortages is drawn from a range of sources, within the Federal, State and Territory Governments, and the private sector. More effective co-ordination of this information is an essential element of an effective skilled migration program.

In addition, and from time to time, there may be circumstances where, due to overall labour shortages, unskilled workers cannot be found from within Australia to meet particular labour needs in the agricultural or hospitality industries. There need to be immigration options available providing targeted, short-term programs for unskilled workers, with arrangements for industry support. These programs require careful management. ACCI welcomes the pilot seasonal worker scheme but notes that the provision of unskilled labour may need to be expanded in to other sectors in the future.

The restrictions and conditions relating to the employment of overseas workers can often be difficult for employers to apply. They can make the employment of overseas workers unnecessarily complex.

A major impediment and cause of delay for overseas workers and employers seeking to employ them, is the need for overseas qualifications and experience to be recognised before the employee can begin to work productively in Australia.

Commerce and industry welcomes the initiative by the Council of Australian Governments (COAG) to provide a one-stop, offshore process for the recognition of overseas qualifications. While currently limited to certain occupation and countries, ACCI supports gradual expansion of the initiative provided it maintains the integrity of the qualifications system, and protects employer and consumer confidence in the workers' skills. Continued consultation with commerce and industry should occur to determine the success, sustainability and cost of this system.

Approved Migrants must be able to settle into Australian society, and become productive residents for the migration program to achieve its intended outcomes. Criteria for migrant selection must include those which have been demonstrated as having a significant effect on their settlement prospects and employability. These include English language skills; employability; having an occupation and skills to enable them to find work; and networks to support them during their settlement period.

This ACCI Policy Statement on Skilled Migration is informed by, and should be read in conjunction with, those on Immigration and Population.

1. The skill component of the migration program should complement other initiatives to meet skills shortages, such as
 - training Australian school leavers;
 - the expansion of the labour pool through training or retraining of existing workers to upgrade their skills and the facilitation of mature aged people returning to the workforce after injury, unemployment or as recipients of welfare;
 - encouragement of skilled qualified workers back into commerce and industry whose skills are underutilised in their current employment and/or to move to locations within Australia where those skills are in high demand.

2. The dimensions of the migration program need to be clearly explained and predictable, both in size and composition.
3. Employers seeking to employ overseas workers should have a clear understanding of their legal responsibilities and obligations.
4. The immigration process needs to be simple, efficient and clear, to meet the needs of commerce and industry, and to enable Australia to compete with alternative migration destinations globally for skilled workers.
5. There should be reliable information about current and projected labour and skills shortages. This information should be provided via a comprehensive, single list of occupations in demand, nationally and by State/Territory and region, with clear information about skills recognition, skill acquisition requirements, and visa options.
6. ACCI supports a short-term entry program for unskilled workers, where there are demonstrated labour market shortages and/or reliable expectations thereof.
7. Standard award, industrial relations and benefits provisions should apply for all workers (there should be no separate minimum salary requirements).
8. A single, overseas procedure should be available for all future migrants to obtain full work rights in their occupation, and there should also be provision to recognise the skills of migrants currently in Australia.
9. The ability of a potential immigrant to settle in Australia and find work in their nominated occupation should be integral part of the selection processes. This must include relevant occupational and English language skills.
10. The administration of the immigration program, and related matters, must be co-ordinated across Government, with clear accountability mechanisms and responsibilities, to meet the objectives of Australian commerce and industry, and through it the broader community.

Policy Objectives

ACCI's overarching policy objectives on immigration include:

- a non-discriminatory immigration policy, which does not take into account characteristics such as race, religion or ethnic origin;
- a stable and predictable net migration intake set over a rolling five year period, with minimal variation; and
- a sustainable annual net migration intake set at around one per cent of the Australian resident population (in 2007-08, Net Overseas Migration was around 213,000, or one per cent of the total population).

Specific and immediate policy objectives continue to include:

- the active engagement of commerce and industry with the Federal Government in its periodic reviews of the general migration policy and programs, to ensure such exercises act as platforms for continuous improvement of relevant policies and initiatives rather than result in fundamental or partisan shifts in underlying objective(s) or policy;
- ensuring migration policy makers and planners develop and implement effective strategies with commerce and industry to ensure Australia is viewed competitively as 'destination of first choice' by business and higher skilled labour migrants; and
- promoting to the Federal Government the importance of adopting a 'flexible ceiling' approach to the target number of business and labour skilled migrants, with the capacity to accept above-planned level numbers, within reason, where such migrants meet qualitative thresholds.
- the ongoing simplification and streamlining of the current number of visa categories and the accompanying administrative system.

Policy Framework

ACCI encourages the increased participation in the workforce of groups such as those currently on welfare, the disabled, and Indigenous Australians.

A planned and targeted migration program should deliver those skills which cannot be delivered in a timely manner by training, participation or retention programs, as well as meeting population and labour force objectives.

The size of the total migration program must be sufficient to

- ensure the necessary levels of population to sustain economic growth;
- deliver sufficient numbers of skilled workers to supplement Australia's skill shortages and introduce new or improved technology; and
- provide employers, especially in regional and rural areas, with an adequate labour force.

The balance and composition of the non-humanitarian migration program should give weight to skill and labour shortages, but must also take account of the elements that promote good settlement prospects – age, English language, employability, and settlement support networks.

ACCI endorses the current mix whereby skilled migration forms approximately two-thirds of the total migration program, with family and humanitarian migration forming the balance of the program intake.

In addition to current arrangements to address skill shortages through immigration procedures, the Federal Government must continue to develop and introduce measures to help employers, particularly in regional Australia, find sufficient numbers of people, and with the skills they need, when they are not available in the local market.

ACCI will continue to support the placement of DIAC senior staff as Skilled Migration Advisers within the ACCI National Office, and with key ACCI members to realise the objectives and outcomes set out in our relevant policy statements.

Information for Employers

Australian businesses and potential migrants should have access to clear information about sponsorship and visa options and the associated responsibilities.

Employers must be provided with clear and readily understandable information to enable them to know what they are expected to do in relation to any migrant worker, whether sponsored or not, regardless of ethnic background.

Employers must be supported by both the information systems and the legislative framework to verify the employment entitlements of all prospective workers, taking all reasonable steps to satisfy themselves of a potential employee's work rights.

Promoting Australia

Migration policy and practice, and its administration can play an important role in promoting Australia as a preferred destination for residence and/or settlement of foreign-born persons, and should make it attractive to expatriate Australians to return. Commerce and industry should play an active role in this work.

There needs to be a radical streamlining of visa options, and increased availability of electronic lodgement options.

Labour Market Information

There should be a review and rationalisation of all information resources dealing with skill shortages, using a whole of government approach to collecting workforce data, using ABS collection and data services rather than the disparate collections of individual government departments. There needs to be a single, comprehensive, easily understood document linking skill shortages information together in a clear hierarchy. Information gathered in this way should include industry-based data as well as the geographically identified data.

Labour Shortages

There need to be mechanisms for facilitating the supply of unskilled or semi-skilled workers to meet existing and reasonably foreseeable labour shortages. The costs, risks and responsibilities for such options need to be shared between employers, the Federal and State/Territory Governments, and the overseas workers.

Work And Benefit Entitlements

All persons having the right to work in Australia should have the same work and benefit entitlements, be subject to the same award or other remuneration provisions, and have access to basic benefits such as Medicare on the same criteria as all Australians.

Skills Recognition

Prospective migrants overseas, and those already in Australia with skills or training obtained overseas, should have access to a consistent system (delivered both overseas and within Australia for those already here) which would:

- Assess the training they have already undertaken, both in formal and other education;
- Assess the skills they can demonstrate in their chosen occupation;
- Provide full documentation, of a standard to be acceptable to all licensing authorities in all States or Territories, for those who can demonstrate that they are ready to safely enter the Australian workforce; and
- Provide detailed information to those deemed not yet ready to enter the workforce about their skills gaps and what training or other evidence is required to remedy these, including specific information about how to access such training.

People with skills gaps should then have access to easily-understood visa options, with clear pathways to the migration outcome that is sought. This information should be seamlessly linked with the skills assessment, which would involve DIAC working in tandem with the assessing authority. ACCI welcomes measures that have been taken to provide “one stop” offshore skills assessment in certain occupations and supports expansion of this initiative so that skills recognition can be delivered consistently both on- and offshore.

Foreign Students

Prospective migrants, including overseas students, must have recent work experience in their occupation, or be able to demonstrate they will be able to immediately utilise in the workforce, the skills acquired as an international student.

ACCI supports the introduction of the Skilled Graduate (Temporary) visa (subclass 485) to allow overseas graduates to spend 18 months in Australia gaining relevant work experience and greater language skills before applying to migrate permanently. ACCI also supports the introduction of a structured Professional Year to assist graduates in gaining relevant Australian work experience. Expansion of this program into more areas of business and industry would be welcomed.

Skills Needs Assessment

There are elements of the migration program which cross portfolio boundaries, especially relating to labour market information and the assessment of qualifications. This can lead to inconsistent implementation of immigration policy and program.

The roles of Government departments on immigration-related matters should align with their core competencies and principal responsibilities. This will avoid duplication, and ensure the agencies best placed to deliver a service are responsible for that service.

Migration skills assessments should be undertaken by an agency with expertise in assessing skills and the recognition of prior learning

As educational bodies already assess skills in many areas, both prior to and during training, and certify the competency of domestic trainees following completion of training, it is appropriate that the assessment of non-Australian qualifications should be placed within the education portfolio.

Regional Certifying Bodies

Regional Certifying Bodies (RCBs) must have a local presence in the region for which they are certifying, and no RCB should have a monopoly over certification in any area. Nor should they have a conflict of interest as employment agencies.

RCBs must be structured in such a way as to ensure that local employers or peak employer bodies are fully represented. Ideally and where practicable, this would be through direct representation on the RCBs.