

SKILLED MIGRATION: Global Talent Scheme & Sponsorship Accreditation

1. Background

On behalf of our members, TAA has been the leading voice advocating sensible regulatory and legislative changes to combat the chronic labour and skills shortage in the accommodation and hospitality industries.

In the second half of 2017, TAA proposed to the Commonwealth Government a *Trusted Employer Programme* (TEP) to facilitate intra-corporate transfers, longer visa durations and permanent residency for occupations on the Short-term Skilled Occupations List (STSOL).

Elements of TAA's TEP proposal are now been implemented by the Commonwealth Government, and may assist TAA members with chronic skilled labour and managerial shortages.

2. Global Talent Scheme

From 1 July 2018, the Government has commenced a 12 month pilot of a Global Talent Scheme (GTS) within the new Temporary Skill Shortage (TSS) visa. The GTS will have two streams – a start-up stream for businesses operating in a STEM-related field and an established business stream. The established business stream is very similar to the *Trusted Employer Programme* (TEP) that TAA has been strongly advocating since June 2017.

The established businesses stream will allow either publicly listed companies or businesses with an annual turnover of at least \$4 million to sponsor skilled migrants for a four-year Temporary Skill Shortage visa and be eligible for permanent residency applications after three years, regardless of whether the occupation is on the short-term or medium term occupations list.

Sponsoring businesses must demonstrate the prioritisation of employment opportunities for Australian workers, and that the sponsorship of the skilled migrant will result in skills transfer to Australian workers.

Unfortunately, the pilot will only be available for positions with annual earnings in line with the Fair Work High Income Threshold of \$145,000. TAA had advocated that a pilot of the TEP (and subsequently the GTS) be available for positions above \$90,000. TAA was instrumental in the government lowering the pilot salary threshold from its planned \$180,000, and will advocate for the salary threshold to be reviewed at the conclusion of the pilot period.

More information on the Global Talent Scheme is available at:

- <https://www.homeaffairs.gov.au/trav/work/skilledvisas/visas-for-innovation>
- <https://www.homeaffairs.gov.au/WorkinginAustralia/Documents/global-talent-scheme-factsheet.pdf>

3. Sponsorship Accreditation

Another aspect of TAA's TEP was improving the processing times for skilled migration visa applications for trusted, legitimate businesses.

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As part of the new TSS visa, the Government has introduced a new Sponsorship Accreditation scheme that provides sponsors with streamlined processing times. Under the Department's guidelines, sponsors who qualify and are granted accredited status will have most TSS applications processed in less than five days. This compares against the previous processing time of between 5-11 months for a 457 visa.

The criteria required to be eligible for Sponsorship Accreditation is provided in the table below. Accommodation hotels may be eligible for Sponsorship Accreditation under either Category 3 or Category 4.

Category	Required Characteristics
Category 1 <i>Commonwealth, state and territory government agencies</i>	<ul style="list-style-type: none"> • have Australian workers comprising at least 75% of their workforce in Australia
Category 2 <i>Australian Trusted Traders</i>	<ul style="list-style-type: none"> • have Australian workers comprising at least 75% of their workforce in Australia • engage all TSS and/or subclass 457 visa holders as employees under a written contract of employment that includes at least the minimum employment entitlements as required under the National Employment Standards (NES) (unless their occupation is exempt from this requirement)* • have all Australian employees paid in accordance with an Enterprise Agreement or an internal salary table that reflects the current market salary rates for all occupations in their business*
Category 3 <i>Low volume usage and high percentage of Australian workers (at least 85%)</i>	<ul style="list-style-type: none"> • have Australian workers comprise at least 85% of their workforce in Australia • are not a sole trader or a partnership • have an annual turnover of at least AUD4M for the last two years • have been a standard business sponsor for at least one year • have nominations approved for at least one primary TSS or subclass 457 visa holder • have a nomination non-approval rate of less than 3% for the last year • have no adverse monitoring outcomes

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	<ul style="list-style-type: none"> • have all Australian employees paid in accordance with an Enterprise Agreement or an internal salary table that reflects the current market salary rates* • engage all TSS and/or subclass 457 visa holders as employees under a written contract that meets NES where they apply*
<p>Category 4</p> <p><i>High volume usage and medium percentage of Australian workers (at least 75%)</i></p>	<ul style="list-style-type: none"> • have Australian workers comprise at least 75% of their workforce in Australia • are not a sole trader or a partnership • have an annual turnover of at least AUD4M for the last two years • have been a standard business sponsor for at least two years • have nominations approved for at least 10 TSS and/or subclass 457 visa holders in the last two years • have a nomination non-approval rate of less than 3% for the last two years • have no adverse monitoring outcomes • have all Australian employees paid in accordance with an Enterprise Agreement or an internal salary table that reflects the current market salary rates* • engage all TSS and/or subclass 457 visa holders as employees under a written contract that meets NES where they apply*

*Additional evidentiary documentation must be provided against these characteristics

Hotels seeking Sponsorship Accreditation will be required to provide evidence of annual turnover exceeding \$4 million for the past two years, and demonstrate that all Australian employees are paid in accordance with an Enterprise Agreement or an internal salary table that reflects the current market salary rates.

Businesses can apply for accredited status using the same online forms at the same time as they apply to become a standard business sponsor or when they renew an existing sponsorship.

Current Approved Sponsors

Please note that current approved sponsors will obtain the faster processing times for the period of their current sponsorship. Sponsors need to check on the Department's online lodgement system ("Immi Account") or refer to the original notice of decision for their approved sponsor expiry date and reapply under the new scheme at that time.

More information on Sponsorship Accreditation is available at:

- <https://www.homeaffairs.gov.au/visas/supporting/Pages/482/sponsorship-accreditation.aspx>