

## **RDA SOUTHERN INLAND GUIDELINES FOR EMPLOYERS LODGING A SKILLED EMPLOYER SPONSORED REGIONAL (SESR) 494 VISA APPLICATION**

**Please read the entire document before you begin your application.**

The Skilled Employer Sponsored Regional (SESR) Subclass 494 Visa enables employers to fill 'skilled' positions on a permanent basis, with non-Australian citizens, where they have been unable to fill a vacancy from the local labour market or through their own training programs.

The nominated position must be supported by a Regional Certifying Body (RCB).

Under the SESR, the Department of Home Affairs (DOHA) seeks advice from the local RCB about whether the employer nomination meets specific migration criteria. DOHA is the ultimate decision maker on any SESR nomination.

An administration fee of \$770 (GST Inclusive) applies to processing applications and is payable at the time of application. The administration fee is non-refundable. Processing of applications can take approximately 2-3 weeks.

### **THE REGIONAL CERTIFYING BODY (RCB) ROLE**

RCB's provide advice to the Department on the SESR visa, ES stream nomination applications, using local area knowledge to advise on whether the nominee for the position will be paid at least the annual market salary rate for the occupation.

Nominators who intend to lodge or have lodged with the Department SESR ES stream nominations will need to comply with the specific requirements imposed by the relevant RCB when making requests for assessment.

### **Please remember to...**

Check the position is available for sponsorship. You should ensure that the position is also:

- Available for at least 35 hours per week
- A permanent role which will be available for at least 3 years
- Requires a trade certificate, diploma or degree
- Meets the Annual Market salary rate
- Cannot be filled using the local labour market

Check that the nominated employee is available for sponsorship. You should ensure that the person:

- Meets the age and language requirements
- Has skills and qualifications to the level required for the position along with evidence of 3 years' work experience
- Is of good health and character, including their dependents

## **RDA Southern Inland must be satisfied whether the identified person would be paid at least the annual market salary rate (AMSR) for the occupation.**

- On company letterhead demonstrate how the AMSR is determined and the nominee will not be paid less than what an Australian Citizen or Permanent Resident would be paid.
- Copy of the relevant page/s of Enterprise Agreement/Industrial Award of salary level/occupation group or references to broader labour market eg job vacancy advertisements, JobOutlook, ABS, remuneration surveys If an Australian worker is performing equivalent work to the nominee in the same workplace provide copies of payslips and contract of that worker (for confidentiality the name may be covered).
- The AMSR and what the nominee will be paid, excluding any non-monetary benefits, must be no less than the Temporary Skilled Migration Income Threshold (TSMIT) i.e. currently \$53,900.

## **EMPLOYMENT CONDITIONS**

The RCB assesses whether the terms and conditions of employment for the nominated position are no less favourable than those of Australian citizens or permanent residents performing equivalent work in the same workplace. The nominated salary must be no less favourable than the relevant market salary rate.

The onus is on the employer to include enough information to provide reference to, and evidence the terms and conditions of employment, including:

- The name/reference of a relevant fair work instrument that would apply to Australian citizens or permanent residents employed in the same workplace (if applicable); and
- A copy the employment contract that complies with the National Employment Standards (NES). The contract must be current, dated and signed by both the employer and the nominee; and
- Evidence that the nominated salary is no less favourable than the relevant market salary rate:
  - a. Where the employer employs an Australian citizen / permanent resident in the same occupation in the workplace, the employer must provide documentary evidence of the salary offered to the Australian employees; or
  - b. Where the employer does not employ an Australian citizen/permanent resident in the same occupation in the workplace, the market rate must be determined with regard to relevant market information, which may include, but is not limited to local knowledge and evidence of appropriate terms and conditions of employment including information from employer associations, unions and broader labour market data.

## **Please include ALL the following documents in your application.**

- Copy of the Online Nomination Application Form or a copy of the Draft.
- If using the services of a Registered Migration Agent: A Form 956 must be included

- Information about the Employing/Nominating Business Please include:
  - Copy of Business Registration or Company Registration Certificate showing the Australian Business Number ABN and of ACN.
  - Evidence of current financial status e.g. Profit & Loss Statement and Balance Sheet for the last 12 months. Or Letter from Accountant outlining the financial position of the business.
- Position information
- Labour Market Testing (LMT) Information Please include evidence of the inability to fill the nominated position from the local labour market.
  - Results of recent labour market testing including:
    - the original job advertisements;
    - Details of all local applicants, and overview of the applications and inability to fulfil the position.
- Employment Contract / Letter of Offer Please include: A copy of the letter of offer of employment, ensuring it complies with the Temporary Skilled Migration Income Threshold (TSMIT). The contract must include:
  - Total remuneration package including superannuation and details of leave entitlements
  - Base salary and details for rates for out of hours or overtime work
  - Core hours and days of work each week; must be full time (min 35 hours per week)
  - Start date and term (must be for a minimum of three years).
- Nominee Information Please include:
  - A copy of the International English Language Testing results (IELTS min score 6 in each field) PTE is also accepted.
  - A copy of nominee's passport bio page. (must be under 45 years of age at the time of application)
  - A copy of the nominee's resume, including copies of qualifications
  - A copy of any licenses or registrations required to fulfil the position.
- Form 1404 - <https://immi.homeaffairs.gov.au/form-listing/forms/1404.pdf>
- A service fee of \$770 (GST inclusive) applies and may be paid via electronic funds transfer (EFT) or credit card. ☑ Payment by EFT Please include the Nominating business name in the transaction commentary. Proof of EFT payment to be supplied with application.

**RDA- Southern Inland    BSB: 062 904    Account Number: 10407899**

Payment by Credit Card Please complete the Payment by Credit Card form available on the RDA Southern Inland website. Note a fee of 1% will be charged for credit card transactions.

Applications may take up to 2-3 weeks for processing. All enquiries should be made to the RDA Southern Inland office on 02 4822 6397 or via email to [rcb@rdasi.org.au](mailto:rcb@rdasi.org.au)

To have an Employer Nomination assessed under the SESR the employer must understand that the onus is on them to provide thorough evidence to demonstrate their business activities and the salary being paid.

## SESR 494 VISA SPONSORSHIP CHECKLIST

<b>EMPLOYER INFORMATION</b>			
Trading Name:			
Business Name:			
Street Address:			
Postal Address:			
Phone:			
ABN:		ACN:	
Contact Person:		Position:	
Phone:		Email:	
<b>NOMINEE INFORMATION</b>			
Name:		DOB:	
<b>POSITION INFORMATION</b>			
Nominated Position:		ANZSCO Code:	
Salary: \$		Weekly Hrs:	
<b>MIGRATION AGENT:</b>			
Agency Name:			
Name of Agent:			
Phone:		Email:	
956 Included:		YES	NO
<b>DOCUMENTATION:</b>			
Paid (Copy of receipt of payment MUST be included)		YES	NO
DOHA Online Nomination Form (If available)		YES	NO
Form 1404 (If available)		YES	NO
<b>BUSINESS INFORMATION:</b>			
Copy of Business Registration		YES	NO
Financial Status		YES	NO
<b>POSITION INFORMATION:</b>			
Position Description and Duties		YES	NO
Organisational Chart		YES	NO
LMT		YES	NO
Position advertised locally		YES	NO
Employment Contract (signed)		YES	NO
<b>NOMINEE INFORMATION:</b>			
English Language Results		YES	NO
Passport Bio		YES	NO
Resume (incl relevant qualifications)		YES	NO