



Employer Sponsored Visas for Teachers

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1. Why Employer Sponsored Visas?

Labour Shortages

- Skill shortage
- Regional labour shortages

Mutually beneficial

- Allows the business to support a migration pathway
- Proves viability – creates a path for later migration

Challenges

- › Application costs
 - › Skilling Australians Fund (“SAF”) levy
 - › Visa Application Charge
 - › Retaining a Lawyer or Agent
 - › Secondary Applicants (it adds up)
- › Timing
 - › Labour Market Testing (“LMT”)
 - › Processing Times
- › Risks
 - › Refusal
 - › Loss of the Sponsored employee
 - › Changes to the program (See

Teacher - Occupations

- › <https://immi.homeaffairs.gov.au/visas/working-in-australia/skill-occupation-list>



Occupations

Short Term List

- › Art Teacher (Private Tuition) – 249211 – Dance Teacher (Private Tuition) – 249212 –
- › Music Teacher (Private Tuition) – 249214
- › Primary School Teacher – 241213
- › Private Tutors and Teachers nec – 249299
- › Teacher of English to Speakers of Other Languages – 249311

Medium Term List

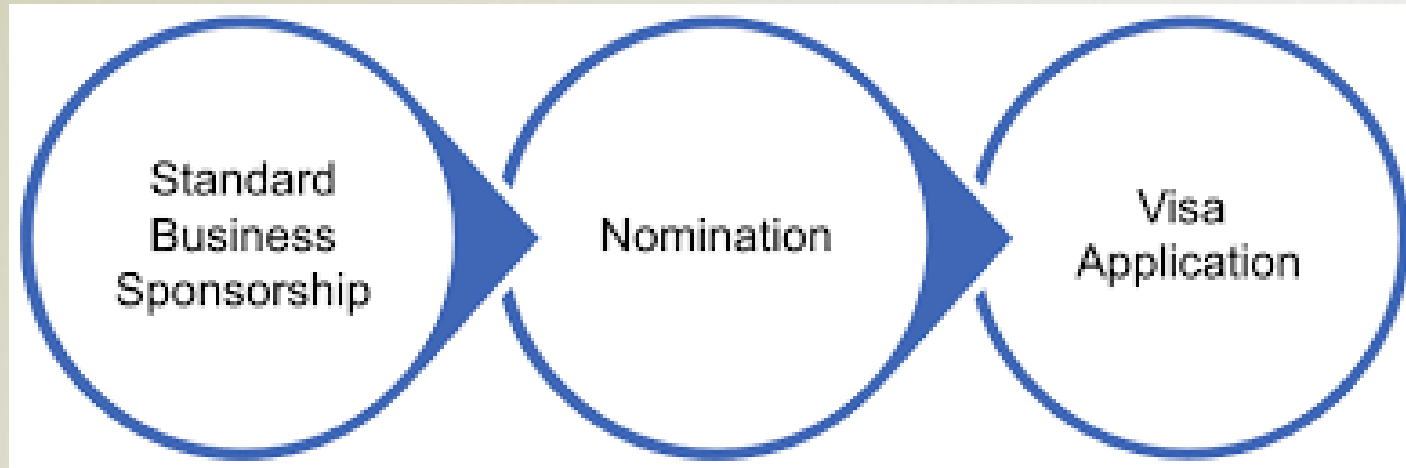
- › Early Childhood (Pre-primary School) Teacher – 241111 (Note: This is not a child care worker and will require a bachelors level degree)
- › Secondary School Teacher – 241411
- › Child Care Centre Manager – 134111 (Also bachelors level degree)
- › Special Education Teachers nec – 241599
- › Special Needs Teacher - 241511
- › Teacher of the Hearing Impaired – 241512
- › Teacher of the Sight Impaired - 241513

- › SECONDARY SCHOOL TEACHERS teach one or more subjects within a prescribed curriculum to secondary school students and promote students' social, emotional, intellectual and physical development.
- › **Indicative Skill Level:**
In Australia and New Zealand:
- › Most occupations in this unit group have a level of skill commensurate with a bachelor degree or higher qualification. In some instances relevant experience and/or on-the-job training may be required in addition to the formal qualification (ANZSCO Skill Level 1).
- › Registration or licensing is required.
- › **Tasks Include:**
 - presenting prescribed curriculum using a range of teaching techniques and materials
 - developing students' interests, abilities and coordination by way of creative activities
 - guiding discussions and supervising work in class
 - preparing, administering and marking tests, projects and assignments to evaluate students' progress and recording the results
 - discussing individual progress and problems with students and parents, and seeking advice from Student Counsellors and senior teachers
 - maintaining discipline in classrooms and other school areas
 - participating in staff meetings, educational conferences and workshops
 - liaising with parent, community and business groups
 - maintaining class and scholastic records
 - performing extra-curricular tasks such as assisting with sport, school concerts, excursions and special interest programs
 - supervising student teachers on placement

Pathways

- › Subclass 482 – Temporary Skills shortage
 - › Short term – Short Term Occupation List
 - › Max 2x two years
 - › Medium Term – Medium to Long Term Skill Shortage List
 - › Unlimited four-year visas
- › Subclass 494
 - › Regional – Medium to Long Term Skill Shortage List
 - › Pathway to PR via Subclass 191 after residing in regional area.
- › Subclass 186
 - › Direct Entry → PR Visa
 - › Direct to Apply but very onerous
 - › Temporary Resident Transition (TRT) → PR Visa
 - › Must have held 482 visa for three years

The Process



Standard Business Sponsorship

- › Basically, a Drivers License for Businesses
- › Your business must be actively and lawfully operating in Australia
- › There must not be any adverse information known that is relevant to your business' suitability as an approved sponsor.
- › Obligations:
 - › Co-operate with inspectors
 - › Ensure equivalent terms and conditions of employment
 - › Pay travel costs to enable sponsored persons to leave Australia
 - › Pay costs incurred by the Commonwealth to locate and remove unlawful non-citizen
 - › Keep records
 - › Provide records and information to the Minister
 - › Provide information to Immigration when certain events occur
 - › Ensure sponsored employee works only in the nominated occupation

Compliance

- › The Department monitors sponsor compliance with the obligations during the sponsorship period **and up to five years after the sponsorship period ends**. The Department may also monitor sponsored employees to ensure they comply with their visa conditions.
- › Monitoring may be conducted by Immigration Inspectors, Fair Work Inspectors or Fair Work Building Industry Inspectors who have investigative powers under the *Migration Act 1958* (Cth).

Nomination (Hey, we have a position to fill)

- › Advertising
 - › Prove Market Shortage
 - › 28 days accept
 - › Highly stringent
- › Annual Market Salary Rate (AMSR)
 - › On award or no less than equivalent worker
 - › Not less than \$70K
- › Genuine Position
 - › Not created to fill a migration outcome
 - › Makes sense in the context of the Business

Nomination- Nominee

- › English
 - › Required proficiency
- › Qualification
 - › See ANZCO Definition
- › Experience
 - › Two years full time pro rata
 - › Work reference letters
- › License or Registration if required
- › Full Details of Family

Subclass 482 – Visa Application

- › English
 - › Required proficiency
- › Qualification
 - › See ANZCO Definition
- › Experience
 - › Two years full time pro rata
 - › Work reference letters
- › License or Registration if required
- › Good Character – Include Family
- › Identity Documents

Things to Think About

- › Is there another pathway?
- › Will the timing work?
- › Is the cost worth it?



QUESTIONS?

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