



Check work rights: VEVO: Employers can check work rights of current and prospective employees on Visa Entitlement Verification Online (VEVO)

<https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions/check-conditions-online/for-organisations>



International students and graduates do not need Permanent Residence to work in Australia. Students work rights vary from 40 hours a fortnight to full time depending on their visa. Their partners also have the right to work



Employing an international student or graduate is easy. You do not need to sponsor an international student or graduate to work for you, unless you chose one of the employer sponsored options

Recruiting International Students and Graduates

Making Sense of work rights and Visas

SUMMARY OF INTERNATIONAL STUDENT AND GRADUATE WORK RIGHTS:

STUDENT VISA HOLDERS:

- *GENERALLY CAN WORK 40 HOURS A FORTNIGHT WHILE STUDYING & FULL TIME ON BREAKS .*
- *MASTERS OF RESEARCH & PHD CAN WORK FULL TIME.*
- *PARTNERS OF MASTERS & PHD CAN WORK FULL TIME.*

GRADUATE VISAS HOLDERS: CAN WORK FULL TIME FOR BETWEEN 18 MONTHS TO 4 YEARS.

BRIDGING VISAS: WORK RIGHTS VARY. USUALLY FULL TIME WHILE WAITING FOR 485 VISA OR PR TO BE GRANTED.

Visas and work rights

Student Visas

Subclass 500, 574,573,572

In 2016, the Department of Immigration simplified student visas reducing the number of visas subclasses to just one, the subclass 500 visa.

However there are still some students who were granted their visas before this change and may have one of other subclasses above.

International student and their partners are permitted to work between 40 hours a fortnight and full time. You can confirm work rights on **VEVO**.

485 Visas

After international students complete 2 years study in Australia they may be eligible for a 485 visa. 485 visas can be granted for 18 months to 4 years. The majority of 485 visa holders have 2 year visas.

485 visas have full work rights.

Graduates can work as many hours as the like on their 485 visas. You can confirm work rights on **VEVO**.



What is a bridging visa A?

The bridging visa A is useful for allowing the applicant to remain in Australia after their current visa expires and whilst their new visa application is being processed. Generally the conditions of the previous also apply to the bridging visa. That means if an international has completed their course and applied for a 485 visa they usually have full work rights until the 485 visa is granted. If a 485 holder has applied for Permanent Residence, they have full work rights until Permanent Residence is granted. You can confirm work rights on **VEVO**.



What are Employer Sponsored visas?

Employer sponsored visas allow employers to sponsor people from overseas who are qualified and have work experience in an occupation on a skills occupation list. There are three main types of employer sponsored visas

Temporary Employer sponsored Visa: Subclass 482 (TSS Visas). Replaced 457

Visas are usually granted for 2 to 4 years and can be renewed.

How do I sponsor an employee?

Step 1. TSS Standard Business Sponsorship (SBS)

- Employer is required to have an approved Standard Business Sponsorship agreement
- Company must be lawfully operating and
 - be in a sound financial position

Step 2. TSS 482 Nomination

- Employer must nominate occupation from relevant list
- Make a SAF contribution depending on company revenue
- Advertise the position
- Annual base salary no lower than \$53,900 & Australian Market Rate

Step 3. TSS 482 Visa

- Applicant must have a relevant qualification or work experience,
- Min. 2 years work experience in the same field, usually within last 5 years
- English language requirements
- MLTSSL: equivalent IELTS 5 in each STSOL: equivalent IELTS 4.5 in each

How long can a 482 visa be granted for?

Medium and Long Term Strategic Skills List (MLTSSL) occupations – 4 years, can be renewed many times and can lead to permanent residence

Short Term Skilled Occupation List (STSOL) occupations – 2 years, limited renewal, can only lead permanent residence via regional businesses unless applied for 457 before 18/04/2017

Regional Occupation List (ROL) occupations – 4 years visas in regional area only and may lead to permanent Residence

Employer Nomination Scheme (ENS) 186 visa

Employers may sponsor skilled professionals for permanent residence and commonly use either the Temporary Residence Transition (TRT) or Direct Entry (DE) streams:

Step 1. ENS 186 Nomination

- Company must be lawfully operating in Australia; and
- Be in a sound financial position
- Make a SAF contribution – amount depends on company revenue
- Job offer to applicant for min 2 years
- Genuine position
- Australian market rate
- Nominate either the TRT or Direct Entry (DE) stream

Step 2a ENS TRT

For 457/TSS visa holders lodged after 18 April 2017:

- Nominate occupation from 186 MLTSSL list
- Work min. 3 years for the nominating business whilst on 457/TSS visa
- Be under 45 years at time of lodgement – may be eligible for exemptions
- English equivalent to IELTS 6 in each band – may be eligible for exemptions
- Health and Character

OR

Step 2b ENS DE

- Nominate occupation from 186 MLTSSL list
- Positive skills assessment. May be eligible for exemptions
- English equivalent to IELTS 6 in each band – may be eligible for exemptions
- Be under 45 years at time of lodgement – may be eligible for exemptions
- Health and Character

Regional Sponsored Migration Scheme (RSMS) 187 Visa

Similar to the ENS program. Employers with a business in a regional area have a greater list of occupations.

Step 1. RSMS 187 Nomination

- Company must be lawfully operating in Australia; and
- Be in a sound financial position
- Make a SAF contribution – amount depends on company revenue
- Job offer to applicant for min. 2 years
- Genuine position
- Australian market rate
- Nominate either the TRT or Direct Entry (DE)

Step 2a RSMS TRT

For 457/TSS visa holders lodged after 18 April 2017:

- Nominate occupation from 187 MLTSSL/ROL list
- Work min. 3 years for nominating business on 457/TSS visa
- Be under 45 years at time of lodgement – may be eligible for exemptions
- English equivalent to IELTS 6 in each band – may be eligible for exemptions
- Health and Character

OR

Step 2b RSMS DE

- Nominate occupation from 187 MLTSSL/ROL list
- ANZSCO requirements for work experience depending on the nominated occupation
- Positive skills assessment required for some trade occupations
- English equivalent to IELTS 6 in each band – may be eligible for exemptions
- Be under 45 years – unless exempt
- Health and Character

FACT CHECK:

Almost 50% of millennials plan to change their job within 2 years.



Why not employ an international student?

Some employers hesitate to employ international students because they may eventually leave.

International students have work rights on their student visas for 2 to 4 years and then on a graduate visas for another 18 months to 4 years.

407 Visa

The training visa facilitates a short stay for people undertaking occupational training or professional development in Australia

There are two types of nomination depending on the time spent in the workplace vs classroom training – Occupation Trainee and Professional Development.

SKILLS & OCCUPATIONS LIST

There are around 700 occupations that you may be able to sponsor.

Check the list here: <https://www.acacia-au.com/anzsco.php>