

Employer Nominated Scheme – another option for employers

Has your company sponsored skilled overseas workers on temporary 457 visas? If they are in highly skilled professions you might consider sponsoring them for permanent residence under the Employer Nominated Scheme.

Many employers are familiar with the 457 scheme as a way of sponsoring skilled overseas workers for periods between 3 months and 4 years. It is designed to fill temporary skills shortages in the local labour market. Did you know that if you have a highly skilled worker on a 457 visa, you may be able to sponsor them for permanent residence under the Employer Nominated Scheme (ENS)? As an employer there are a number of advantages in considering the ENS option:

- Continuity of employment: as the employee is not required to return to their country of origin the employer can count on a greater return on their investment
- There is no requirement by the employer to ensure the cost of return travel of the sponsored employee or their dependents to their country of origin is met.

There are also significant benefits for the employee:

- Permanent residence is a pathway to Australian citizenship
- Access to Medicare and the Pharmaceutical Benefits Scheme
- Access to Australian public education and certain social security benefits (waiting periods may apply)
- They can sponsor additional family members for immigration to Australia

Eligibility

To be eligible to apply for ENS, the employee must meet certain eligibility requirements, including skill levels, qualifications, English language ability, age requirements and health and character requirements. More details of these requirements are available at:

<http://www.immi.gov.au/skilled/skilled-workers/ens/eligibility-employee.htm>

If the employee has worked full-time in the occupation for the last two years in Australia on a 457 visa, including the last 12 months with you, then you may be able to sponsor them without the employee having to provide a skills assessment or demonstrate at least three years full-time work experience in the occupation. In sponsoring an employee under the ENS scheme, a requirement is that the position must be available for a period of three years.

Regional Sponsored Migration Scheme

A separate scheme, the Regional Sponsored Migration Scheme (RSMS) has similar features to ENS but is designed for employers in regional Australia. More information is available at:

<http://www.immi.gov.au/skilled/skilled-workers/rsms/>

For further information on ENS and RSMS, you can contact Radek Divis (North Sydney) at radek.divis@aigroup.asn.au (tel: 02-9466 5442 or 0403 395 154), or Stephen Reynolds (Melbourne) at stephen.reynolds@aigroup.asn.au (tel: 03-9867 0221 or 0434 078 552).