

Immigration Sponsorship Procedure

1 Purpose

PLEASE NOTE: All human resource management policy instruments are currently under review to ensure alignment with the new Enterprise Agreement. Contact the People Portfolio for more information.

To provide new Employees and potential Employees with Information on immigration processes relevant to their appointment at the University.

2 Scope

This Procedure applies to prospective Employees who do not hold sufficient right to work in Australia, gaining employment with the University and to current Employees who need to upgrade their visas due to a change in their employment conditions.

3 Procedure Overview

This Procedure provides an overview of the legislative requirements and visa options for successful overseas appointees and current foreign workers.

4 Procedures

4.1 Immigration requirements

Offers of employment to overseas applicants are subject to the Department of Home Affairs granting approval for permanent residency or an appropriate temporary work visa to cover the period of employment. In cases where applicants may be eligible for employer sponsored migration, the People Portfolio will liaise with the Department of Home Affairs on behalf of the University.

All Visa nominations made by the University must be consistent with the conditions and duration of employment offered to the successful appointee.

Applicants are required to notify the University of any immigration restrictions that may preclude them from fulfilling the terms of any contract of employment offered by the University.

4.2 Sponsorship

Formal sponsorship by the University is required to support visa applications for foreign

nationals to a nominated position within the University.

The Department of Home Affairs policies are subject to regular review. It is recommended that current requirements be verified at the time of application and where there is a discrepancy between the Policy or Procedure of the Department of Home Affairs and these guidelines, the Department of Home Affairs takes precedence.

Failure to obtain the correct visa or to meet and maintain the visa conditions as stipulated by the Department of Home Affairs can have significant repercussions for both the individual and the University.

The terms and conditions of employment outlined in appointment offers are no less favourable than those that are provided to an Australian performing equivalent work.

4.3 Visa options

The following outlines the visas that the University will sponsor to provide prospective Employees and current foreign workers.

Visa Type	Conditions
Regional Sponsored Migration Scheme (subclass 187)*	<ul style="list-style-type: none">• Only eligible for positions located in regional Australia. Positions at the University's Ipswich and Springfield campuses do not qualify for this visa;• Applies when the position cannot be filled by an Australian citizen or Australian Permanent Resident who lives in, or would move to, the area;• Must be for an occupation as specified by legislative instruments;• Is a permanent visa.
Employer Nomination Scheme (subclass 186)*	<ul style="list-style-type: none">• Eligible for positions located anywhere in Australia. This visa is to be used for positions located at the University's Ipswich and Springfield campuses;• Applies when the position cannot be filled by an Australian citizen or Australian Permanent Resident;• Must be for an occupation as specified by legislative instruments;

	<ul style="list-style-type: none"> • Is a permanent visa.
Temporary Skill Shortage visa (subclass 482)*	<ul style="list-style-type: none"> • Must be for an occupation as specified by legislative instruments; • located anywhere in Australia; • is a temporary visa up to four years.
Training Temporary Activity visa (subclass 408)*	<ul style="list-style-type: none"> • Eligible for academics with significant achievement in their field who have been invited to observe or participate in an Australian research project; • Eligible for Students or recent graduates of a foreign educational institution and who are invited to undertake research at an Australian tertiary or research institution that is related to their field of study. Current Students must be undertaking the research in order to meet Course requirements for their overseas qualification; • Visa holders will not be remunerated.
<i>*Additional conditions may apply</i>	

4.4 Processing applications

All Visa nominations must be consistent with the conditions of employment offered to the successful appointee. The People Portfolio will ensure that all necessary University documentation is completed and forwarded to either the Chamber of Commerce and Industry Queensland for their recommendation, or directly to the Department of Home Affairs.

Information on application requirements can be obtained from the People Portfolio.

5 References

Nil.

6 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

7 Procedure Information

Accountable Officer	Chief People Officer
Responsible Officer	Chief People Officer
Policy Type	University Procedure
Policy Suite	Recruitment, Selection and Appointment Policy
Subordinate Schedules	
Approved Date	12/12/2018
Effective Date	3/4/2019
Review Date	3/4/2024
Relevant Legislation	Fair Work Act 2009 Information Privacy Act 2009 Migration Act 1958 Migration Regulations 1994 Enterprise Agreement
Policy Exceptions	Policy Exceptions Register
Related Policies	
Related Procedures	Appointments: Visiting, Adjunct and Honorary Procedure Recruitment and Selection Procedure
Related forms, publications and websites	Department of Home Affairs
Definitions	Terms defined in the Definitions Dictionary Employee A person employed by the University and whose conditions of

	<p>employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of employment are covered by a written agreement or contract with the University.</p> <p>Information</p> <p>Any collection of data that is processed, analysed, interpreted, organised, classified or communicated in order to serve a useful purpose, present facts or represent knowledge in any medium or form. This includes presentation in electronic (digital), print, audio, video, image, graphical, cartographic, physical sample, textual or numerical form.</p> <p>Policy</p> <p>A high level strategic directive that establishes a principle based approach on a subject. Policy is operationalised through Procedures that give instructions and set out processes to implement a Policy.</p> <p>Procedure</p> <p>An operational instruction that sets out the process to operationalise a Policy.</p> <p>University</p> <p>The term 'University' or 'UniSQ' means the University of Southern Queensland.</p> <p>Enterprise Agreement</p> <p>University of Southern Queensland Enterprise Agreement 2023-2026.</p>
	Definitions that relate to this procedure only
Keywords	Immigration, visa, residency
Record No	15/2957PL