

# EspritTalent

## Labour Agreement



Labour agreements enable approved businesses to sponsor skilled overseas workers when there is a demonstrated need that cannot be met in the Australian labour market and where standard temporary or permanent visa programs are not available.

Labour agreements are formal contracts negotiated between Australian employers and the Australian Government under certain circumstances. A negotiated agreement allows overseas workers to be sponsored for a skilled visa enabling them to work in Australia for a specified period of time, in an approved occupation. Labour agreements are generally in effect for five years.

Labour agreements can provide concessions to skilled visa criteria that must be satisfied under migration regulations prior to grant. These criteria may include English, work experience, salary or age thresholds. Labour agreements may be used to employ overseas workers in new or emerging occupations that are not defined in the Australian and New Zealand Standard Classification of Occupations (ANZSCO). These flexible arrangements are designed to assist employers in addressing immediate skills needs, whilst ensuring that opportunities for job-ready Australians are protected.



Employers are expected to have plans in place to transfer skills to Australian workers and reduce their future reliance on overseas workers. A visa granted under a labour agreement will be a Temporary Skill Shortage (TSS) visa (subclass 482). Certain types of agreements also provide for a permanent residence pathway under the Skilled Employer Sponsored Regional (SESR) (Provisional) visa (subclass 494) or the Employer Nomination Scheme visa (subclass 186).



# TYPES OF LABOUR AGREEMENT

## »»» COMPANY SPECIFIC AGREEMENT

A company specific labour agreement is developed directly with an employer. The terms and conditions of the agreement are considered on a case-by-case basis and they type of agreement will be considered only where: a genuine skills or labour shortage exists, for an occupation which is not already provided for in an industry agreement; and a designated area migration agreement, industry agreement or project agreement is not already in place.

## »»» AGED CARE INDUSTRY LABOUR AGREEMENT

Australian aged care providers can now apply to access the new Aged Care Industry Labour Agreement. The Aged Care Industry Labour Agreement streamlines the recruitment of qualified direct care workers from overseas to work in the aged care sector when employers enter into an MOU with relevant industry unions. Employers can use this where appropriately qualified Australians are not available.

Employers can use the Aged Care Industry Labour Agreement to sponsor overseas workers in the following key direct care occupations:

- **Nursing Support Worker (ANZSCO 423312)**
- **Personal Care Assistant (ANZSCO 423313)**
- **Aged or Disabled Carer (ANZSCO 423111)**

For more information on Company Specific Labour agreements and Aged Care Industry Labour Agreement, access the Department of Home Affairs website: [www](http://www) or connect with the Esprit Talent team.