



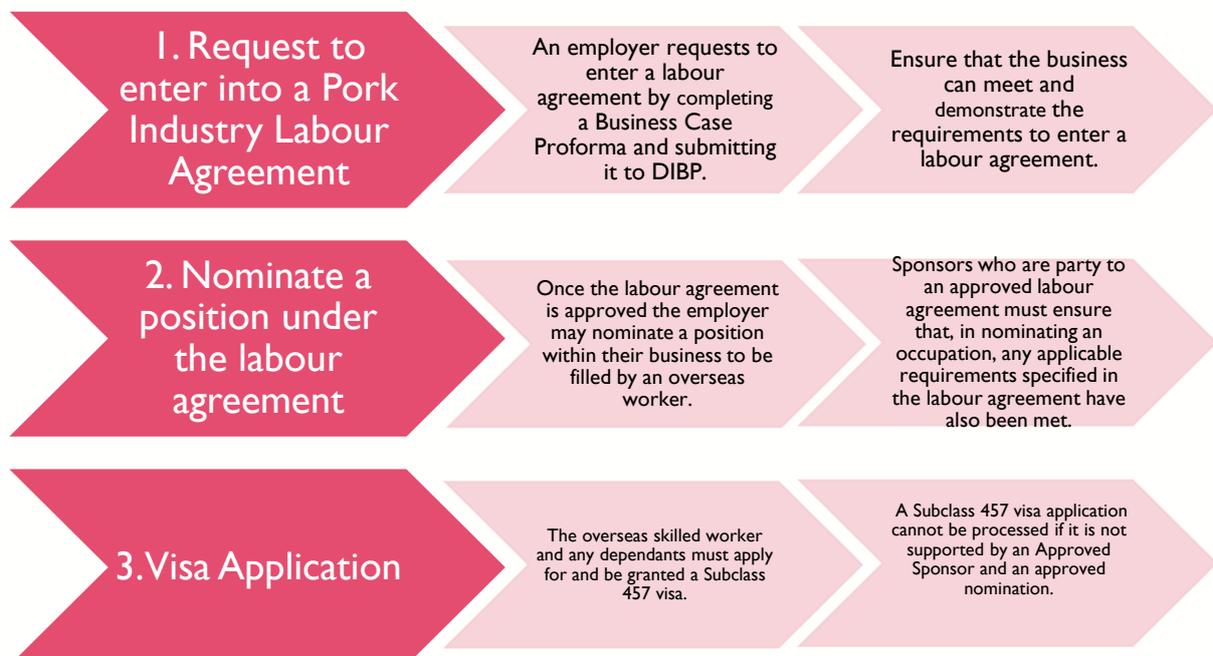
## Application process for a Pork Industry Labour Agreement

A Pork Industry Labour Agreement is one way pork industry employers can recruit overseas workers in the occupation of Senior Stockperson (Piggery) under a Subclass 457 Temporary Work (Skilled) visa. The labour agreement provides a standard template for the employment of overseas workers with skills relevant to the pork industry. The terms and conditions of the agreement cannot be varied or amended.

Employers can request a pork industry labour agreement once they have determined they meet the legislative requirements and have completed stakeholder consultation. For details on how to do this refer to the labour agreement [information guide](#). The Information guides; *Labour Agreements: Information about Requesting a Labour Agreement* and *Pork Industry Labour Agreement* should be read together and are available on the [APL website](#). They can also be requested from the Department of Immigration and Border Protection (DIBP) by sending an email to [labour.agreement.section@border.gov.au](mailto:labour.agreement.section@border.gov.au).

Further information about the Subclass 457 visa, including the labour agreement programme, can be found on the [DIBP's website](#).

There are a number of steps required to bring in workers under a Subclass 457 visa.





## Process to apply to become an Approved Sponsor to recruit a Senior Stockperson (Piggery)

1. Access and complete the [Labour Agreement Business Case Porforma](#). This is needed to address all requirements when requesting a labour agreement and enables DIBP to assess your eligibility for a Pork Industry Labour Agreement.
  - a. In completing this form you should read the accompanying information sheet [Pork Industry Labour Agreement](#), which provides information specific to the pork industry.
  - b. Employers need to nominate for the position of Senior Stockperson (Piggery). As there is no ANZSCO code for this occupation use the code **070499** in lieu.
  - c. Accessing a labour agreement requires consultation with relevant industry stakeholders through a [template stakeholder letter](#). APL can provide a letter of support in meeting the consultation requirements.
  - d. There is no application fee for requesting a pork industry labour agreement.
2. Create an 'ImmiAccount' via the DIBP website. Once your labour agreement request is lodged with DIBP, you will be provided with an agreement reference number (Permission Request ID).
3. If your labour agreement request is approved by DIBP, you will be provided with the completed labour agreement for signature. Once the labour agreement is signed by you and DIBP, you become an Approved Sponsor.
4. Nominating a position: is the process where an approved sponsor nominates a position to be filled by an overseas worker. You must complete the [nomination form I196](#) for each position to be filled by overseas workers. To begin the process you will need to log in to your ImmiAccount.
  - a. As with the application process there are a defined set of requirements for the approval of a nomination.
  - b. When applying, you must provide all relevant documents and upload these through your ImmiAccount, along with paying the nomination application charge by credit card. This will help reduce delays in processing your application.
5. Overseas worker applies for a Subclass 457 visa: Before an overseas worker can apply for a visa, you as the employer must be an Approved Sponsor and have nominated a position. The overseas worker must complete the [on-line visa application form I066](#). To begin the process they will need to create an ImmiAccount.
  - a. They must provide all relevant documents and upload their documents using their ImmiAccount when they lodge their online application. They will need to pay the visa application charge by credit card when they apply. . This will help reduce delays in processing their application.



Obtaining a labour agreement requires a significant amount of paperwork and patience. Producers may want to engage a registered migration agent to help in dealing with the DIBP. A migration agent cannot influence the outcome or fast-track the processing of an application or guarantee a visa. The Migration Agents Registration Authority, which is an office of DIBP, keeps a list of all registered agents on their [website](#). It is advisable to shop around to ensure that you get the best price and agent to suit your specific requirements.

### Sponsorship Approvals Checklist

*To be considered for a pork industry labour agreement your business must meet the following requirements.*

- ✓ The business case proforma has been completed correctly and relevant documentation in support of the labour agreement request is provided.
- ✓ The business must have been lawfully and actively operating in Australia for the previous 12 months and be financially viable.
- ✓ Consultation with relevant industrial stakeholders has been undertaken.
- ✓ Evidence from the previous six months of having tested the domestic labour market to recruit Australian workers in the occupation and locations covered in your request.
- ✓ Demonstrate a satisfactory record of, and an ongoing commitment to, the training of Australians.
- ✓ There is no adverse information known to the department about you, or a person who is associated with you. The department may disregard any adverse information if it is satisfied that it is reasonable to do so.
- ✓ You must not have recovered, transferred or taken any action that would result in another person paying costs associated with you becoming a sponsor or recruiting a proposed visa holder.

### Nomination Approvals Checklist

Nomination is the process by which an approved sponsor identifies a position to be filled by an overseas skilled worker.

The following requirements apply when nominating an occupation under a labour agreement.

- ✓ Application must be completed in the correct manner using the correct form and paying the correct fee.
- ✓ As part of the nomination process, the sponsor must provide the:
  - Identity of the person who will work in the nominated occupation.
  - ANZSCO code for the nominated occupation – as there is no ANZSCO code for the occupation of senior stockperson (piggery), code **070499** should be used.
  - Location or locations where the nominated occupation is to be carried out.
  - The relevant certifications of the nominee required in the labour agreement.
- ✓ As a party to a pork industry labour agreement you must certify in writing that the nominee:
  - Has the commensurate qualifications and experience in relation to the nominated occupation;
  - Meets the relevant English language requirements specified in the labour agreement;



- When engaged under the agreement, will hold any licence, registration or membership that is required to perform the occupation;
- Will be engaged full time;
- Will receive terms and conditions of employment that are no less favourable than the terms and conditions of employment that are, or would be provided, to an Australian worker performing equivalent work in the approved sponsor's workplace at the same location;
- Any additional requirements specified in the labour agreement.