

Regional Sponsored Migration Scheme – Direct Entry Stream (subclass 187) Certification Application Checklist

This checklist is to be used to prepare applications for RSMS visa certification from RDAGE. Applications should be emailed to admin@rdage.com.au with all documents to be scanned copies of originals. The application fee of \$440 must be direct deposited into the RDAGE account prior to the application being processed:

RDA Goldfields Esperance (Westpac)
BSB: 036-125
Acc: 306905

1. REGIONAL CERTIFYING BODY ADVICE (FORM 1404)

A completed Regional Certifying Body Advice (Form 1404) must be received with the application and is available at www.border.gov.au.

The following information must be included on the Form 1404:

- The Department of Immigration and Border Protection's Transaction Reference Number (TRN) (if the employer has lodged a nomination application with DIBP).
- Details of nominating business/organisation, including ABN.
- Position information including ANZCO (Australian and New Zealand Standard Classification of Occupations) code, job title and salary (Note that the position must be at skill level 1, 2 or 3).
- Details of the nominee.

2. BUSINESS CASE REQUIREMENTS

NOMINEE AND BUSINESS INFORMATION

Provide nominee information, including:

- Whether they are an existing employee and if so, how long they have been working for the business and in what capacity.
- The current visa status of the nominee.

Provide a description of the business in the business case, including:

- How long the business has been operating.
- The nature of the business, including what its business activities are and the products and / or services provided.
- The types of jobs/positions required in the business.



GENUINE NEED

Provide a description demonstrating how the nominated position contributes to the business:

- Why existing part-time and casual employees were not considered for the nominated position.
- How the position is vacant, for example, newly established/created or available through staff resignation.

If the position is newly created, provide a description and details to support why a new position is required:

- Justify the need for the new position in terms of increase in demand, business expansion or diversification.

POSITION CANNOT BE FILLED LOCALLY

The following information must be included in the business case:

- Explanation of why no Australian citizens or permanent residents were selected for the position.
- Summary of recruitment activities and outcomes (i.e. how the position was advertised and the number of applications received, shortlisted and interviewed. Also the reason for selecting the nominated person).

3. DOCUMENTATION REQUIRED

GENUINE NEED

Organisational chart that outlines the business positions including:

- The name of the business.
- All positions and titles with reporting lines within the business (include the nominated position and all other related positions).
- Employment status for all positions (part-time/full time/casual).

POSITION CANNOT BE FILLED BY AN AUSTRALIAN CITIZEN OR PERMANENT RESIDENT

Market Testing conducted in relevant newspaper and online recruitment site (must be recruitment specific job sites) within 3 months of the RSMS Application:

- Evidence of the job advertisement showing the advertisement as it appeared in the newspaper or on the online recruitment site.
- Receipt of payment for the recruitment activity, either directly from the online recruitment site used or, if relevant, a recruitment agency. This must include the date of entry and duration of the advert (position must be advertised within the last 3 months).

Note:

- *Advertising on websites that are not recruitment specific (e.g. Gumtree or Facebook) will not satisfy the recruitment activity requirement.*
- *Online recruitment advertising alone will not necessarily satisfy the requirement to test the **local** market.*
- *Placement of advertising must be appropriate to the role and must test the **local** market relevant to the role (FIFO or residential location).*



MARKET SALARY RATE

Documentation to show the salary of the position is not lower than that published in a recognised salary scale (such as but not limited to Hays Salary Survey, Roberts Walters Salary Scale)

If you employ Australian citizen or permanent resident in equivalent positions:

- Provide evidence of employment contracts and/or payslips for Australian citizen or permanent in equivalent positions to demonstrate that the employment conditions, including the salary, of the nominated position are equivalent to that of Australian workers.
- Documentation to show the salary of the position is not lower than that published in a recognised salary scale (such as but not limited to Hays Salary Survey, Roberts Walters Salary Scale).

If you do not employ Australian citizen or permanent in equivalent positions:

- Provide a description of the research undertaken and the information used to determine that the salary for the nominated position is at the market salary rate. For example, you can provide details of salary guides, earnings data, advertisements of similar jobs, Enterprise Bargaining Agreement (EBA), specific award or common law employment contract.
- Provide specific references to any sources used to determine the market salary.
- Documentation to show the salary of the position is not lower than that published in a recognised salary scale (such as but not limited to Hays Salary Survey, Roberts Walters Salary Scale).

Note: if evidence of an Australian citizen or permanent resident working in an equivalent position is supplied, this position must also demonstrate market salary rate and compliance with Australian immigration and workplace relations laws to be satisfactory.

TERMS AND CONDITIONS OF EMPLOYMENT

Provide evidence of the employment terms and conditions for the nominated position:

- Employment contract must meet relevant workplace legislation and regulations.
- Employment contract must state the position is full-time and for a minimum period of two (2) years.
- Job Description outlining the skills, experience and qualifications required for the position.

Note: The employment contract is used by RDAGE as part of the assessment process for RCB certification. An RCB certification application which is "satisfied" is not an endorsement that the employment contract complies with the relevant workplace relations laws. It is the employer's responsibility to ensure they comply with these laws.

