

June 2023



UNLOCKING TALENT:

Empowering Migrant Workers
with Equal Work Opportunities





About

The Migrant Workers Centre Inc.



The Migrant Workers Centre Inc. is a not-for-profit organisation open to any worker in Victoria who was born overseas. It connects migrant workers with one another and empowers them to understand their rights. The MWC assists workers from migrant communities to address problems they encounter in workplaces and collaborates with unions and community partners to seek long-term solutions to the exploitation of migrant workers.

The MWC organises workshops, trains community leaders, conducts research, develops policy recommendations, and bridges language barriers that limit workers’ access to information. Their ultimate goal is to fix systemic labour exploitation in Australia.

Unions NSW



Unions NSW is the peak body for trade unions and union members in New South Wales. It consists of 48 affiliated trade unions and Trades and Labour Councils, representing approximately 600,000 workers across New South Wales. Affiliated trade unions cover the spectrum of the workforce in both the public and private sectors. Unions NSW aims to create a fairer and more just society and actively campaigns to improve workplace pay and conditions for all workers in New South Wales, regardless of their linguistic or cultural background.

In 2019, Unions NSW, in partnership with the Immigration Advice and Rights Centre (IARC), created Visa Assist, a not-for-profit service which provides free immigration advice and legal support to migrant workers in New South Wales who are union members. Campaigns led by Unions NSW under the Visa Assist umbrella have engaged over 20,000 migrant workers. The Visa Assist program has also provided almost 2000 legal services since its creation.

About this report

This report summarises the findings of a collaborative research project between the Migrant Workers Centre Inc. (MWC) and Unions NSW. The research explored the employment experiences of migrant workers, including equal access to employment opportunities, racial equality, inclusiveness and skills recognition.

A total of 1,235 migrant workers responded to the survey. The MWC and Unions NSW would like to express their gratitude to all the participants who were willing to share their experiences. This report would not have been possible without the tireless work of the communities and for the generous support provided by unions and activist groups and other organisations.

We would especially like to thank Professionals Australia and Migrant Workers’ Hub powered by Unions NSW for their contributions.



Acknowledgement of Country

The MWC and Unions NSW respectfully acknowledge Australia’s Aboriginal and Torres Strait Islander community and their rich culture and pay our respects to their Elders, past and present.

We acknowledge the Aboriginal and Torres Strait Islander community as Australia’s First Peoples and as the Traditional Owners and Custodians of the land and water that we rely on. We recognise and value the ongoing contribution of Aboriginal and Torres Strait Islander Peoples to Australian life and how this enriches us all. We embrace the spirit of reconciliation, as we work towards ensuring an equal voice for all.

We also acknowledge and respect the Traditional Owners of lands across Australia, their Elders, ancestors, cultures, and heritage, and recognise the continuing sovereignties of all Aboriginal and Torres Strait Islander Nations.



The Migrant Workers Centre Inc. is supported by the Victorian Government

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EXECUTIVE SUMMARY



Since the white settlement era began, Australia has experienced frequent labour shortages and has relied heavily on immigration to boost the population and fulfil local labour needs.¹ The significant immigration policy changes of the 1990s transitioned our migration program from one based on long-term family reunion and permanent migrant settlement to one primarily reliant on temporary migration.²

In the last year, government efforts have been focussed on reviewing our migration system towards designing a legal framework that is simpler for migrants and employers and ensures Australia remains competitive and attracts the best talent to skill the nation for the future.³

The Review of the Migration System Report (2023),⁴ acknowledged the high level of skills mismatch

experienced by migrant workers, suggesting that around half of international students who stay in Australia after completing their studies end up performing jobs beneath their skill level.⁵ However, very little has been heard from migrant voices regarding their experiences working or applying for employment in Australia and how we can ensure that our system is inclusive, free from discrimination, fair, and provides equal opportunities for all.

This research relied on survey responses from over 1,200 participants and explored migrant worker experiences in the employment market, including access to work, racial equality, inclusiveness and skills recognition. The research revealed that a significant number of migrant workers experienced discrimination when trying to enter the Australian workforce and have been offered unequal working

conditions due to their visa status, with 37% reporting that they had been offered a lower salary due to their visa type.

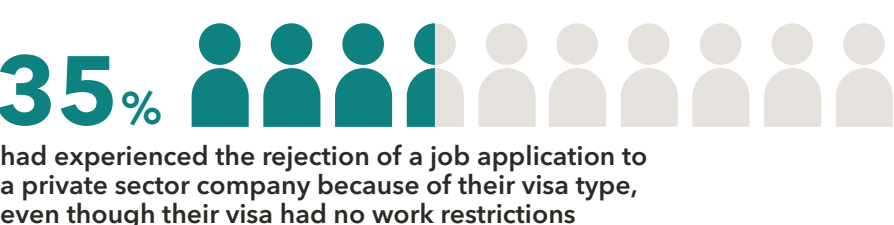
This underscores the ineffectiveness of the current legal framework and the need to introduce policy changes that promote inclusiveness and prevent discrimination against migrant workers in the employment market.

OVER 1,200 SURVEY RESPONSES

KEY FINDINGS

Experiences accessing employment opportunities

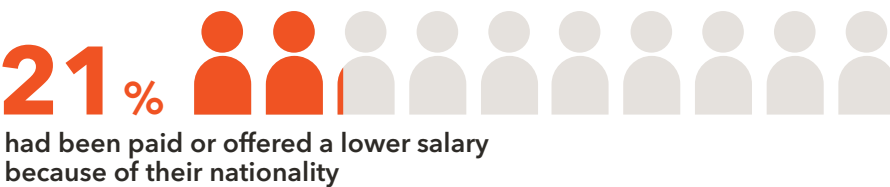
Migrant workers experience significant barriers when trying to access employment opportunities



KEY FINDINGS

Racial discrimination

Migrant workers experience racial discrimination



Unequal working conditions

The current legal framework has been ineffective at ensuring equal employment opportunities and fair working conditions and has exacerbated migrant worker exploitation



Migrant workers face significant obstacles to practising their occupation in Australia



“ I often feel like a marginalised member of the community, as if I was considered a lesser individual. Despite having a significant amount of experience working for an overseas company in my home country, I am unable to leverage that experience here. It is disheartening that my qualifications and skills are not recognised or valued in the same way. ”

Migrant worker, Financial Analyst

RECOMMENDATIONS

1. Remove the student visa working hours cap

The purpose of the working hours cap on student visas is to ensure international students are genuinely studying while in Australia. However, the intent of the restriction is not being achieved. Instead, the restriction is contributing to the exploitation and underpayment of workers, acting as a powerful push factor towards the need for international students to work additional hours to simply afford to live in Australia. Additionally, the restriction has become a barrier for migrant workers in accessing employment opportunities commensurate with their skill level and building professional networks.

2. Provide all graduate visa holders with the option to extend their visa

This policy aims to facilitate the transition of graduate visa holders to permanent residency, thereby enhancing their prospects of accessing employment opportunities that match their skill level. Recently, the government announced a two-year extension for graduate visas granted to higher education students in areas of skill shortage.⁶ The measure should be extended to all Graduate visa holders.

3. Replace the current employer-sponsored visa framework with an industry sponsorship model

The skilled work visa framework needs to be streamlined. The skilled list system should be removed over time, allowing migrant workers to be sponsored by an industry provided the job pays above the median annual wage paid to employees within the occupation. A new regime must create clearer paths for permanent residency and de-link visas from employers. An industry sponsorship model provides a better option to fulfil skill shortages and prevent migrant worker exploitation.

4. Streamline skills recognition

Current skills recognition processes impose a significant barrier to migrant worker integration into the local labour market. Establishing clear, transparent and efficient processes for acknowledging skills, including pursuing agreements on international mutual recognition of occupational licences from different countries, will allow migrant worker skills to be recognised without burdensome processes and facilitate labour market insertion. Additionally, the skills assessment requirements under the migration framework should be aligned with occupational licensing requirements.⁷

5. Implement a legal framework that effectively prevents discrimination based on migration status in the job market

It is imperative to enact legislation that prohibits barring migrant workers from job applications and protects them against workplace discrimination based on migration status. Such discrimination undermines diversity and negatively impacts the economy.

6. Cultural integration programs

Implement initiatives that promote cultural awareness and assist all workers in understanding and respecting diverse cultural backgrounds and work practices. These programs aim to enhance communication skills and facilitate better integration into the domestic labour market.

7. Bridging programs and skills training

Providing bridging programs, training initiatives, and requalification opportunities can assist skilled migrants in aligning their qualifications with local standards and requirements. These programs offer additional education and practical training to address identified skills gaps, thereby enhancing employability.

8. Union Induction

Ensuring the right to union induction for all migrant workers upon their arrival. This is vital to promoting fair and equitable treatment in the labour market.

9. Migrant worker centres should be established in each state⁸

Allocate resources to establish migrant worker centres across the country, with a specific focus on initiatives that address the challenges faced by migrant worker cohorts. These centres would deliver comprehensive workplace rights programs, provide immigration and employment legal advice, and facilitate employment dispute resolution, to ensure the protection of migrant workers' rights and promote their well-being in the workplace.

10. Safeguarding whistle-blowers

Implement robust protections for migrant workers who report breaches in workplace laws. Ensuring that migrant workers have the necessary legal safeguards to report any wrongdoing without fear of retaliation would promote transparency and accountability in the workplace.⁹



1. METHODOLOGY

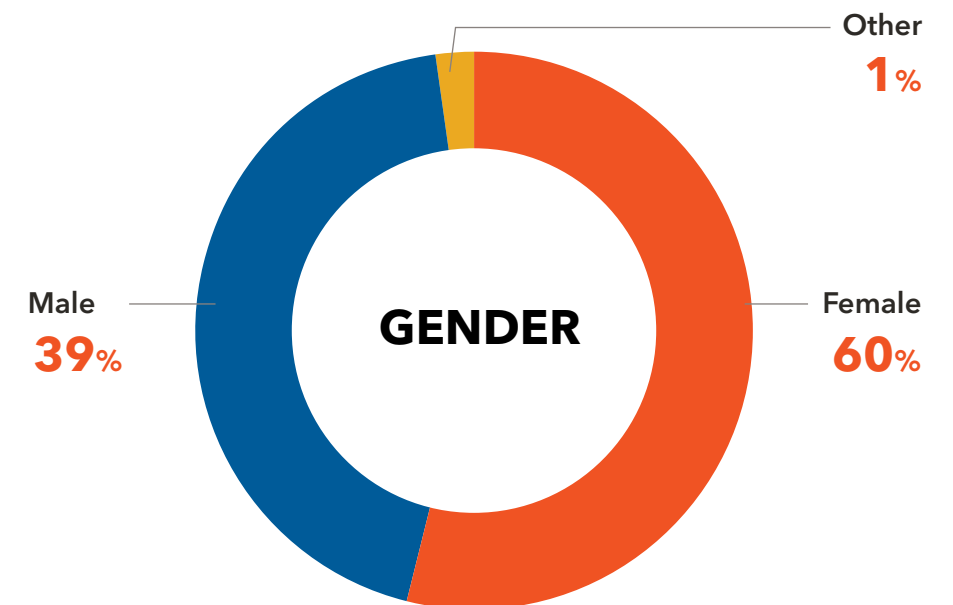
The survey was conducted online and was open for responses from early April until mid-May 2023. The survey was distributed through the MWC and Unions NSW social media channels and to different migrant communities by email and at workshop events. Researchers and volunteers from diverse linguistic and cultural backgrounds led the survey distribution to ensure participation from different demographics. The survey was delivered in English, and questions explored the employment experiences of migrant workers, including equal access to employment opportunities, racial equality, inclusiveness and skills recognition.



2. PROFILE OF SURVEY RESPONDENTS

The analysis focused on the responses of the 1,192 migrant workers who indicated that they have worked or applied for a job in Australia. The average age of respondents was 34; 60% were female, and 39% male, with the remainder (1%) identifying as 'other'.

Figure 1. Gender



Participants were from 88 countries across six regions. The five most common places of origin were Brazil (15%), Colombia (12%), Nepal (12%), Taiwan (10%) and China (8%). By geographical region and continent, 56% were from Asia, 33% from South America, 8% from Europe, 1% from North America, and 1% from Africa.

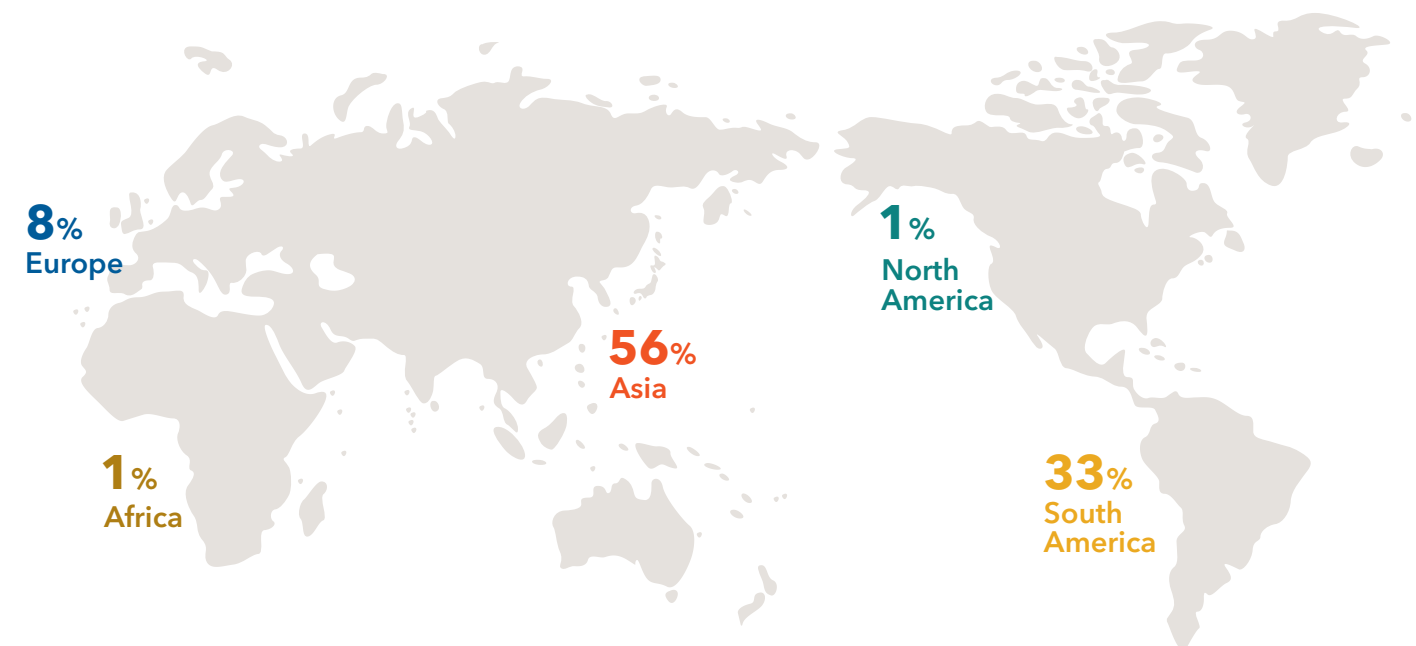
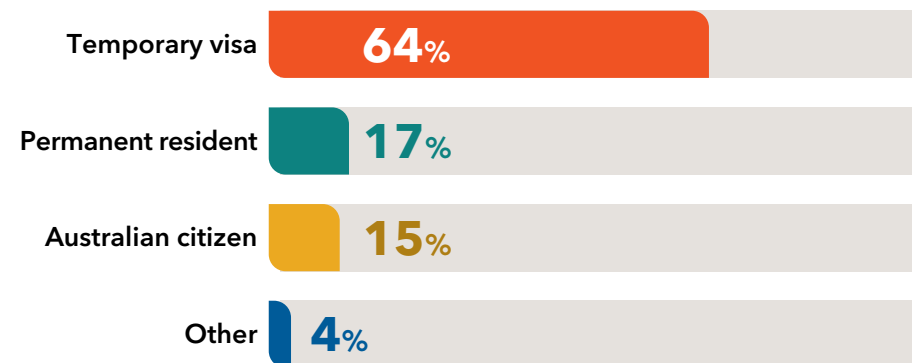


Figure 2: Current visa status (n = 1,050)



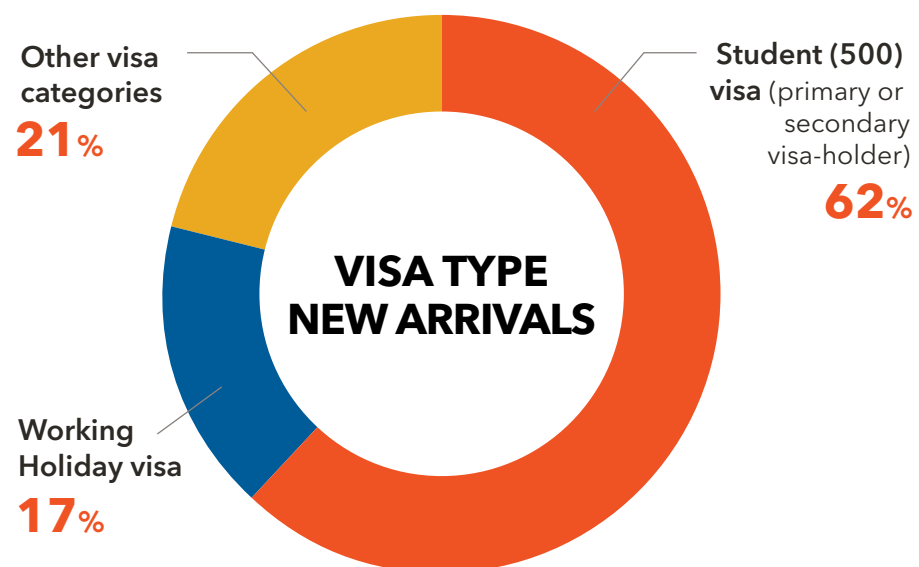
As shown in Figure 2, 1,050 respondents answered the question related to their visa status, with the majority (64%) indicating that they were on a temporary visa (669 participants), followed by 17% who were permanent residents (176 participants), and 15% who were Australian citizens (154 participants). The remaining 4% characterised their visa status as 'other'.

The majority of survey respondents on a temporary visa were on a Student visa (37%), including primary or secondary visa-holders, followed by 13% who were on a Temporary Graduate visa, 12% who were on a Temporary Activity visa (Subclass 408), and 8% on a Working Holiday visa.

The majority of respondents (64%) indicated that they had held several visas during their time in Australia. The average number of visas held per participant was three.

Most respondents (62%) arrived in Australia on a Student visa (primary or secondary visa-holder). The second largest group (17%) came on a Working Holiday visa, and 21% held other visa categories.

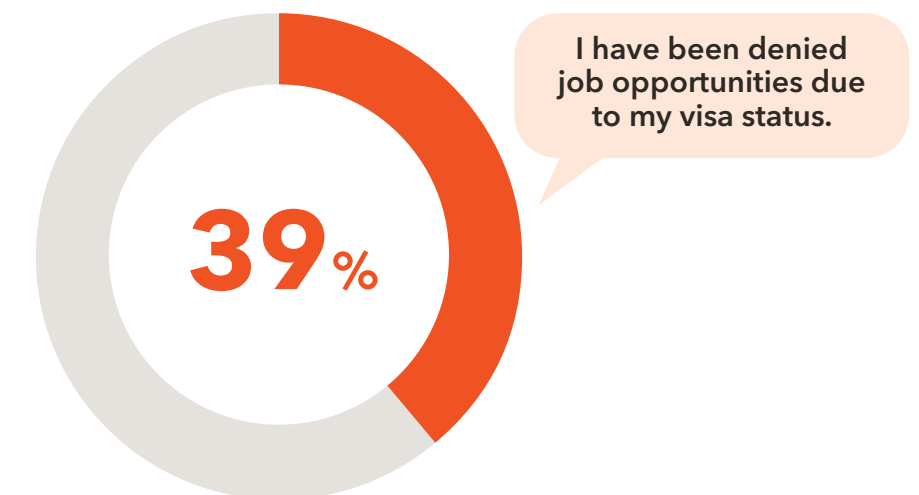
Figure 3: Visa type new arrivals (n = 956)



3. EXPERIENCES ACCESSING EMPLOYMENT OPPORTUNITIES

Figure 4: Access to employment opportunities (n = 250)

We asked migrant workers about their experiences during the job application process. An overwhelming number of respondents reported being denied job opportunities because of their visa type (39%).



I have been denied job opportunities due to my visa status.



When applying for jobs that aligned with my skills and qualifications, such as physiotherapy positions, I encountered significant barriers due to my visa status. Employers explicitly stated that they were not considering individuals without permanent residency, effectively discriminating against me. This occurred despite having a major in physiotherapy and possessing over 10 years of work experience in the field.

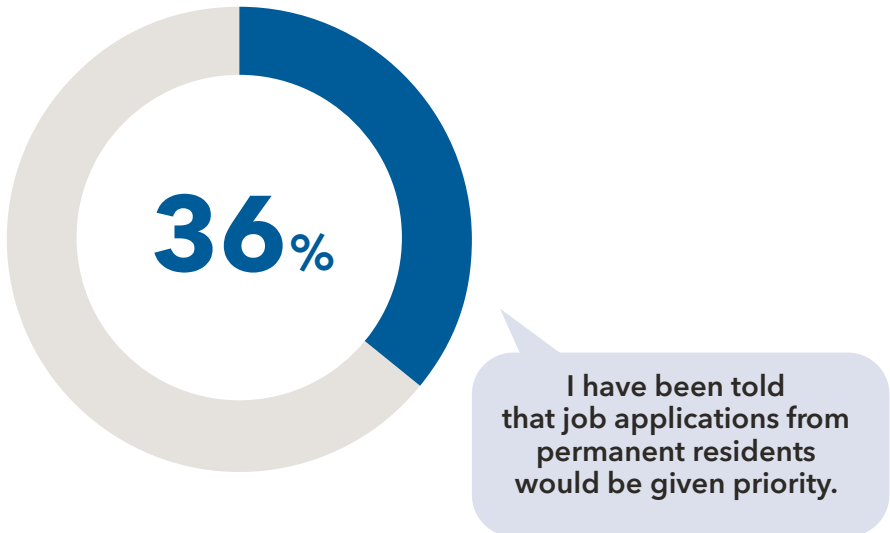
These experiences highlight the persistent discrimination faced by individuals with temporary visas during the job application process. It is disheartening to be denied opportunities based solely on visa status rather than one's qualifications and experience. Efforts should be made to create a more inclusive job market that values individuals for their skills and contributions, regardless of their visa status or residency.

Migrant worker, physiotherapist



Figure 5. Access to employment opportunities (n = 234)

A significant number of respondents (36%) reported having been told that job applications from permanent residents would be given priority.



Eligibility to apply

██████████ is seeking applications for internships for ██████████.

The internship program provides a practical understanding of ██████████.

██████████ Internships are unpaid and based in ██████████ office located in Sydney.

To be eligible to apply, students must be in their final or penultimate year of an undergraduate degree or any year of a graduate degree at an Australian university at the time of the internship. Given the high volume of applications and limited organisational resources, priority will be given to students who are Australian citizens or permanent residents.

Figure 6. Access to employment opportunities (n = 250)

Participants reported high levels of discrimination and a need for more transparency from private sector employers, with 35% experiencing job application rejections, despite their visa category not being subjected to work restrictions.



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I have faced multiple rejections from companies like ██████████, ██████████, and ██████████ solely because of my temporary visa status. Despite being on a post-graduate visa (485) that grants me full work rights, this information was not communicated to me in their email responses.

Frustrated by these experiences, my partner and I have made the decision to leave Australia and plan to relocate to Canada in the near future.

Migrant worker, Financial Analyst

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Participants also reported unequal access to employment opportunities due to their nationality, with 24% being told that job applications from Australian-born workers would be prioritised. Additionally, 19% of respondents reported losing opportunities to be promoted at work because of their visa status.

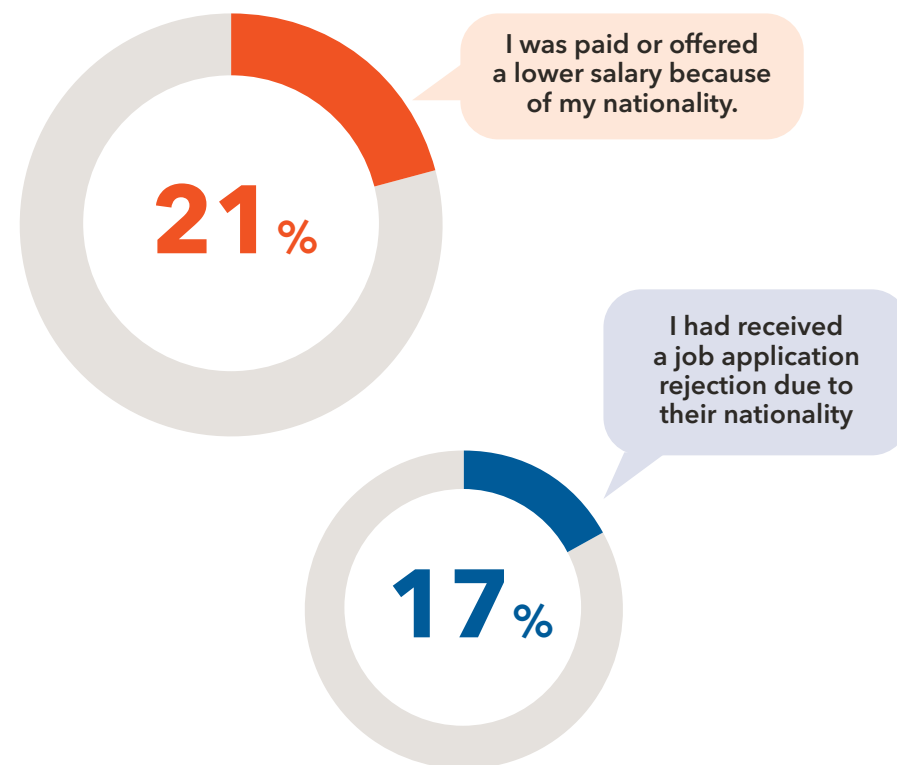


4. UNVEILING RACISM

Figure 7. Racial discrimination (n = 243)

A significant number of respondents experienced racial discrimination when seeking employment, with 21% of respondents being paid or offered a lower salary and 17% having had a job application rejected because of their nationality.

Racial discrimination was not only experienced by participants on temporary visas but also by permanent residents, with many reportedly being subjected to employer biases due to their country of origin and or foreign professional experience. 16% of participants reported racial discrimination in fields of skill shortages.



“

Workplaces in Australia engage in discriminatory practices based on visa status. Many job advertisements explicitly require Australian permanent residency as a minimum requirement, excluding those on temporary visas. Discrimination is also prevalent when reviewing applicants' names, with individuals having non-Anglo or "difficult to pronounce" names being rarely considered for interviews. Some applicants feel compelled to adopt a different name to increase their chances of being considered.

Inclusion remains a significant issue in Australian workplaces, where migrants are often treated as secondary candidates, selected merely to fulfill diversity quotas.

Opportunities for advancement within the workplace are limited, and unequal pay persists, particularly when nationality and gender intersect. Despite the presence of anti-discrimination and inclusion policies in most workplaces, these policies often seem to exist solely to meet regulatory obligations, lacking proper implementation and monitoring mechanisms to ensure effectiveness. Additionally, HR/People and Culture teams in Australia lack diversity, predominantly consisting of Caucasian staff, which may contribute to biases when assessing job applications from migrants.

Migrant worker, Management and Commerce Professional

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Discrimination based on race is an arduous and unjust experience. It has had a profound impact on my mental well-being, causing severe depression, heightened stress, and ongoing struggles with my mental health. Additionally, it has trapped me in a cycle of poverty and vulnerability, leaving me feeling marginalized and undervalued. The lack of support and available help services further exacerbates these challenges, leading to feelings of isolation. Many of my highly skilled friends have been forced to leave due to similar experiences. To add to the difficulties, I have also faced wage theft and bullying in the workplace, all while trying to cover the costs of education and visa fees.

Originally from Canada, I have a background as a creative art designer and previously served as an NGO general manager. However, in order to

enhance my job prospects, I made the decision to pursue advanced studies in Australia. This additional education was necessary to increase my chances of securing job interviews and finding employment in my field.

The barriers and injustices faced due to discrimination are disheartening, but I remain determined to overcome these challenges. It is crucial to address and rectify systemic discrimination in order to create a fair and inclusive society that values the contributions of individuals from diverse backgrounds.”

Migrant worker, NGO official

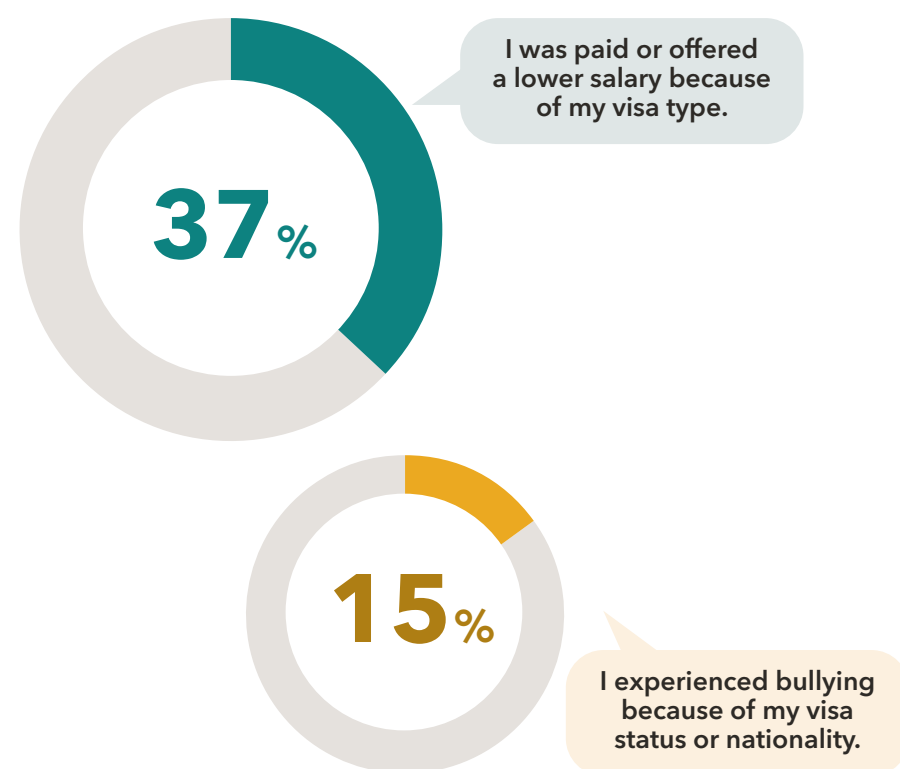
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5. UNEQUAL WORKING CONDITIONS

The current legal framework has been ineffective at ensuring equal employment opportunities and fair working conditions, and has exacerbated migrant worker exploitation. 37% of respondents were paid or offered a lower salary because of their visa type, and 15% had experienced workplace bullying because of their visa status or nationality. 10% of participants reported sexual harassment and work health and safety issues associated with their visa status.

Figure 8. Unequal working conditions (n = 332)



“

Despite having the right to work full-time in Australia, I was often regarded solely as a student, which limited my job options to casual positions. The pay for permanent jobs was so low that I couldn't even consider them due to the high cost of childcare, which amounted to over \$130 AUD per day. Furthermore, even in my current job, I am not entitled to all the working benefits typically available, such as those related to novated lease benefits, due to my visa status.

Migrant worker, Health Sector

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6. BARRIERS TO SKILLS RECOGNITION

A significant number of survey participants were skilled; the highest level of education attained by workers before and after their arrival in Australia was compared. Most of the respondents (47%) had a bachelor's degree before arrival, 20% completed a master's or doctoral degree before coming to Australia, followed by 9% who had attained a graduate diploma or graduate certificate.

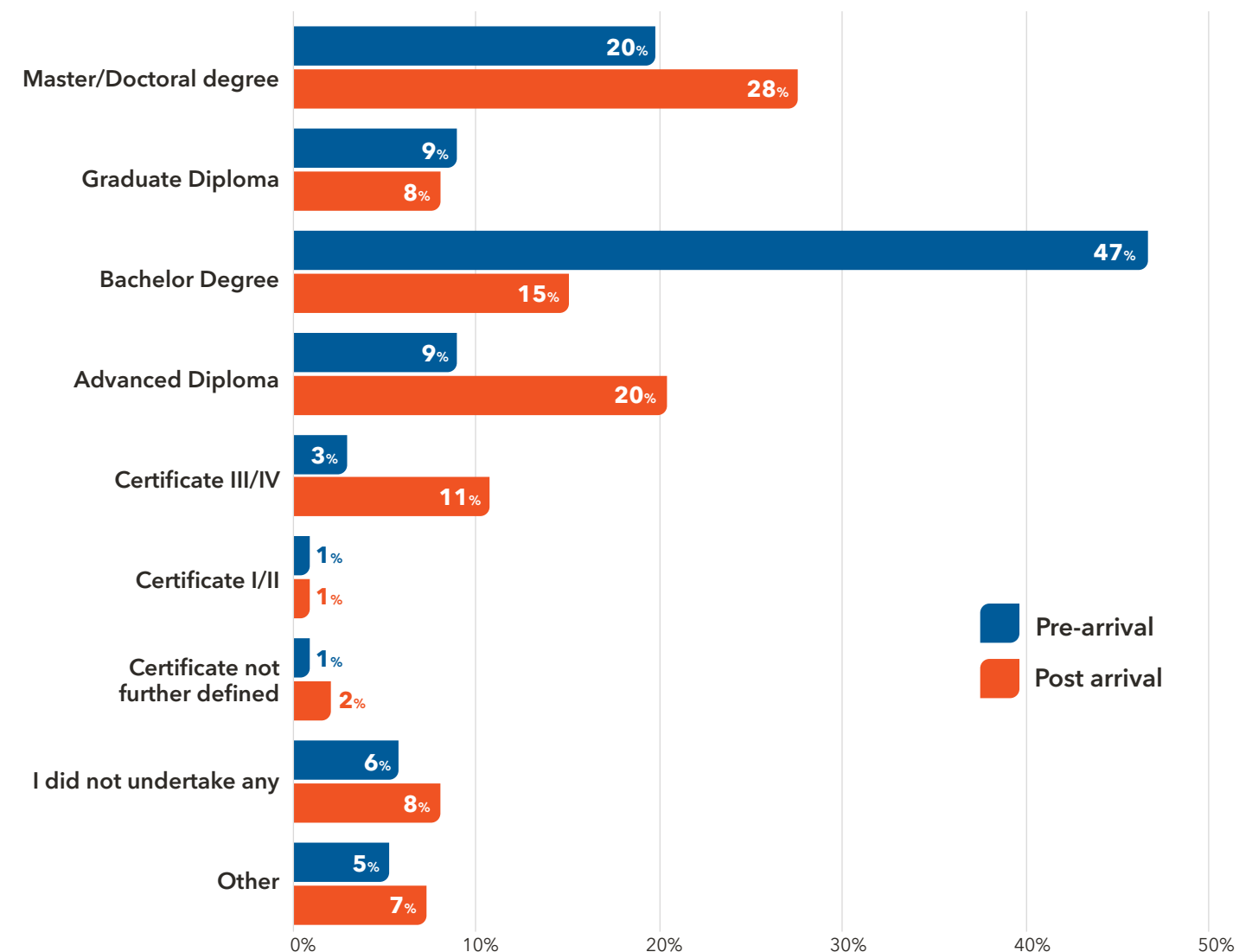
Only 6% of respondents indicated that they had not undertaken tertiary education.

A small proportion of respondents (3%) had achieved a Certificate III/IV. Very few (1%) had received a Certificate I/II before coming to Australia.

The highest level of education respondents achieved after coming to Australia was a master's or

doctoral degree (28%); advanced diploma (20%); bachelor's degree (15%); Certificate III/IV (11%); 8% did not obtain any further education; 7% specified 'other'; 2% chose Certificate without further definition, and 1% achieved a Certificate I/II.

Figure 9: The highest level of education workers received before and after coming to Australia



Most survey respondents (66%) intended to practise the occupation they had in their country of origin. However, a significant majority (59%) are required to complete a skill assessment. Additionally, a substantial number (56%) have to conduct further studies to practise their occupation in Australia. 53% have to take an exam or assessment to practise their occupation.

Figure 10. Intention to practise their occupation in Australia (n = 833)

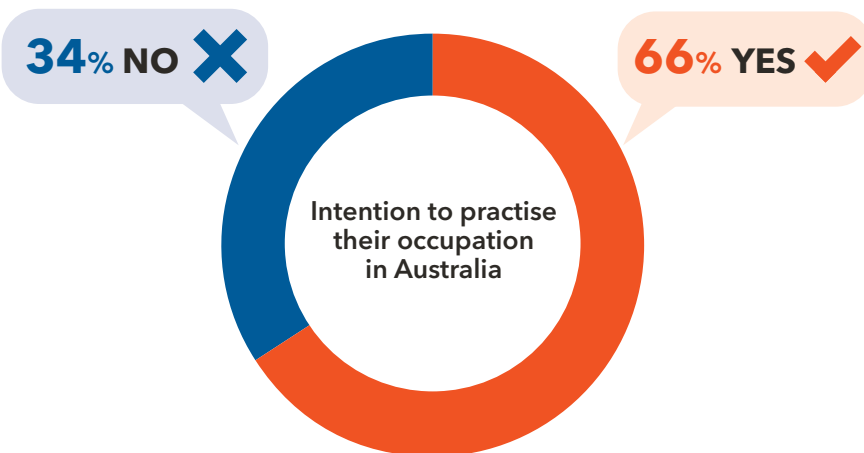
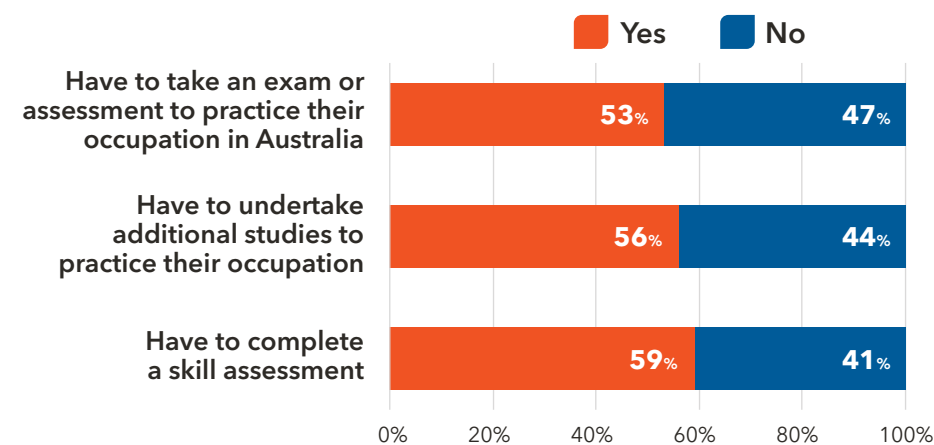


Figure 11. Skills recognition



A significant share of survey participants (32%) satisfied the skill assessment requirements for migration purposes but needed to comply with additional requirements to practise their occupation in Australia.

More than a quarter (26%) reported that work experience gained in their country of origin did not satisfy the requirements established by the relevant skills assessing authority, and a notable share (18%) reported that studies conducted in their home country did not meet the requirements established by the skills assessment authority.

“

I studied a Bachelor of Game Development (Honours) at an internationally renowned university in my home country and worked for almost four years as a game designer at a leading international gaming and app development company. I moved to Australia on a Working Holiday visa with the intention of exploring opportunities to migrate permanently and I applied for a skills assessment as a Multimedia Specialist, which covers computer game designers. My skills assessment application was rejected on the basis that my qualification did not meet the Australian Computer Society's (ACS) definition of an Information and Communications Technology (ICT) major. I reviewed all definitions on the ACS website and contacted them directly for clarification on what subjects would have constituted an ICT major, but did not receive a useful response

Migrant worker, Computer Game Designer

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7. STUDENT VISA WORKING HOURS CAP AND DISCRIMINATION

International students are restricted to working 40 hours per fortnight during their study terms and unlimited hours during course breaks.¹⁰ The restriction was temporarily relaxed during the COVID-19 pandemic and will be reintroduced from 1st July 2023 with an increased cap of 48 hours per fortnight.¹¹

The work restriction aims to ensure that international students are genuinely studying while in Australia. However, survey participants consistently perceive the work restriction as discriminatory, preventing them from gaining local experience in their relevant area of

study and building a professional network before concluding their degree. Employers are generally reluctant to invest time and money in training workers whose transition to permanent residency is uncertain. The 40-hour working restriction is perceived by migrant workers as exacerbating their limitations in accessing employment opportunities, pushing them to perform jobs unrelated to their profession or below their qualifications.



“

I have encountered significant challenges in securing job opportunities due to the restrictions imposed by my Student visa, despite being highly qualified for the work. It is disheartening to see that international students, who possess valuable talents and skills, are often limited to low-paying odd jobs due to these restrictions. Unfortunately, many companies are not flexible enough to accommodate international students in more suitable roles.

Australia is missing out on the immense potential and contributions that international students can bring to the job market. Many of us are professionals with a wealth of experience to offer, yet we are turned away due to these limitations

and discriminatory practices. It is disheartening to witness such missed opportunities for both employers and international students alike.

There is a need for greater recognition of the capabilities and contributions of international students. By creating more inclusive policies and fostering a welcoming environment, Australia can tap into the diverse talent pool that exists within its international student community. It is crucial to overcome these barriers and provide equal opportunities for international students to contribute their skills and expertise to the country's workforce.

Migrant worker, Commercial Operations sector

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It is difficult to understand why secondary applicants on student visas, who are not pursuing their own studies, are subjected to work restrictions. These limitations prevent students and their partners from accessing job opportunities that remain unfilled by Australian citizens.

Back in Brazil, I worked as a chef, but I made the conscious decision to undertake an IT course in Australia to expand my job prospects. My goal was to enhance my chances of finding employment in the IT industry, aligning with my career aspirations. Undertaking this course was a strategic step to increase my opportunities for meaningful employment and make a valuable contribution to the Australian workforce.

As a 27-year-old student, I am eager to apply my skills and knowledge in the thriving IT sector. However, the current work hour restriction for students presents a significant barrier to pursuing job opportunities in my field of interest. It is crucial to address these limitations and explore avenues to create more accessible pathways to employment for individuals like myself, who are committed to full-time studies and possess the skills needed in industries experiencing a shortage of local talent.

Migrant worker, IT industry

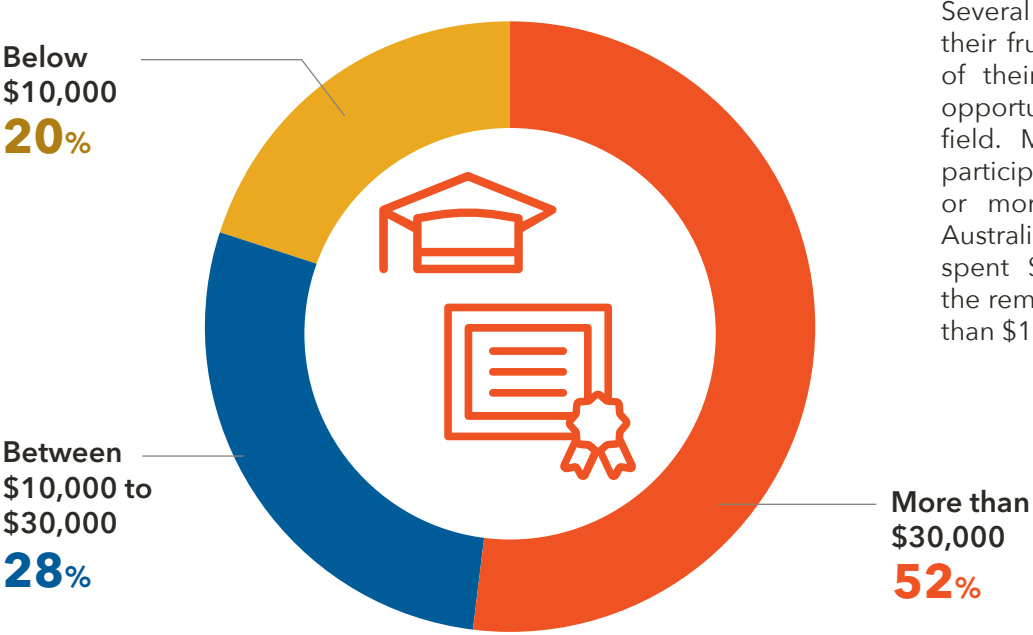
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Some survey participants shared their intentions to leave Australia due to the difficulty in accessing employment opportunities because of the student visa work-hours restrictions.

Several countries provide more flexible work limits for student visa holders than Australia.¹² Policy approaches include allowing full-time work provided it does not interfere with study progress,¹³ permitting full-time work when related to the student's field of study,¹⁴ and allowing students to work any number of hours in a given week provided their average weekly number of hours over a year does not exceed a specified number.¹⁵



Figure 12. Education cost



Several participants expressed their frustration with the high cost of their studies and the limited opportunities to find a job in their field. More than half of survey participants (52%) spent \$30,000 or more on their education in Australia, followed by 28% who spent \$10,000 to \$30,000, with the remaining (20%) spending less than \$10,000.

CONCLUSION AND POLICY PROPOSALS

Migrant worker experiences of discrimination and exclusion summarised in this report reflect the need to put migrant workers at the centre of future reforms and to create a system that attracts talent, while providing equal work opportunities for migrant and Australian-born workers.

Conditions attached to temporary visas, barriers to skill recognition and the lack of clear pathways to permanent residency have become exacerbating factors to discrimination against migrant workers, creating barriers to accessing employment opportunities and intensifying migrant worker exploitation.

The Review of the Migration System exposed the limitations of the current migration framework to capture migrant workers' potential.¹⁶ We need to create a system that reflects fairness and is consistent with Australian values.

Policy proposals

1. Remove the student visa working hours cap

The purpose of the working hours cap on student visas is to ensure international students are genuinely studying while in Australia. However, the intent of the restriction is not being achieved. Instead, the restriction is contributing to the exploitation and underpayment of workers, acting as a powerful push factor towards the need for international students to work additional hours to simply afford to live in Australia.¹⁷ Additionally, the restriction has become a barrier for migrant workers in accessing employment opportunities commensurate with their skill level and building professional networks.

The student visa working hours cap should be removed, and instead, visa condition 8202 (meet course requirements), which already places obligations on international students with respect to attendance and academic performance requirements, should be relied upon.¹⁸ This provides sufficient means to ensure students are genuinely studying and complying with their visa requirements. International students' prioritisation of their studies can also be encouraged through a skilled visa system that provides points or waivers to international students who demonstrate academic excellence or other achievements during their studies.¹⁹

This proposal is aligned with the Review of the Migration System report, which recommended a review of the working hours cap, including whether internships and work experience should be counted towards the cap.²⁰

2. Provide all graduate visa holders with the option to extend their Graduate visa

After concluding their studies, international students can apply for a Temporary Graduate visa (subclass 485).²¹ The visa has two main streams, Post-Study Work Stream and Graduate Work Stream. The regime is intended to allow international graduates the ability to gain experience in their field of study and boost the attractiveness of the Australian educational sector. The regime has become a 'de facto' pathway to permanent residency for many international graduates.²²

Unfortunately, Graduate visa holders have limited opportunities to find a job, as employers are cautious about investing time and money into training graduates whose transition to permanent residency is uncertain.²³ Research suggests that most Graduate visa holders take over a year to find a job or end up performing work unrelated to their profession or below their qualification level. For a bachelor graduate, this generally translates to only being able to gain experience in their field for a year or less.²⁴

Graduate visa holders generally have two options to transition to permanent residency, via employer sponsorship or by applying for an

independent point base skilled visa, with both systems having experience requirements that Graduate visa holders are unlikely to satisfy.²⁵

Additionally, the constant changes in the skilled occupation list generate uncertainty for many graduates, who, after planning a life in Australia, invest money living and studying in the country for several years, only to see their profession removed from the list.²⁶

Recently, the government announced a two-year extension for graduate visas granted to higher education students in areas of skill shortage.²⁷ The measure should be extended to all Graduate visa holders to facilitate their access to employment opportunities and transition to permanent residency.

The Migration Review recommended aligning the length of temporary graduate visas with the time required to succeed with a permanent skilled visa application.²⁸ Additionally, the review recommended the automatic grant of graduate visas once international students completed their studies.²⁹

3. Replace the current employer-sponsored visa framework with an industry sponsorship model

An employer-sponsored visa is one of the few options available for temporary migrants to transition to permanent residency. Under the current regime, to sponsor a worker, the occupation must be on the relevant skilled occupation list, the employer must pay the Skilling Australians Fund (SAF) levy and conduct Labour Market Testing (LMT), and the job salary must satisfy an income threshold. Workers depend on their employment relationship to stay in the country, and if this ceases, a sponsored worker has only 60 days to find a new sponsor.³⁰

Employer-sponsored visa requirements are aimed at ensuring migrant workers are not paid less than an Australian worker would be in the same role, but they have proven ineffective and

have instead intensified workers' dependency on their employer and prevented migrant workers from enforcing their labour rights due to the risk of losing their visa.³¹

The skilled work visa framework needs to be streamlined. The skilled list system should be removed over time, allowing migrant workers to be sponsored by an industry sector, provided the job pays above the median annual wage paid to employees within the occupation. A new regime must create clearer paths for permanent residency and de-link visas from employers. An industry sponsorship model provides a better option to fulfil skill shortages and prevent migrant worker exploitation.³²



4. Streamline skills recognition

Current skills recognition processes impose a significant barrier to migrant worker integration into the local labour market. Establishing clear and efficient processes for acknowledging skills, including pursuing agreements on international mutual recognition of occupational licences from different countries, will allow migrant worker skills to be recognised without burdensome processes and facilitate labour market insertion.³³

Additionally, the skills assessment requirements under the migration framework should be consistent with occupational licensing requirements to prevent instances in which migrant workers comply with visa requirements but cannot practise their occupation in Australia or are forced to work in a job below their skill level.³⁴

5. Implement a legal framework that effectively prevents discrimination based on migration status in the job market

It is imperative to enact legislation that prohibits barring migrant workers from job applications and protects them against workplace discrimination based on migration status. Such discrimination undermines diversity and negatively impacts the economy.³⁵

6. Cultural integration programs

Implementing initiatives that promote cultural awareness and assist all workers in understanding and respecting diverse cultural backgrounds and work practices. These programs aim to enhance communication skills and facilitate better integration into the domestic labour market.

7. Bridging programs and skills training

Providing bridging programs, training initiatives, and requalification opportunities can assist skilled migrants in aligning their qualifications with local standards and requirements. These programs offer additional education and practical training to address identified skills gaps, thereby enhancing employability.

8. Union Induction

Ensuring the right to union induction for all migrant workers upon their arrival is vital to promoting fair and equitable treatment in the labour market.

9. Migrant worker centres should be established in each state³⁶

Allocate resources to establish migrant worker centres across the country, with a specific focus on initiatives that address the challenges faced by migrant worker cohorts. These centres would deliver comprehensive workplace rights programs, provide immigration and employment legal advice, and facilitate employment dispute resolution, to ensure the protection of migrant workers' rights and promote their well-being in the workplace.

10. Safeguarding whistle-blowers

Implement robust protections for migrant workers who report breaches in workplace laws. Ensuring that migrant workers have the necessary legal safeguards to report any wrongdoing without fear of retaliation would promote transparency and accountability in the workplace.³⁷

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Acknowledgements

Special thanks to some of our key activists who assisted in the distribution of the survey that formed the basis of this report, including Gabriela Laverde, Sandra Olarte Osorno, Decheng Sun, Sarina Manandhar and Aayam Shrestha.



migrantworkers.org.au

54 Victoria St
Carlton VIC 3053
03 9659 3516
mwc@migrantworkers.org.au



unionsnsw.org.au

Level 8 377 Sussex Street
Sydney NSW 2000
02 9881 5999
reception@unionsnsw.org.au

