

RMIT People Visa Guide

October 2021

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1. Use of Guide

The RMIT People Visa Guide is intended as a quick reference guide for use by the business and our HR colleagues alike.

The guide details the 6 most common Visas that we accept and support at RMIT. It exists to support business decision making when faced with the prospect of hiring / or supporting the continued employment of a foreign national at RMIT Australia.

RMIT engage Ernst & Young (“EY”) to manage visa application for visa types that require RMIT Sponsorship and/or Nomination. This is to ensure that RMIT is meeting our obligations (set out by the Department of Home Affairs) as an accredited sponsor.

This guide does not replace the need for a full consultation with your HRBP and advisor in the HR-Contracts team if you want to proceed with the employment of a foreign national.

Visa Sponsorship Approval requirements

Current approval process for RMIT visa sponsorship requires written HRBP and DVC support together with Line Manager and Dean approvals under the Delegations of Approval (DOA), People Delegations and Recruitment Control process.

Line Manager is to discuss any potential visa sponsorship arrangement for new and existing employees with HRBP and Dean in the first instance.

The guide details:

Visa Appointment type

An indication of when we are likely to apply the visa – what appointment types are likely to be suitable

Length of Visa

Maximum term of visa if temporary, possibility for extensions and other related pathway options to help when considering suitability for the appointment

Indicative Costs

An indication of the Australian Immigration costs as well as Ernst & Young indicative costs. These are a guide only and can change.

Summary of visa detail

This is detail taken from the Department of Home Affairs website and was up to date at time of writing. For more and up to date details, please click into the hyperlink under each visa type in section 4 of this Guide.

Eligibility

A quick reference guide to assist making decisions on the individual’s eligibility for Visa type where RMIT is being asked to support.

RMIT Obligations

For RMIT to maintain its accredited sponsorship status awarded by the Department of Home Affairs, it must ensure that all applicable Sponsorship Obligations are satisfied for the duration of the sponsorship approval. For this reason, it is a requirement for the business and/or employee to notify us of any changes to circumstance as detailed in this guide.

2. Impact of COVID

The current COVID environment is creating additional challenges for international recruitment and immigration:

- Processing of all visa types is still being significantly delayed
- Travel restrictions are still in place and are subject to change

Hiring managers should be aware of the below information when proposing start dates for international new hires.

For current information, please refer to <https://covid19.homeaffairs.gov.au/>

Border closures

Australia's borders remain largely closed to non-Australian citizens / permanent residents. The COVID-19 situation has resulted in slowed processing for visa applications in all categories, particularly for those offshore. Hiring managers should be aware of these limitations when proposing start dates for international new hires.

Travel Ban Exemption

For most non-Australian citizens / permanent residents, an approved Travel Ban Exemption is still required prior to travel into Australia. Please refer to [here](#) for the up-to-date information.

Each Travel Ban Exemption application is assessed by the Department of Home Affairs on its own merit dependent upon the individual circumstance, a positive outcome is not guaranteed.

Management of Travel Ban Exemption and associated costs

The Travel Ban Exemption application can be managed by the individual themselves. The government application fee is NIL. In this case, the individual is responsible for all associated costs and for collecting all supporting documents as required.

Alternatively, upon receiving relevant internal approvals, RMIT may engage EY to assist with the management of the Travel Ban Exemption application. EY professional fee is approximately AUD\$5,000. Please contact HR Contracts team for further details.

Quarantine – current requirement of entry into Australia

Travellers arriving in Australia, including Australian citizens / permanent residents, may be required to be quarantined as required. This is dependent upon the location of the arrival. Quarantine may either be at home or at a designated facility such as a hotel.

When hotel quarantine is required, it is generally pre-arranged by government authorities and there is usually no option to select the preferred hotel (though in some cases, depending on the hotel, a paid room upgrade may be negotiated with the hotel).

Most travellers are responsible to the cost of mandatory quarantine (if required), as set by the state / territory of arrival. Indicative costs are outlined in the table below. Individuals are tested for COVID as required during quarantine.

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	1 adult	2 adults	Family of 4	Comments
VIC	\$3,000	\$4,000	\$5,000	Children under 18 - \$500 each Children under 3 – NIL fee Additional adults - \$1,000 each
NSW	\$3,000	\$4,000	\$5,000	Children under 18 - \$500 each Children under 3 – NIL fee Additional adults - \$1,000 each
SA	\$3,000	\$4,000	\$5,000	Children under 18 - \$500 each Children under 3 – NIL fee Additional adults - \$1,000 each
WA	\$2,520	\$3,360	\$5,040	Each additional person over 6 - \$60 per day Children under 6 – NIL fee
QLD	\$3,220	\$4,130	\$5,040	Charges for Meals: Adult (13 years and over) daily cost - \$65 Child (3 -12 years of age) daily cost - \$32.50
NT	\$2,500	\$5,000	\$5,000	\$5,000 is the fee for a family of 2 or more. If quarantine is extended: One individual: \$1,750 Family: \$3,500
ACT	\$3,000	\$4,000	\$5,000	Children under 18 - \$500 each Children under 3 – NIL fee Additional adults - \$1,000 each

Note – all costs are in Australian dollars and are correct as at October 2021, and are subject to change

Working offshore

New hires should not commence working remotely with RMIT from offshore due to reasons including tax and OH&S implications. If remote work from offshore is essential, these will be managed case by case by the People team and a tax assessment arranged through the Performance and Reward team must be conducted prior to commencement.

3. Visa / Role Matrix

	Temporary Activity Visa (Subclass 408) – Research stream <i>Research roles only</i>	Temporary Skills Shortage (TSS) visa (Subclass 482)	Employer Nomination Scheme visa (Subclass 186)	Distinguished Talent Visa – Global Talent Independent Program (Subclass 858) *** <i>In applicable sectors</i>
Level A	<input type="checkbox"/>	x **	<input type="checkbox"/>	<input type="checkbox"/>
Level B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Level C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Level D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Level E	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Professional	x	<input type="checkbox"/> *	<input type="checkbox"/> *	<input type="checkbox"/>

*Applicable ANZSCO code must align with the position

**Awaiting confirmation from the Department of Home Affairs

***Applicant will need to have the ability to attract a salary at or above the Fair Work high income threshold at AUD158,500. This figure is adjusted annually on 1 July. Applicant must also be highly skilled in at least one of these sectors: Resources; Agri-food and AgTech; Energy; Health Industries; Defence, Advanced Manufacturing and Space; Circular Economy; DigiTech; Infrastructure and Tourism; Financial Services and FinTech and Education. Assessments are necessary to determine eligibility.

4. Visa Types

Visa information and costs are continually updated on the Home Affairs website. Please ensure you refer to the [Department of Home Affairs](#) website directly for current information:

4.1 Visitor Visa – Business Visitor Stream ([Subclass 600](#))

RMIT appointment type: Visiting Academics

Length: Up to 3 months

Indicative cost: \$145

Summary:

The Business Visitor stream allows businesspersons to make a short business visit to Australia to engage in business visitor activities, which may include any of the following:

- making a general business or employment enquiry
- attending business meetings
- investigating, negotiating, entering into or reviewing a business contract
- participate in a conference, trade fair or seminar in Australia, however, the individual cannot be paid by the organiser for participation.

Business visitor visa holders cannot ever work for or provide services to a business or organisation based in Australia.

Eligibility:

- Visa applicants must be a genuine visitor travelling to Australia for business visitor activities
- Visa applicants must be outside Australia when at the time of visa application lodgement and grant
- An Electronic Travel Authority (ETA) or an E-Visitor visa should be a preferred option if the visa applicant holds a passport from an eligible country.

Note - These visas are not being readily processed during the COVID-19 period, and will require additional support to be processed, and to allow the applicants to travel to Australia.

RMIT obligations:

This is an independent visa and does not require sponsorship, however a letter of support by RMIT may be necessary.

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4.2 Temporary Work - Short Stay Specialist Visa (Subclass 400)

RMIT appointment type: Visiting Academics, Guest Lecturers

Length: Up to 3 months, though a stay of up to 6 months may be considered in *limited* circumstances at the Department's discretion

Indicative cost: \$315 (additional costs apply for family members)

Summary:

This visa is suitable for skilled visitors to come to Australia on a temporary basis for the purpose of:

- Undertaking short-term, highly specialised, non-ongoing work
- In limited circumstances, to participate in an activity or work relating to Australia's interest

Eligibility:

Applicants must work in a highly specialised job and must have highly specialised skills, knowledge or experience that can help Australian business and can't readily be found in Australia. The work or activity must not be ongoing.

RMIT obligations:

This is an independent visa and does not require sponsorship. However, an invitation letter by RMIT is required as the 'inviting entity'.

4.3 Temporary Activity Visa – Research Stream (Subclass 408)

This application process for this visa type is managed through EY.

RMIT appointment type: Research Assistants, Research Fellows, Visiting Academics, Visiting Research Students

Length: Up to 2 years (multi-entry), no direct pathway to permanent residency. However, academic applicants may still have a pathway to obtain permanent residency through either the Employer Nomination Scheme (under Direct Entry stream) or the Global Talent Visa Program.

Indicative cost:

Application fee	\$315
EY Processing fees	Approximately \$2,500

Summary:

This visa allows the holder to observe or take part in a research project at a research or tertiary institution in Australia. The visa holder and accompanying family members can apply for the visa for up to two years.

The visa holder can be unpaid, paid a living allowance or paid a salary in line with Australian conditions and RMIT's EAs. Details of any payments must be specified in the visa support letter from RMIT prior to visa issue.

Eligibility:

To be eligible for this activity type, the individual must:

Researcher (Skilled Academic)

- be or have been employed as an academic at an overseas tertiary or research institution
- have a record of significant achievement in your field

Research student or recent graduate

- a student of a foreign educational institution or have graduated within the last 12 months
- invited to undertake research closely related to the field of study

Note - If the individual has not yet graduated, they must be undertaking the research to meet course requirements for an overseas qualification.

RMIT obligations:

RMIT HR will provide a visa support letter, detailing the activities, objectives and outcomes of the appointment, including the details of any payments.

If RMIT sponsors someone without a salary or wages (i.e. visiting students and academics), RMIT must secure an offer of a reasonable standard of accommodation in Australia for them and members of their family unit who hold the same visa. RMIT must not transfer or charge any costs to the visa

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holder relating to the cost of becoming a sponsor, migration agent fees, recruitment costs or background checks.

RMIT has the obligations to report the following events within 28 days of them occurring, with respect to 408 visa holders:

- 1) The primary sponsored person failing to participate in the activity in relation to which the visa was granted;
- 2) The primary sponsored person ceasing participation in the activity in relation to which the visa was granted.

4.4 Temporary Skill Shortage (TSS) Visa ([Subclass 482](#))

This application process for this visa type is managed through EY.

RMIT appointment type: Level B-E Academic Appointments, Specialist / Executive / Senior Management Appointments. Please note we are seeking guidance on whether this visa can be used for a Level A assignment.

Length: Medium term stream – up to 4 years, Short term stream – up to 2 years, multi-entry, renewable.

Indicative costs:

	Medium Term Stream	Short Term Stream
Nomination fee	\$330	\$330
Skilling Australians Fund levy (\$1,800 per year)	Up to \$7,200	Up to \$3,600
Application fee	\$2,690	\$1,290
Each dependent over 18	\$2,690	\$1,290
Each dependent under 18	\$675	\$325
EY Processing fees	Approximately \$1,500	

Summary:

This temporary visa allows an employer to sponsor a suitably skilled worker to fill a position they can't find a suitably skilled Australian to fill. The occupation must be on an eligible skilled occupation list and the visa allows the visa holder to work for the sponsoring employer only, with a potential pathway to permanent residency for Medium Term Stream occupations only.

Visa holders with an occupation in the short-term stream are usually only permitted a maximum of two TSS visas, of two years duration each. Visa holders in the medium-term stream are permitted to have an unlimited number of TSS visas, up to four years' duration each.

Eligibility:

The visa applicant must:

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- have genuine intention to perform the nominated role
- has at least 2 years of relevant work experience
- meet the required English level
- Satisfy health and character criteria

A skills assessment is required for some occupations, but it is exempt for those nominated as a University Lecture.

RMIT obligations:

To nominate a vacant position, RMIT must demonstrate it has conducted Labour Market Testing by providing evidence the vacancy has been advertised on three national platforms, including the government's Jobactive website, for a minimum of 28 consecutive calendar days (some exemptions apply). RMIT must nominate the position within four months from the start date of the advertising period. Advertisements must also have been posted after any redundancies or retrenchments of Australian citizens or permanent residents in similar occupations.

RMIT will also need to demonstrate that no Australian citizens or Australian permanent residents have had a reduction in work hours or were made redundant or retrenched from positions in the nominated occupation in a business/organisation, or an associated entity, of the sponsor in the previous 12 months. This includes voluntary and involuntary redundancies and retrenchments.

In most circumstances, the position is required to be full-time.

In addition, RMIT must also:

- Demonstrate the applicant has at least the same terms and conditions (including pay) as any Australian citizen or Australian permanent resident in an equivalent role.
- Meet the minimum salary level of \$53,900 plus 10% super
- Pay (and not recoup) costs associated with sponsorship and nomination applications including migration agent costs and Skilling Australians Fund (SAF) levy
- Pay travel costs (economy airfares) to enable the applicant to return to their home country at the end of the visa, only if requested in writing by the visa holder (and to notify the Department of Home Affairs within 28 days of paying these requested return travel costs)
- Notify the Department of Home Affairs within 28 days if the applicant ceases work with RMIT
- Notify the Department of Home Affairs within 28 days of any changes of duties within the same nominated occupation
- Ensure a new nomination (and a new visa application, if required) is submitted, and approved by the Department of Home Affairs, before any change of occupation
- Ensure a new nomination is submitted, and approved by the Department of Home Affairs, before any reduction in pay or hours below those approved in the most recently approved nomination (some exceptions may apply during the COVID-19 pandemic – EY can advise further)
- Keep and produce records on request. Records include employment contract, position description, pay details, non-monetary benefits, written requests from the applicant for return travel costs, terms and conditions of workers in equivalent roles, proof of annual turnover, etc
- Cooperate with Department of Home Affairs inspectors, allowing inspectors to enter / inspect any workplace, interview any person, produce any requested document.

4.5 Global Talent Independent Program ([Subclasses 858](#))

GTI visa application process may be managed by the individual themselves - in this case, the individual is responsible to pay all associated costs and to collect all supporting documents as required.

Alternatively, RMIT may engage EY to assist with the management of the GTI visa application process. However, this option is only available for those with an annual earning of **above** the Fair Work high income threshold (FWHIT), which is currently **\$158,500**. EY professional fee listed in the table below (in addition to government visa application fees already listed). Please contact HR Contracts team for further details.

RMIT appointment type: Level A-E Academic Appointments

Length: Permanent Residency

Indicative costs:

Application fee	\$4,180
Dependent over 18 (<i>if applicable</i>)	\$2,095
Dependent under 18 (<i>if applicable</i>)	\$1,045
EY Processing fees (<i>optional</i>)	Approximately \$10,000 to \$15,000, dependent upon individual circumstance and complex level of the case

Summary:

The Global Talent visa is a permanent residence visa and allows the visa holder to work (for any employer), study and remain permanently in Australia. The Global Talent Independent Program aims to target the following sectors: Resources; Agri-food and AgTech; Energy; Health Industries; Defence, Advanced Manufacturing and Space; Circular Economy; DigiTech; Infrastructure and Tourism; Financial Services and FinTech and Education.

Eligibility:

Candidates must have an **internationally** recognised record of exceptional and outstanding achievement and still be prominent in the area. The candidate must be endorsed by a nominator who has a national reputation in the same field and is either an eligible Australian citizen/resident, an eligible New Zealand citizen or an Australian organisation.

Candidates need to demonstrate the ability to attract a salary at or above the FWHIT and should be in between 18 and 55 years of age or provide evidence that they are of exceptional benefit to the Australian community. Applicants must also meet character, health and English language requirements.

RMIT obligations:

This is an independent visa and does not require sponsorship. However, either RMIT or an individual of significant reputation must provide a nomination through [Form 1000](#), as well as a support letter.

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4.6 Visa type: Employer Nomination Scheme (Subclass 186)

This application process for this visa type is managed through EY.

RMIT appointment type: Level A-E Academic Appointments, Specialist / Executive / Senior Management Appointments

Length: Permanent residency

Indicative costs:

Nomination fee*	\$540
Skilling Australians Fund (SAF) levy*	\$5,000
Application fee**	\$4,115
Each dependent over 18**	\$2,060
Each dependent under 18**	\$1,030
EY Processing fees **	Approximately \$5,000

* Fees must be paid by RMIT

** Fees may be paid by RMIT at the discretion of the hiring area, upon relevant approval

Summary:

This visa lets skilled workers, who are nominated by their employer, live and work in Australia permanently.

Eligibility:

All applicants need to be nominated by their employer in an occupation listed on the eligible skilled occupation list and must apply within six months of the nomination being approved. Typically, applicants must be under 45 year of age, however there is currently an age exemption for academic roles under the Direct Entry Stream and Temporary Residence Transition Stream (TRT), as well as an age exemption under the TRT Stream for certain non-academic applicants who have earned a high salary for each year of their employment. EY can assess further. Applicants must meet skill, character, health and English language requirements.

- Direct Entry Stream – applicants must have at least 3 years relevant work experience (some exemptions apply to academic applicants in levels A-E).
- Temporary Residence Transition stream - Candidate must hold a 457, TSS (or sometimes a related bridging visa) and must usually have worked for their employer full-time for at least three years while holding subclass 457 or TSS visa.

Given the economic impacts of COVID-19, the Department of Home Affairs has recently advised of its expectation that positions will be advertised on Jobactive for 28 calendar days before seeking to nominate an overseas worker for a permanent employer sponsored visa (e.g. Subclass 186), in order to demonstrate transparent recruitment process and that there is a genuine need for an overseas worker to fill that position.

RMIT will also need to demonstrate that no Australian citizens or Australian permanent residents have had a reduction in work hours or were made redundant or retrenched from positions in the nominated occupation in a business/organisation, or an associated entity, of the sponsor in the previous 12 months. This includes voluntary and involuntary redundancies and retrenchments.

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RMIT obligations:

RMIT must nominate the individual and provide evidence the individual has a valid contract with RMIT for at least two years from the time the visa is granted by immigration, with no express exclusion of ongoing employment. Due to the lengthy processing time for this visa, the individual will require a minimum of four years remaining on their contract when they commence the application process. If the employee is not employed on a continuing bases the School will also need to guarantee an expectation of ongoing work.

RMIT must employ the worker under terms and conditions that are no less than as those for Australian citizens or permanent residents doing the same work in the same place. This includes (but is not limited to) salary for the nominated position, hours of work and leave entitlements.

Payment of the nomination fee and the visa application fees and EY fees are at the discretion of the hiring area, except for the \$5,000 SAF levy which must always be paid by RMIT.

4.7 Subsequent Temporary Application Charge

The Subsequent Temporary Application Charge (STAC) applies to certain temporary visas.

This charge is payable by each person in the application and is based on their individual visa history.

The STAC, if applicable, is payable in addition to any other visa charges that apply to the visa application, at the time of lodgement.

Please refer to the [calculation of the STAC](#) here.

5. RMIT Eligible Workers Quick Reference Guide

Talent checks all Visas via our background verification partner CVCheck, and via the Visa Entitlement Verification Online (VEVO) portal and/or Visa Grant letter to determine all conditions and work limitations specific to the individuals visa prior to formalising the employment contract.

Some of the following conditions might be attached to the visas and is meant as a high-level guide only.

Visa Type	Work Restrictions
Permanent Resident	All work types, no restrictions, stay in Australia permanently
Partner visa (subclass 820 801) Permanent (820)	All work types, no restrictions, stay in Australia indefinitely
Partner visa (subclass 820 801) Temporary (801)	All work types, no restrictions, stay in Australia indefinitely whilst Permanent Partner Visa processes
Distinguished Talent visa (subclass 124) Distinguished Talent visa (subclass 858)	All work types, no restrictions, stay in Australia permanently
Temporary Skill Shortage visa (subclass 482)	RMIT Sponsored Temporary Visa up to maximum 4 years. Continuing and Fixed Term Only *Cannot hire as a Casual Worker
482 Secondary Holder	All work types, varying conditions and expiry date linked to primary holder
Skilled Independent visa (subclass 189)	Invited to apply, occupation relevant to the skilled occupation list, stay in Australia permanently
Temporary Activity visa (subclass 408)	RMIT Sponsored Visa up to 2 years Visiting Academic / Student), work must be relevant to Visa grant – e.g. Research
New Zealand Citizen Family Relationship (temporary) visa (subclass 461)	All work types, no restrictions, temporary visa and can stay in Australia for 5 years.
Skilled Regional visa (subclass 887)	All work types, no restrictions, stay in Australia indefinitely
Temporary Graduate visa (subclass 485)	Have a qualification relevant to an occupation on the skilled occupation list. Work in Australia temporarily, usually 18 months, Hong Kong passport holders may stay up to 5 years
Temporary Work (Short Stay Specialist) visa (subclass 400)	Work in a highly specialised job. Work and activity must not be ongoing, is a temporary visa and can be granted up to 6 months.
Student visa (subclass 500)	A temporary visa and can only work up to 40 hours in a fortnight
Training visa (subclass 407)	This is a temporary visa of up to 2 years. RMIT sponsored Visa. Workplace based training or professional development training program.
Work and Holiday visa (subclass 462)	This is a temporary visa, and the holder must not work more than 6 months for one employer
Protection visa (subclass 866)	All work types, no restrictions, stay in Australia permanently