

## 1. POLICY CERTIFICATION

Policy title:	<b>Visa Policy</b>
Policy number:	<b>010</b>
Category:	<b>Policy</b>
Classification:	<b>HR</b>
Status:	<b>Approved</b>

## 2. PURPOSE

Roper Gulf Regional Council (RGRC) takes seriously its obligations as an employer to ensure that it only employs legal workers. It is the responsibility of all Australian employers to ensure that they take reasonable steps to ensure that they not employing, referring or contracting illegal workers.

RGRC is committed to the principle of *local jobs for local people*, however it recognises that under certain circumstances, it may be unable to locally source all the staff members it requires to fulfil its service delivery to the residents of the Roper Gulf Region, and will recruit throughout Australia, and on occasion, employ persons who are not Australian Citizens, New Zealand Citizens, or permanent residents of Australia, but holders of a valid Australian Visa which grants them the right to work in Australia.

## 3. ORGANISATIONAL SCOPE

This policy applies to all current and prospective Roper Gulf Regional Council employees.

## 4. POLICY STATEMENT

Roper Gulf Regional Council is committed to achieving its Local Government obligations and contracted service delivery to its constituents, and will take active steps to ensure that it has the necessary quantity and quality of staff to achieving its goals. RGRC shall always endeavour to recruit locally, however if it is unable to fill its vacancies through local recruitment, it will recruit nationally. RGRC requires prospective employees to hold full working rights in Australia by being either a citizen of Australia or New Zealand, or a permanent resident of Australia. In the event that RGRC is unable to fulfil positions critical to achieving its obligations and goals, it may, as a last resort, consider employing persons who hold other visa categories which grants them the right to work in Australia. This will be done on an individual case-by-case basis, and only after all other possible recruitment avenues have been exhausted.

RGRC will not employ, refer, or otherwise contract staff who do not have the lawful right to work in Australia.

## 5. DEFINITIONS

Non sponsored Workers – Skilled Migrants	There is a range of visa options for Points Tested skilled workers who want to live in Australia and who do not have an employer sponsoring them. These include options for skilled people applying as an independent migrant as well as those sponsored by a relative, or nominated by a State or Territory Government.
Independent	Independent migrants have the least number of restrictions placed on them and this is the preferred option for eligible applicants who do not have an employer to sponsor them. Assess your eligibility for the independent visas before you continue.
Sponsored	If you are sponsored by an eligible relative, please note that there are a number of obligations that must be met by your sponsor. If you want to be sponsored by your employer certain obligations and application processes apply and need to be discussed prior to employment.

Potential Employee	A person who has applied for a position with RGRC who intends to work within Australia
Employee	A person who is an existing person working for RGRC
RGRC	Roper Gulf Regional Council

## 6. PRINCIPLES

RGRC is committed to the principle of *local jobs for local people*, and will always endeavour to recruit locally first.

In the event that vacancies have not been successfully filled within their specified time-frames due to insufficient response, RGRC will expand the scope of its recruitment activities to include nation-wide advertising of positions.

Prospective employees are required to be Australian Citizens of Permanent Residents, or New Zealand Citizens, and must provide evidence thereof as part of the recruitment process.

RGRC will conduct working rights checks with the Commonwealth to ascertain the citizenship and working rights status of applicants.

In the event that critical positions have not been filled after at least two (2) recruitment attempts, RGRC may consider candidates who are not Australian Citizens or Permanent Residents, or New Zealand Citizens but holders of a valid Australian Visa which grants them working rights.

RGRC will consider applicants holding a working Visa on an individual case-by-case basis, and only after all other practicable recruitment avenues have been exhausted.

**NB:** Roper Gulf Regional Council has received sponsorship status, however will only nominate employees on a case by case basis as outlined previously.

If an employee is temporarily sponsored with RGRC, the employee must stay in the position they are sponsored under in the same location for the time specified. An employee cannot change positions under this temporary sponsorship and cannot work with another organisation.

If an employee under the temporary sponsorship resigns from Roper Gulf Regional Council, RGRC are obligated to advise the Immigration Department straight away as the employee may not be allowed to stay in Australia.

## 7. REFERENCES

Acknowledgements (original author/source documents)	Human Resource Unit
Related Policies	HR004 Recruitment & Selection Policy
Related Publications	<i>Migration Act 1958 (Cth)</i> <i>Local Government Act</i> <i>Fair Work Act 2009 (Cth)</i>
Relevant Forms	<i>Nil</i>

