



Pacific Labour Scheme

Labour Market Testing and Recruitment Plan Process

This document is to be read in conjunction with the Recruitment Plan Form and Labour Market Testing attachment.

Labour Market Testing

Once you are an Approved Employer, each time you intend to recruit workers under the PLS you will be required to conduct Labour Market Testing and submit a Recruitment Plan. The purpose of this process is to ensure you have conducted adequate labour market testing and have genuinely been unable to fill the positions with Australian workers. This is critical to ensure the legitimacy of the Pacific Labour Scheme.

Advertisement

To satisfy the Australian Government requirements, the recruitment advertisement must include the following details:

Dates:

- Approximate commencement dates (Month/Year is satisfactory)

Type of employment:

- Full-time or part-time position
- Noting that casual engagement is not permitted under the PLS

Hours of work:

- Full time hours should reflect the requirement of the relevant Award or Enterprise Agreement
- Part time hours must be a *minimum* of 30 hours per week

Rate of pay:

- Name of the Award or Enterprise Agreement plus the relevant grade / level is satisfactory
- Hourly rate or annual salary is also satisfactory

Number of vacancies:

- More than one type of role may be included in one advertisement, however the number of vacancies per position must be identified. Example; We have 3 roles available for Food and Beverage Attendants.

Job description:

- A short description of the role (bullet points are acceptable)

Location:

- Where the roles will be situated. This ensures that the roles meet the regional and rural requirement of the PLS.

Advertisements must run for a minimum of two weeks and need to be supplied, with evidence of the posting.

Vacant positions must be advertised on the following medium:

- JobActive – jobsearch.gov.au is an Australian Government initiative to provide more Australians with work. Employers can advertise their vacant positions on this site free of charge.

Labour market testing and recruitment validity

Labour market testing is valid for six months from the closing date of the job advertisement. The Recruitment Plan is valid for three months from the date of Australian Government approval.

Please note that it is not a requirement for workers to have mobilised to Australia within this three-month period however signed Letters of Offer must be completed and endorsement numbers processed for workers to mobilise at a future date. Any outstanding recruitment not offered within this timeframe will require additional labour market testing and a new Recruitment Plan.

Completing the Recruitment Plan Request

The purpose of this form is to provide all relevant information to the Australian Government regarding the results of the labour market testing and details of the vacant role.

The details entered on this form must match the advertisement used to test the market, as well as the proposed Letter of Offer. This ensures that Pacific workers are offered roles in line with the labour market testing.

Evidence required;

- Copy of the JobActive advertisement and evidence of when it was posted. This can be sourced by logging into the website.
- Job Description
- The completed PLF Accommodation Form.
- Letter of Offer (LOO) Template
 - PLF provided template, *OR*
 - Your own company template (which meets PLF requirements) *OR*
 - A Combination of both

Letter of Offer (LOO)

A template of the letter of the offer that will be provided to the workers must be supplied. This ensures that the Australian Government is satisfied that you are meeting your obligations under the Fair Work System and provides information to Pacific workers in simple English. Therefore, there are a number of items required in the LOO and using the PLF template will ensure these requirements are met. However, if you choose to use your own company template the following items must be included;

- Award, EBA or other applicable pay instrument
- Pay rate, level, and conditions
- Commencement date and length of contract; this will need to align with the advertisement and the visa period requested on the recruitment plan (questions 16).
- Hours of work; ensuring full time hours align with the requirement under the relevant Award or Enterprise Agreement, or part time hours at a *minimum of 30 hours per week*
- Employment must be subject to obtaining a visa; Temporary Work (international relations) visa subclass 403 – Pacific Labour Stream
- Work location; this will need to align with the advertisement, recruitment plan form and site visit conducted by a PLF team member
- List proposed deductions; airfares and transfers, visa costs, accommodation, health insurance or any additional support provided (such as work clothing, housing support or cash advance). It is understood that some of these costs may vary after submitting the letter of offer (example airfares), however a best indication is required to provide workers with an understanding of the costs they are

required to repay. This is also used to assess whether the worker will have sufficient funds for basic living costs whilst they are repaying money to employers. If the costs vary it is employer's responsibility, per Fair Work Act, to ensure employees agree in writing.

- Inclusion of the PLS Deductions Guidelines required to be provided to each worker.
- A minimum of 12 weeks must be provided for workers to repay initial costs.
- Welfare assistance
- Explanation of gross and net pay, taxation and superannuation written in plain English. Addendum A of the PLS LOO template can be used to satisfy these requirements,
- Fair Work Information Statement to be included with each offer of employment.

Recruitment Plan Approval

PLF Assessment

Submit the Recruitment Plan Request Form, along with the evidence requirements, to the PLF team at recruitmentplans@pacificlabourfacility.com.au

The appropriate PLF team member will assess your submission and contact you for any clarification or amendments required.

Approval

Once approval is granted, the PLF will send a notification to the Labour Sending Unit (in-country) of the approval to recruit the specified number of workers and roles. Approved Employers will be included in this notification and can commence in-country recruitment with the team.

Recruiting Workers In-Country

Employers may commence liaising with the PLF in-country Labour Mobility Engagement Managers prior to approval of the Recruitment Plan, however, please note that recruitment and offers cannot be made until approval is received. There are several recruitment options; travel to country to interview workers provides the best outcome for employers, however the In-Country Labour Sending Unit (LSU) can also provide worker profiles of available candidates or arrange Skype interviews.

Making an offer of employment

Once candidates are selected and have completed any employer specific qualification processes, letters of offer can be populated by the employer and sent to the LSU to coordinate signing.

The following process will then take place;

1. Signed Letter of Offer returned to employer and PLF
2. Signed Privacy Consent form returned to PLF
3. Confirmation letter from sending country government returned to PLF
4. PLF confirm all documentation has been received and issue endorsement numbers to employer (these are unique numbers required to lodge the workers visa application).

Visa Application

The visa application process is the responsibility of the Approved Employer. Liaise with LSU representatives to assist in the process if required. Attached to the Recruitment Plan approval notification email is a Home Affairs Visa Processing Guide.

Mobilising Workers

Upon visa approval workers can be mobilised to Australia. Employers must notify the PLF once visas are granted by notifying welfare@pacificlabourfacility.com.au.

The PLF Worker Welfare Team will contact the Approved Employer with requirements of the mobilisation schedule to be submitted.