Submission to the Review of Regional Migration Settings

26.07.2024

About Welcoming Australia

Welcoming Australia is a national not-for-profit organisation committed to cultivating a culture of welcome and advancing an Australia where people of all backgrounds have equal opportunity to belong, contribute and thrive. Welcoming Australia operates through several networks, including Welcoming Cities, Welcoming Clubs, Welcoming Universities, Welcoming Workplaces and Welcoming Precinct. Additional information about Welcoming Australia's initiatives can be found below.

Welcoming Cities

Welcoming Cities is a national network of 87 local governments who are committed to an Australia where everyone can belong and participate in social, cultural, economic and civic life. the 87 local governments represent over 48% of the Australian population.

Welcoming Cities recognises that, of all tiers of government, local councils are best placed to understand the complexity and diversity of their communities. Members of Welcoming Cities have unprecedented access to a community of like-minded Local Governments and community stakeholders through: Knowledge Sharing, Celebrating success, the Welcoming Cities Standard and accreditation process and Partnership Development.

Welcoming Cities is a Founding Partner of Welcoming International – a growing network of more than 300 municipalities across the world.

Welcoming Clubs

Welcoming Clubs embraces the power of sport and recreation as a vehicle for inclusion opportunity and belonging. The initiative involves collaborating with sports organisations, councils, facilities and clubs to promote diversity and inclusion, so our codes and clubs reflect the communities they aim to serve and support.

Clubs achieves this through the direct delivery of programs and activities in areas of high diversity and low access for families from migrant and minority ethnic groups (MMEG) including for children with intellectual disabilities, psychosocial trauma, autism, and additional support needs.

Clubs provides training, coaching and learning opportunities to more than 150 sports clubs representing more than 25 codes and activities.

Welcoming Universities

Welcoming Universities is a network to inspire and support Australian universities to develop a culture and practice of welcome, inclusion and belonging within their institutions, in the community, and across the higher education sector.

Historically universities have not been places of safety and inclusion for all, this is despite the fact that many universities having strong policies and researched focused on equity and inclusion Welcoming Universities will become providers of choice to both domestic and international students. This model brings rigour to cultural diversity and inclusion, like existing accreditations for areas of diversity, such as gender (Athena Swan).

Currently the initiative has nine member universities, and is working on place based research projects, and a critical study into international student experiences across the university sector.

Welcoming Workplaces

Welcoming Workplaces, an initiative of Welcoming Australia, aims to enhance employer readiness in engaging, recruiting, and retaining a diverse workforce.

The initiative provides employers with the necessary knowledge, resources, networks, partnerships, and frameworks to effectively embrace and cultivate a diverse workforce. Creating inclusive and community-minded workplaces leads to greater worker retention and competitiveness in local, national, and international markets.

We welcome the opportunity to provide a submission to the Review of Regional Migration Settings 'Supporting Strong and Sustainable Regions' Discussion Paper.

Australia's migration policies are crucial for regional development. This submission offers practical recommendations to enhance visa systems and support regional communities, focusing on harmonising skill shortage lists and involving local governments and businesses in planning. By leveraging real-world examples and case studies, we aim to contribute to a responsive, supportive migration system that meets regional economic needs and promotes social cohesion and thriving communities.

For further information on any of the points raised in our submission please contact Welcoming Australia on olga@welcoming.org.au or 0414104709.

Q1: How can the various temporary and permanent visas available to the regions work together to better meet skills needs? For example, Designated Area Migration Agreements (DAMAs) and regional employer sponsored visas.

To meet regional skills needs effectively, the various temporary and permanent visa programs must work cohesively and efficiently. The following actions will help to achieve this:

1.   Harmonise Skill Shortage Lists Across Visa Types/Classes
A unified approach to skill shortage lists will ensure consistency and clarity for businesses and migrants. Aligning the skill shortage lists used in different visa programs, such as DAMAs and regional employer-sponsored visas, can streamline the recruitment process. This harmonisation will also facilitate better planning for businesses looking to fill specific roles.

2.   Focus DAMA Skill Shortage Lists on Niche Occupation
DAMA skill shortage lists should cater to niche occupations critical to regional business expansion. These lists need to be dynamic and responsive to changing business needs. By updating the DAMA skill shortage lists every three months, we can provide businesses with the flexibility to recruit for emerging roles and fill vacancies promptly. This regular updating process ensures the lists remain relevant and reflect the evolving labour market demands.

3.   Simplify the Application Process
The application process should be simplified to make it easier for businesses to recruit and for migrants to apply. Merging the Nomination and Visa applications into a single, streamlined process can significantly reduce administrative burdens. Providing explicit guidance on waiting times will allow businesses to plan more effectively around recruiting and onboarding new employees. This clarity and efficiency in the application process will enhance the overall experience for both employers and migrants.

4.   Optimise the Business Industry Regional Outreach (BIRO)
BIRO can play a crucial role in keeping businesses informed about visa policy changes and updates. By planning in-person sessions throughout the calendar year, BIRO can directly engage with regional businesses, offering them the latest information and guidance. These sessions can help businesses stay up-to-date with visa policies, understand the available options, and plan their recruitment strategies accordingly.

Q2: Should there be a regional occupation list? How should regional occupation lists work alongside the Core Skills Occupation List? What should be considered in compiling the regional occupation list?

There is a significant need for a better definition of "regional," ideally categorised by both remoteness and economic type, such as mining, tourism, and agriculture. This nuanced categorisation would enhance the accuracy of regional migration assessments and allow for more effective policy measures tailored to the specific needs of different regions.

Businesses should lead the conversation around regional occupation lists. Workforce planning driven by business insights will ensure that the regional occupation list accurately reflects the demands of the local labour market. For example, in our Welcoming Workplaces initiative, a business needed to recruit a camel farm caretaker but could not fill the position for two years. This role did not fit under any existing skills shortage lists, highlighting the need for a more contextually relevant regional list.

Another example from the initiative involves a business servicing the mining sector, which required new occupations not listed on the Core Skills Occupation List or the DAMA occupation list. Similarly, an arborist in regional NSW faced challenges recruiting for a niche role not covered by these lists. These cases demonstrate that a regional occupation list can complement the Core Skills Occupation List by addressing specific local needs and ensuring that regional businesses can access the required skilled workers.

In compiling the regional occupation list, input from businesses, local governments, and service providers must be considered. This collaborative approach will ensure the list is relevant and comprehensive, effectively addressing regional areas' unique skills shortages.

Q3: Could the definitions of regional be aligned across the various regional visas? How can definitions be structured to better account for the unique circumstances of regions?

Aligning the definitions of "regional" across various regional visas is essential for more effectively addressing the unique circumstances of different regions. A better definition of "regional" should categorise areas based on remoteness and economic type, such as mining, tourism, and agriculture. This categorisation would allow for a more accurate assessment of regional migration and enable policymakers to implement targeted measures that address the specific needs of these areas.

For instance, a region primarily dependent on a specific type of agriculture might face different labour market challenges compared to a region centred around mining or tourism. By understanding and defining these distinctions, regional visa policies can be tailored to attract the appropriate workforce required for each area's economic activities. This approach will help pull the appropriate levers to mitigate skill shortages and promote sustainable regional development.

Our research provides anecdotal evidence indicating that the current definition of "regional" is inadequate for addressing skill shortages, particularly in healthcare, home support, and aged care. Consultations with representatives from medical and nursing bodies have revealed that the shortage of nurses in regional and rural areas is partly due to the broad and inconsistent definitions of "regional." For example, nurses are less likely to move to rural Australia if they can work in a city like Canberra, which is classified as "regional" under current definitions. This inconsistency undermines efforts to distribute skilled labour more evenly across remote and underserved areas.

Therefore, a more refined and context-specific definition of "regional" is necessary. Such definitions should consider factors like distance from major cities, population density, and economic reliance on specific industries. By doing so, regional visa policies can more effectively address different regions' unique challenges and ensure that skilled workers are incentivised to move to and remain where they are most needed.

Q4: How can we reform Working Holiday Maker program visa settings to limit exploitation, while still ensuring regional Australia can access the workers it needs? For example, are there innovative strategies to incentivise Working Holiday Makers to choose regional Australia as their preferred destination, without tying the incentives to specified work visa requirements?

Reforming the Working Holiday Maker (WHM) program is essential to limit exploitation and ensure that regional Australia can access the workers it needs. One critical reform is increasing employment longevity by addressing the existing visa rules. This includes revising the hours of work allowed under the visa and providing flexibility for workers to change employers. Given the seasonal nature of regional and rural work, allowing visa holders the working right to change employers without jeopardising their visa status is crucial.

In 2016, the Fair Work Ombudsman released findings from an inquiry into the experiences of 417 visa holders, highlighting significant exploitation. Many workers felt taken advantage of, especially those completing their 88 days of rural work, to qualify for a second-year visa. The inquiry revealed that workers were often reluctant to report underpayment, unsafe conditions, and sexual harassment due to fear that their employers would refuse to provide the necessary Employment Verification Form.[1]

A survey by the Migrant Justice Institute found that nearly half of all working holidaymakers reported being paid well below the minimum wage.[2] Although visa holders theoretically have the same working rights as Australian citizens, this is not the case. Factors contributing to this discrepancy include limited knowledge of Australian working rights, fear of unemployment or visa repercussions, manipulative employer tactics, unlawful practices by employers, and a lack of support services and networks.

[1]   https://www.people2people.com.au/blog/8-important-things-to-know-to-avoid-workplace-exploitation
[2]   https://www.afr.com/politics/federal/labor-could-ignore-calls-for-limits-on-working-holiday-visas-20230921-p5e6ho

Stories from rural work highlight the severity of the issue: visa holders have reported being paid next to nothing, having to pay their employers, handing over their passports, living in dilapidated accommodation, and being forced to work beyond the required three months because employers refused to sign off on their paperwork. These exploitative practices are particularly concerning for young women who have stayed in dangerous situations due to reliance on employer sign-off.[3]

Besides addressing apparent breaches of Australian laws by employers in regional and rural areas, several changes can be made from the perspective of visa rules. Businesses should be required to report hours worked on the Single Touch Payroll system to help detect underpayment. Additionally, all temporary visa-holders with work rights should be issued a tax file number upon arrival to facilitate better tracking and enforcement of fair labour practices. Furthermore, creating a special visa to empower workers to report exploitation and stay in Australia to pursue outstanding claims would provide significant protection and recourse for those affected.

To address these issues, it is crucial to implement simple background checks for employers approved to sign off on Working Holiday visas and have a simple exploitation reporting procedure for the program. Additionally, innovative strategies to incentivise WHMs to choose regional Australia could include ensuring better accommodation, providing more straightforward information about worker rights, establishing more robust support networks and investing in welcoming practices in the areas. By improving the overall experience and safety of WHMs, regional Australia can attract and retain the workers it needs without tying incentives to specific work visa requirements.

[3]   https://aboutregional.com.au/dear-prime-minister-who-is-safeguarding-working-holiday-visa-holders-from-exploitation/375806/

Q5: How can we ensure a more consistent approach to lower paid migration across various visa products, as well as reflect our commitment to maintain the primacy of our relationships with the Pacific?

To reflect the commitment to maintaining the primacy of Australia's relationships with the Pacific, reforming the Pacific Australia Labour Mobility (PALM) scheme is crucial. This program has the potential to significantly contribute to the Australian workforce while also benefiting Pacific nations through remittances and skills development. However, to achieve these mutual benefits, the scheme must be improved to better align with Australian labour standards and the needs of Pacific workers. It is imperative that the PALM scheme fully respects and enforces Australian labour laws, particularly regarding leave entitlements, payment, and the ability to change employers.

Q6: Noting the limitations of visa settings, what factors encourage more migrants to choose to settle in the regions and improve retention?

To encourage more migrants to settle in regional areas and improve retention, it is crucial to address various factors beyond visa settings. The story of Mingoola, a small township on the border of New South Wales and Queensland, serves as an illustrative case study. A resident observed the town's decline, marked by decreasing population, lower school enrolments, and a lack of farm labourers. Simultaneously, a refugee advocate in Sydney noticed that many refugees from central Africa who had rural backgrounds were keen to reconnect with agricultural life in Australia.

The initiative to settle African refugees in Mingoola saw community members volunteering to renovate houses and provide practical support. This included welcoming events, English language classes, and consistent communication to manage expectations and address language barriers. Despite the initial success, a lack of adequate healthcare services and the impact of drought forced the refugee families to move closer to specialist medical services, putting the settlement program on hold. This case highlights that successful regional settlement requires comprehensive and holistic support to sustain the population.

Our research in regional NSW revealed that communities often felt inadequate in attracting a workforce due to the inability to provide basic necessities. This sentiment underscores the importance of essential infrastructure in making regions attractive to migrants. Furthermore, local government involvement is crucial in this process. Negative sentiments towards migrants, fuelled by political agents and disinformation, necessitate community education and welcoming initiatives. Programs like Welcoming Cities, which support 87 local governments across Australia (over 60% in regional and rural areas), play a vital role in fostering inclusive communities.

A notable example of successful regional integration is the City of Greater Bendigo. Becoming the first local government in Australia to be accredited as a Welcoming City in 2020, Greater Bendigo is recognised as a leader in the inclusion of people from diverse backgrounds. This reputation as an attractive destination has increased migration, bringing the required skills and knowledge while enhancing the city's cultural vibrancy. The City of Greater Bendigo, in collaboration with Welcoming Cities, has implemented multiple initiatives to address community needs.

These include providing in-language information on starting businesses, understanding regulatory frameworks, and funding a driving program for refugee women. Additionally, the council supports culturally diverse partnerships through grant funding, capacity building, and promoting greater communication and access to local government services. Specific actions supported by the Welcoming City Standard ensure everyone has a chance to participate, belong and thrive in this local area.

In 2022, the Ararat Rural City Council, another member of the Welcoming Cities Network, launched the Workforce Pilot New Settlement Program to address labour shortages in key industries such as abattoirs, manufacturing, aged care, and agriculture. Recognising the potential of diversity and community integration, the program aimed to fill employment gaps and showcase Ararat as an inclusive and welcoming community. A pivotal component of this approach involved community engagement through sports, specifically targeting young participants. This initiative earned the Welcoming Cities - Award for Change in 2024, demonstrating Ararat's commitment to inclusivity and community integration. Through innovative programs and community engagement initiatives, they have addressed labour shortages and fostered a welcoming environment for newcomers.

Consultations with local government representatives in regional NSW indicated that retaining migrants is challenging due to the lack of family-friendly amenities such as childcare and essential services. Additionally, the scarcity of educational opportunities, including university hubs and trade courses, contributes to the outmigration of families. To counter this, there needs to be significant investment in education and training facilities in regional areas.

Moreover, improving workplace practices is essential. Stories of worker exploitation, racism, and abuse in regional workplaces highlight the need for better practices. Initiatives like Welcoming Workplaces, where businesses undergo accreditation, learn best practices, and access training opportunities, can create more welcoming and supportive work environments.

Recommendations to Improve Incentives and Retention:

- Comprehensive Support Services: Ensure adequate healthcare, childcare, and other essential services to meet the needs of migrant families.

- Educational Opportunities: Invest in university hubs and trade courses in regional and rural areas.

- Public Transportation: Develop reliable public transportation systems to reduce the dependency on personal vehicles.

- Community Education and Integration Programs: Implement initiatives like Welcoming Cities to promote inclusive and educated communities.

- Improved Workplace Practices: Support programs like Welcoming Workplaces to foster fair and supportive working environments.

- Increased Local Government Involvement: Engage local governments in developing and sustaining migrant retention strategies.

By addressing these factors, regional Australia can create an environment that attracts migrants and encourages them to stay and contribute to the community's growth and development.

Q7: Do provisional visas successfully encourage large scale retention of migrants in the regions? Is the length of a provisional visa the right length? Should both the regional employer sponsored visa and the regional nominated visa have the same provisional visa arrangements?

Provisional visas are intended to provide temporary residence while waiting for permanent visa status. However, the current system often leaves migrants in prolonged uncertainty, with some individuals remaining on provisional visas for as long as 13 years. This extended period of provisional status can undermine the stability and sense of belonging crucial for long-term retention.

While visa settings are essential in encouraging migrants to settle in regional areas, they are only part of the solution. These "stick" measures must be complemented by the "carrot" of safe, welcoming communities that actively support and integrate new residents. Migrants are more likely to stay if they feel valued and integrated into their new communities. This means providing not only adequate services and infrastructure but also fostering inclusive and supportive social environments.

It is essential to strike a balance regarding the length of provisional visas. The visa period should be long enough to allow migrants to establish themselves and demonstrate their commitment to the region but not so long that it becomes an indefinite state of limbo. A more reasonable and fixed duration for provisional visas and clear pathways to permanent residency would likely improve retention by providing migrants with greater certainty about their future.

Additionally, aligning the arrangements for regional employer-sponsored and regional nominated visas would create a more consistent and fair system. Both types of visas should have the same provisional arrangements to ensure that all migrants have equal opportunities and responsibilities, regardless of the specific pathway they choose. This alignment would simplify the visa system, making it more transparent and more accessible for both migrants and employers to navigate.

Q8: How can we improve planning for regional migration, especially given the return of migrants to regional Australia post-pandemic? Should there be more flexibility provided to states and territories in planning for regional migration?

Improving regional migration planning requires a comprehensive approach that integrates economic and social principles. This approach should be driven by stakeholders within the regions, including local governments, businesses, and community organisations. Effective regional migration planning needs to address each region's unique needs and capacities, ensuring that migrants are supported and integrated into their new communities.

One illustrative example is the situation in Townsville, which has a Designated Area Migration Agreement (DAMA). Despite an increasing community of migrants, Townsville has faced challenges in finding translators for specific languages, as the National Accreditation Authority for Translators and Interpreters (NAATI) does not always have translators available for all languages needed. The Welcoming Cities network has discussed these issues with the local council and possible solutions during the network meetings.

Local governments are vital as leaders, facilitators, and brokers in the regional migration process. They are essential in ensuring that migrants are effectively integrated into the community and their needs are met. However, local governments need to be supported and involved from the start of the planning process. They require adequate resources, information, and collaboration with other stakeholders to manage and support regional migration effectively.

The Welcoming Cities initiative provides a valuable framework and community of practice for local governments. This initiative offers bespoke support to councils and communities, helping them prepare to welcome migrants effectively. By leveraging such frameworks, local governments can create more inclusive and supportive environments for migrants, essential for their successful settlement and retention.