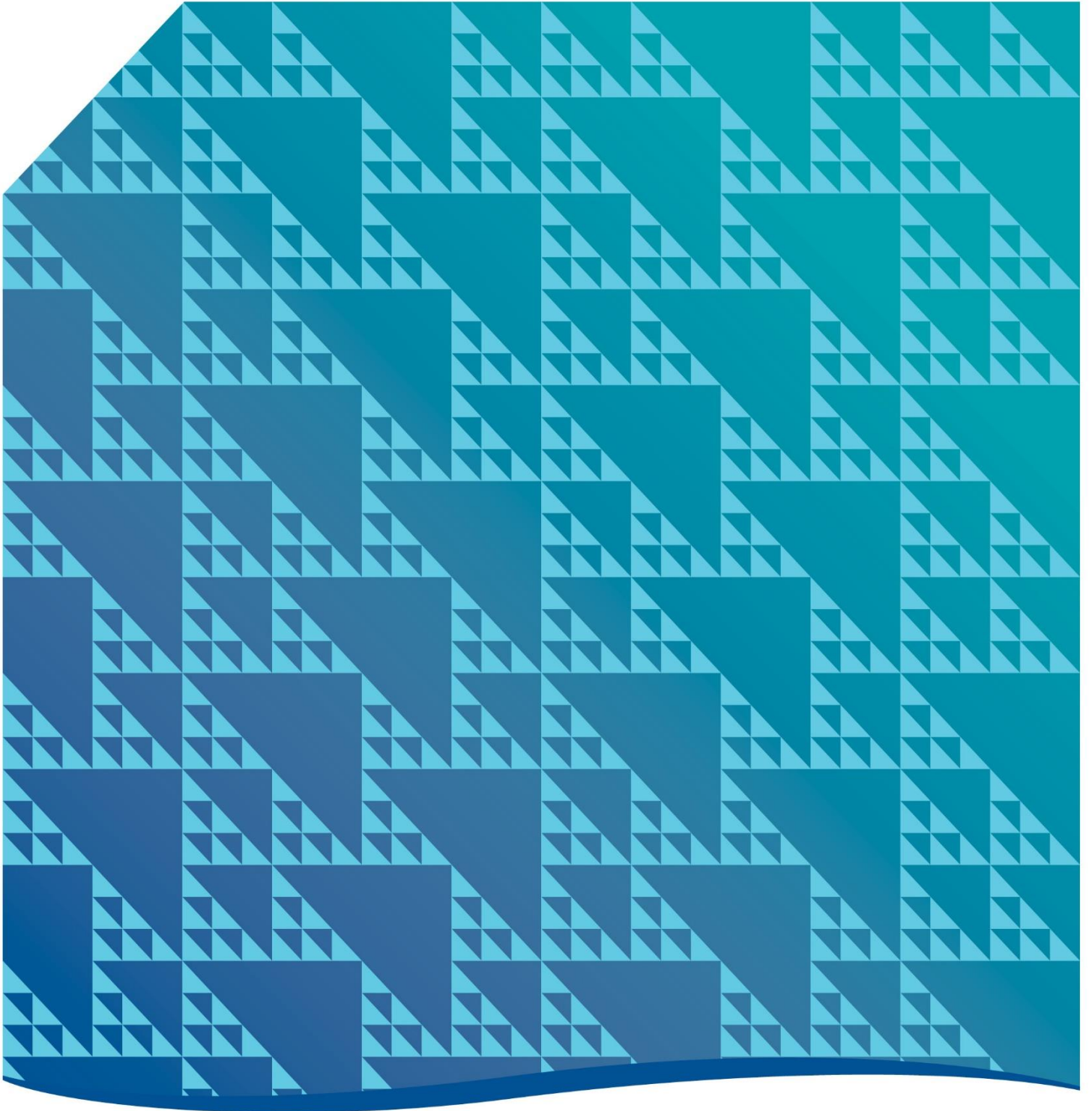


Temporary Visa Holder Skilled Employee Assistance Program



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Background

The Tasmanian Government recognises that there are a significant number of temporary visa holders in Tasmania who have lost their jobs and are experiencing hardship due to the restrictions in place to protect Tasmanians from COVID-19. Temporary visa holders are not entitled to income support from the Australian Government.

The Tasmanian Government has announced a package of support for temporary visa holders who are experiencing difficulties. Information can be found on coronavirus.tas.gov.au.

The Temporary Visa Holder Skilled Employee Assistance Program will help skilled temporary visa holders maintain a connection with their employers during COVID-19. The focus is on employees with skills and experience that make them critical to the business continuing or resuming trade as COVID-19 restrictions are eased.

A limited number of one-off assistance payments of \$2 000 will be paid to successful applicants. Only those sectors which have been impacted by COVID-19 restrictions will be considered eligible. Priority will be given to the tourism and hospitality sector. Other sectors will be considered on a case-by-case basis with reference to Tasmanian Government COVID-19 restrictions.

Employees are only entitled to apply through one employer. Multiple employees from a single employer may apply. Both the employee and employer are required to submit information as part of the application. Employees are responsible for commencing the application.

All applicants will be notified of the outcome by email. Where applicants are successful, **assistance will be paid directly to employees.**

Eligibility

Eligible applicants

Employees must:

1. be a temporary or provisional visa holder in one of the following categories:
 - Skilled Regional (Provisional) visa (subclass 489)
 - Skilled Work Regional (Provisional) visa (subclass 491)
 - Skilled Employer Sponsored (Regional) (subclass 494)
 - Temporary Graduate visa (subclass 485)
 - Temporary Work (Skilled) visa (subclass 457)
 - Temporary Skill Shortage visa (subclass 482)
 - Bridging visa (associated with an application for one of the above eligible visa subclasses)
 - Bridging visa associated with an application for Skilled Nominated (Permanent) visa (subclass 190) (Tasmanian Government nomination)
2. have been employed on or before 31 January 2020
3. have been laid off, stood-down or had their hours reduced due to COVID-19
4. have been employed in a skilled role. Skilled roles will generally be determined as those occupations which accord with Australian and New Zealand Standard Classification of Occupations ([ANZSCO Skill Level 1, 2 or 3](#)). In cases where the ANZSCO is equivalent to a Skill Level of 4 or below, it will be up to the employer to demonstrate why the employee is critical to the business, that the employee has significant or specialised training and/or experience, and why it is not possible to recruit another suitably qualified employee from the Tasmanian labour market.
5. not have already commenced work with another employer in a skilled occupation ([ANZSCO Skill Level 1, 2 or 3](#))
6. reside within Tasmania at the time of the application, and
7. have an Australian bank account.

Employers must:

1. have been operating their business (not a hobby or charity) in Tasmania on or before 31 January 2020
2. be registered for tax purposes in Australia with an Australian Business Number (ABN) which was active on or before 31 January 2020
3. demonstrate how the business has been impacted by COVID-19
4. demonstrate how the skills and experience of the employee make them critical to the business both before COVID-19 and to support continuation or resumption of trading. Employers will be asked to try to identify an ANZSCO code for their employee. Skilled roles will generally be determined as those occupations which accord [ANZSCO Skill Level 1, 2 or 3](#).
5. for positions identified as or equivalent to ANZSCO Level 4 or below, provide strong evidence to demonstrate why the employee is critical to the business, that the employee has significant or specialised training and/or experience, and that the employer is unlikely to be able to recruit a similarly qualified person from the Tasmanian labour market

6. describe how the business has the ability to resume or continue trading in-line with the easing of COVID-19 restrictions, and
7. intend to have a COVID-19 Safety Plan in place by 15 June 2020 (where required by WorkSafe Tasmania).

Australian and New Zealand Standard Classification of Occupations (ANZSCO)

The **employer** application includes a question which asks the employer to identify an ANZSCO code which applies to the occupation of the employee. ANZSCO refers to the Australian and New Zealand Standard Classification of Occupations established by the Australian Bureau of Statistics. An ANZSCO code will help to define the skill level, relevant qualifications and experience associated with a particular occupation.

While an ANZSCO code is not compulsory, it will greatly assist in determining eligibility and informing assessment. A [link to the ANZSCO search facility](#) will be provided.

As a general guide, only occupations at an ANZSCO Level of 1, 2 or 3 will be considered sufficient, with strong evidence required to support applications for ANZSCO Level 4 and below. Specific examples of these occupations and associated levels in the tourism and hospitality sector include:

- Chef (ANZSCO Skill Level 2)
- Accommodation and hospitality managers (ANZSCO Skill Level 2)
- Hotel and motel manager (ANZSCO Skill Level 2)
- Café or restaurant manager (ANZSCO Skill Level 2)
- Cook (ANZSCO Skill Level 3)

The following occupations are unlikely to meet requirements:

- Waiters (ANZSCO Skill Level 4)
- Bar attendants and baristas (ANZSCO Skill Level 4)
- Café worker/assistant/attendant (ANZSCO Skill Level 5)
- Bar useful or busser (ANZSCO Skill Level 5)
- Doorperson or luggage porter (ANZSCO Skill Level 5)
- Cleaners and laundry workers (including Housekeeping) (ANZSCO Skill Level 5)

Ineligible applicants

- Employees who have already commenced employment with another employer in a skilled occupation equivalent to ANZSCO Level 1, 2 or 3.
- Employees working for limited service restaurants, including the following:
 - fast food or takeaway food services (this does not apply to food services that have adapted services to encompass takeaway food due to COVID-19 trading restrictions)
 - fast casual restaurants that do not offer full table service
 - limited service cafes including, but not limited to, coffee shops or mall cafes, and
 - limited service pizza restaurants.
- Employers who do not anticipate an ability to resume or continue to employ the temporary visa holder employee as COVID-19 restrictions are eased.
- Former employees who have left Tasmania.
- Non-employing businesses.

- Not for profit organisations, unless trading or funding activities are a substantial part of the organisation's activities.
- Unincorporated associations.

Assessment

Assessment will include two components:

Stage 1: Eligibility

- Applications must meet all eligibility requirements relevant to the circumstances of both the employee and employer
- Both the employee and employer must complete all required parts of their own application.
- Only those sectors which have been impacted by COVID-19 restrictions will be considered eligible. Priority will be given to the tourism and hospitality sector. Other sectors will be considered on a case-by-case basis with reference to Tasmanian Government COVID-19 restrictions.
- Only eligible applications will progress to competitive assessment.

Stage 2: Competitive assessment

- All eligible applications will be competitively assessed, taking into account the following factors:
 1. The impact to the industry and business as a result of COVID-19.
 2. The skill level and experience of the employee.
 3. The importance of the employee in enabling the business to continue or resume trading.
 4. The ability to recruit a similarly skilled employee from within the Tasmanian labour market.
 5. The ability of the business to continue or resume trading as COVID-19 restrictions are eased.
 6. Priority will be given to the tourism and hospitality sector.
- All decisions are final and cannot be appealed.

Funding allocation

A one-off payment of \$2 000 will be paid to each successful applicant.

Notes:

1. Applications will need to meet requirements for both employee and employer
2. If the application is successful, the assistance payment will be paid into the employee's bank account via electronic funds transfer
3. The employer may under no circumstances request payment or part payment where the application is successful
4. Employees will only be able to receive a payment in relation to one eligible employer. Multiple payments associated with multiple employers will not be made.

Note: the Department of State Growth is not responsible for applicants who do not submit correct bank account details.

Application process

1. Applications will open at 3.00pm Wednesday, 3 June 2020.
2. **All employees** must complete their application by 1.00pm Tuesday, 16 June 2020.
3. **All employers** must complete their part of the application by 1.00pm Thursday 18 June 2020.
4. Potential applicants should contact Business Tasmania on 1800 440 026 with any queries.
5. Applicants must complete and lodge an application online via the Business Tasmania website www.business.tas.gov.au.
6. Both the employee and employer will be required to submit information as follows:
 - i. The **employee** must complete an online application first
 - ii. Once the employee has submitted their application, an email containing a unique link to the employer form be sent the employee's email address. The employee must then forward this email to their employer to enable them to complete the second part of the application.
 - iii. The **employer** should click on the link provided which will take them to their part of the application form. This must be completed in full and submitted before the application will be considered complete.
7. Applicants should contact Business Tasmania on 1800 440 026 if they require any assistance in lodging an application.
8. Applicants will be advised of the outcome of the application via email.

Taxation and financial implications

The receipt of funding from this program may be treated as income by the ATO. While payments of this type are typically treated as assessable income for taxation purposes, how they are treated will depend on the recipient's particular circumstances.

It is strongly recommended that potential applicants seek independent advice about the possible tax implications for receiving the payment under the program from a tax advisor, financial advisor and/or the ATO, prior to submitting an application.

Confidentiality

The Department of State Growth may use and disclose the information provided by applicants for the purposes of discharging its respective functions under the program guidelines and otherwise for the purposes of the program and related uses.

The Department of State Growth may also:

1. use information received in applications for any other departmental business, and
2. use information received in applications for reporting.

Administration and contact details

The program will be administered by the Department of State Growth on behalf of the Crown in Right of Tasmania. Any person requiring further advice or information on the program, or submitting an application, is asked to direct enquiries to: ask@business.tas.gov.au or Business Tasmania on 1800 440 026.

Timeframes

Applications will open at 3.00pm Wednesday, 3 June 2020. All employees must complete their application by 1.00pm Tuesday, 16 June 2020. All employers must complete their part of the application by 1.00pm Thursday 18 June 2020. Competitive assessment will not commence until after the closing date.

It is expected that there will be high volumes of applications and the department will be working hard to undertake the assessment process and process funding to each successful applicant as quickly as possible.

Publicity of payment assistance

The Department of State Growth disburses public funds and is therefore accountable for the distribution of those funds. As part of the accountability process, the department may publicise the level of financial assistance, the identity of the recipient, the purpose of the financial assistance, and any other details considered by the department to be appropriate.

Right to information

Information provided to the Department of State Growth may be subject to disclosure in accordance with the *Right to Information Act 2009*.

Personal information protection

Applicants will provide personal information to the Department of State Growth, which will manage that information in accordance with the *Personal Information Protection Act 2004*. The personal information collected in the applications will be used by the Department for the purpose of assessing applications for assistance, providing funds to successful applicants. Failure to provide the required information may result in the application for assistance not being processed or records not being properly maintained. The Department may also use the information for related purposes, or disclose it to third parties in circumstances allowed for by law. Individuals have the right to access their personal information by request to the Department and may be charged a fee for this service.

Disclaimer

Although care has been taken in the preparation of this document, no warranty, express or implied, is given by the Crown in Right of Tasmania, as to the accuracy or completeness of the information it contains. The Crown in Right of Tasmania accepts no responsibility for any loss or damage that may arise from anything contained in or omitted from or that may arise from the use of this document, and any person relying on this document and the information it contains does so at their own risk absolutely. The Crown in Right of Tasmania does not accept liability or responsibility for any loss incurred by an applicant that is in any way related to the program.



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