

# Temporary Visa Holder Skilled Employee Assistance Program

(updated 15 June 2020)

## Frequently asked questions

This document should be read in conjunction with the Temporary Visa Holder Skilled Employee Assistance Program guidelines.

Questions and answers have been separated into those most applicable to the employee and employer as it applies to the application form. It is, however, recommended that both parties read all sections to understand all requirements associated with the program.

### For Employees

[I am a temporary visa holder, but my visa subclass is not listed. Am I eligible to apply?](#)

No, only those temporary visa holders in the visa subclasses specified are eligible to apply. Refer to [coronavirus.tas.gov.au](https://coronavirus.tas.gov.au) for other support options available.

[Do I need an Australian bank account?](#)

Yes, you will need an Australian bank account to be eligible to apply. Funds cannot be paid to overseas bank accounts. Cash payments are not available.

[Do I need to provide any evidence of available funds?](#)

No, there is no requirement to provide information in relation to your current bank balance. A copy of your bank statement is requested in the application for the purpose of establishing that your salary has been paid into your bank account by your employer.

[What types of skilled occupations will be considered eligible?](#)

Both you and your employer will be asked to provide information in relation to your occupation and the main duties performed. **Your employer** will also be asked to attempt to [identify an ANZSCO code](#) for your occupation. ANZSCO refers to the Australian and New Zealand Standard Classification of Occupations. An ANZSCO code will help to define the skill level, relevant qualifications and experience associated with a particular occupation.

In general, only skilled occupations with an ANZSCO level of between 1 and 3 will be considered sufficient to meet the eligibility criteria. In the hospitality industry this may, for example, include chefs, cooks and hotel managers. Occupations such as bar or café attendants and cleaners will not be eligible, unless strong evidence can be shown as to 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. Further details in relation to the types of positions that will be considered eligible are outlined in the employer section below.

**I do not have a written employment contract. How can I demonstrate that I was employed?**

An employment contract is an agreement between an employer and employee that sets out terms and conditions of employment. A contract can be in writing or verbal.

While a written employment contract is not a compulsory requirement, you will need to provide evidence to demonstrate your employment, including payslips and bank statements.

**I was employed in Tasmania but have already moved to another state. Am I eligible to apply?**

No, only skilled temporary visa holders currently residing in Tasmania are eligible to apply.

**I was stood down or laid off from my employment for a reason other than COVID-19. Am I eligible to apply?**

No, the program is designed to help ease the impact of COVID-19 restrictions on skilled temporary visa holder employees and their employers. Accordingly, if you were stood down or laid off from your employment for a reason unrelated to COVID-19 restrictions, you are not eligible to apply.

**I do not meet the full eligibility criteria. Is any further support available for temporary visa holders?**

Yes, further details in relation to assistance available to temporary visa holders is available at [coronavirus.tas.gov.au](https://coronavirus.tas.gov.au)

**How will I know when my employer/former employer has completed their part of the application?**

You should maintain communication with your employer throughout the process to ensure that the application is completed in full by the deadline.

**When will I find out if my application is successful?**

Assessments will commence on 22 June 2020 and applicants will be notified once this process is completed.

**I am interested in applying for the Tasmanian Government Skilled Migration State Nomination Program. Will my application impact my eligibility for state nomination?**

No, your application for this program will not be considered as part of assessment for state nomination.

## **For Employers**

**I registered my business after 31 January 2020. Is my employee still eligible to apply?**

No, only businesses registered on or before 31 January 2020 meet the eligibility criteria.

**I don't have an ABN. Is my employee still eligible to apply?**

No, only businesses with an ABN are eligible.

[My business has continued to trade during COVID-19, but our revenue has been significantly reduced. Will my employee be eligible to apply for the program?](#)

Possibly, the overall impact of COVID-19 to the businesses will be considered as part of the competitive assessment. Where a business has continued to trade through COVID-19, but there has been an impact as a result of COVID-19 restrictions this will be taken into account. For example, a restaurant may have closed to dine in patrons, but continued or commenced offering takeaway while meeting physical distancing and other COVID-19 safety requirements. If the employee has continued to work through this period, the reduction in hours will also be taken into account as part of the overall competitive assessment.

[My business has continued to trade, with little impact to revenue or hours of work. Will my employee be eligible to apply?](#)

No, only employers that can demonstrate an impact to their business as a result of COVID-19 will meet eligibility criteria. In addition, employees will need to have been stood down, laid off or had their hours reduced as a result of COVID-19.

[What is an ANZSCO code and do I have to provide it?](#)

The **employer** application includes a question 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.

A [link to an ANZSCO search facility](#) is provided. Employers should type in a keyword(s) to display a list of possible ANZSCO codes and occupation titles. Once the most appropriate code and title is located, click on the code to show the occupation definition.

While an ANZSCO code will assist us in determining eligibility and informing assessment, it is not compulsory. In cases where you are unable to identify an ANZSCO code you will still be required to describe the skills, experience and other circumstances which make the employee critical to the business both before COVID-19 and to support resumption of trading as restrictions are eased.

[What types of skilled occupations are likely to meet the skill requirements?](#)

As a general guide, only occupations which are considered to be at an ANZSCO Level of 1, 2 or 3 will be considered sufficient. 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 (unless strong evidence can be shown as to why the employee is critical to the business and that the employer is unlikely to be able to recruit a similarly qualified person from the Tasmanian labour market):

- 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)

**My employee has an occupation equivalent to an ANZSCO 4 or below. Can my employee still apply?**

Yes, however your employee will not be eligible unless you (the employer) can provide strong evidence as to why the employee is critical to the business, that the employee has significant or specialised training and/or experience, and that you are unlikely to be able to recruit a similarly qualified person from the Tasmanian labour market.

**Will the type of hospitality business be taken into account in determining eligibility?**

Yes, employees working for limited service restaurants will not be considered eligible. Limited service restaurants for the purposes of this program include 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.

**I have a business outside of the tourism and hospitality sector. Will my employee be eligible to apply?**

Possibly, while applicants from other sectors are welcome to apply, priority will be afforded to tourism and hospitality applicants. The tourism and hospitality sector within Tasmania has been significantly impacted by COVID-19 restrictions. Information gathered also shows that this sector relies on skilled temporary visa holders in a number of key occupational shortage areas.

**My business is unlikely to be able to return to normal trading patterns in the near future. I am also unlikely to be able to offer my employee/former employee regular hours. Can my employee still apply?**

Yes, however if you do not anticipate being able to engage your employee in line with the easing of restrictions and at a sustainable level, it is unlikely that the application would be successful.

**How do I know what my responsibilities are in relation to developing a COVID-19 Safety Plan?**

As part of the 'Rebuild a Stronger Tasmania' plan, all workplaces that are reopening will be required to have a COVID-19 Safety Plan that complies with minimum COVID-19 safety standards. Workplaces that have continued to operate should consider completing a safety plan by 15 June 2020. Minimum Standards will be introduced by 15 June 2020.

[Templates](#) are available to support small and medium-sized businesses to assist in the development of COVID-19 Safety Plans based on sector-specific guidelines. Developing a COVID-19 Safety Plan is the best way to demonstrate compliance with the Minimum Standards.

Further details in relation to all requirements can be found at [coronavirus.tas.gov.au](https://coronavirus.tas.gov.au)