

# **Staff Visa Sponsorship Policy**

### **Section 1 - Purpose**

(1) This Policy outlines the University's principles in determining eligibility for visa sponsorship for Prospective Staff members and Current Staff members.

#### Scope

(2) This Policy applies to Prospective Staff members and Current Staff members of the University and its Controlled Entities (the University) who require a visa to legally work in Australia for Macquarie University.

(3) This Policy does not apply to Casual Staff members.

(4) This Policy does not apply to international skilled workers who are eligible to apply for (or hold) a visa that will meet the duration of their fixed term employment, such as the <u>Temporary Graduate (subclass 485) Post-Higher</u> <u>Education Work Stream Visa</u>.

(5) All decisions relating to the approval of visa sponsorship are based on the business needs of the University and are at the discretion of the University.

# Section 2 - Policy

(6) In approved circumstances, the University may support visa sponsorship for Prospective and Current Staff members to attract and retain outstanding researchers, clinicians and staff.

(7) The University is not obliged to sponsor Prospective Staff members or Current Staff members for any form of visa.

(8) Prospective Staff members and Current Staff members may be sponsored by the University for a visa if they meet the eligibility criteria set out by the <u>Department of Home Affairs</u> and the provisions of this Policy.

(9) Where legislatively permitted, visa sponsorship may include dependents (such as spouse, defacto partner and dependent children).

(10) The Deputy Vice-Chancellor (People and Operations), in consultation with the Chief People Officer, may, in exceptional circumstances, approve a request which does not meet the requirements of this Policy. Such a request must be accompanied by a business case and any approval must not conflict with migration law. The business case must be endorsed by an Executive Group Member as appropriate.

### Funding

(11) The Faculty, School, Organisational Unit or Entity that sponsors a Prospective Staff member or Current Staff member for a sponsored visa must cover all applicable <u>Nomination and Skilling Australians Fund Levy</u> charges.

(12) The <u>cost of sponsoring</u> should be factored into the budget by the Faculty, School, Organisational Unit or Entity responsible for appointing the Prospective Staff member or Current Staff member. These costs cannot be passed on to the visa applicant or any external parties.

(13) Unless the Faculty, School, Organisational Unit or Entity determines otherwise, the visa applicant must meet the cost of the visa application fee for themselves and any accompanying family members.

(14) If the Faculty, School, Organisational Unit or Entity meets a visa application fee the Faculty, School, Organisational Unit or Entity will be responsible for any Fringe Benefits Tax (FBT) liabilities that may be incurred.

### **Sponsored Visa Types**

#### **Temporary Residency**

(15) International skilled workers may be eligible for a Temporary Residency <u>Skills in Demand Subclass 482 (SID) Visa</u> if they are offered full time employment by the University in an occupation with a skill shortage in Australia that is listed on the <u>Core Skills Occupation List (CSOL)</u>.

(16) The applicant must demonstrate that they have the appropriate skills, experience and qualifications required for the SID Visa.

(17) The position must be highly specialised and must require unique skills and experience not readily available in the local labour market. Genuine <u>labour market testing</u> is a mandatory requirement. The position must be advertised as part of a competitive recruitment campaign.

(18) The SID Visa would not normally be available for professional roles in an occupation with largely administrative processing tasks due to the availability of these skills in the Australian marketplace.

(19) All academic and clinical roles may be eligible for a SID Visa where it can be demonstrated that the position cannot be recruited locally.

(20) Professional roles may be eligible for a SID Visa where it can be demonstrated that the position cannot be recruited locally and would therefore be expected to be for positions classified at HEW Level 8 (or equivalent for Controlled Entities) or higher.

(21) If requested in writing by the sponsored employee, the University must arrange or pay travel costs for them and their sponsored family members to leave Australia. Economy class travel will be arranged for the sponsored visa holder and their accompanying family members to return to their country of passport. Such travel costs must be arranged or paid within 30 days of receiving the request from the employee.

#### **Permanent Residency**

(22) The University may sponsor a Prospective Staff member or Current Staff member for permanent residency through a Permanent Residency <u>Employer Nomination Scheme Visa Subclass 186 Visa</u>.

(23) The position must be on the <u>Core Skills Occupation List (CSOL)</u> and the applicant must demonstrate that they have the appropriate skills, experience and qualifications required for the Permanent Residency Visa.

(24) The applicant must hold a full-time employment contract with at least four years employment remaining from the date of lodgement of the Permanent Residency visa application. This employment period may change to reflect the visa processing time by the <u>Department of Home Affairs</u>.

(25) Academic and clinical roles may be eligible for a Permanent Residency Visa.

(26) Professional roles must have a positive <u>Skills Assessment</u> in the nominated occupation. The Permanent Residency Visa would not normally be available for professional roles in an occupation with largely administrative tasks (eg. classified below HEW Level 8 or equivalent for Controlled Entities) due to the availability of these skills in the Australian marketplace.

(27) A letter of recommendation from the applicant's supervisor must be endorsed by an Executive Group Member as appropriate, before the application can be considered.

## **Section 3 - Procedures**

(28) Nil.

## **Section 4 - Guidelines**

(29) Nil.

# **Section 5 - Definitions**

(30) The following definitions apply for the purpose of this Policy:

- a. Casual Staff member is a Staff member of the University who is paid and engaged by the hour.
- b. Current Staff member is a person who is not an Australian citizen or permanent resident employed by the University.
- c. Controlled Entity/Entities means a person, group of persons or body of which the University or the University Council has control within the meaning of Section 39 (IA) or 45A (IA) of the <u>Government Sector Audit Act</u> <u>1983</u> (NSW).
- d. Prospective Staff member is a person who is not an Australian citizen or permanent resident who will be or has been offered employment with the University.

#### **Status and Details**

Status	Current
Effective Date	21st July 2025
Review Date	21st July 2030
Approval Authority	Deputy Vice-Chancellor (People and Operations)
Approval Date	21st July 2025
Expiry Date	Not Applicable
Responsible Executive	Eric Knight Deputy Vice-Chancellor (People and Operations)
Responsible Officer	David Ward Chief People Officer
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