



## TNQ Skills Master Class Slide Notes

**Ann Radke – Yuruga Nursery**

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My husband and I own Yuruga Nursery on the Atherton Tablelands. In this presentation I will be using our business as a case study to illustrate how we have continued to grow and develop in the face of the current skills and labour shortage.

I will start by giving you a background insight into our business so that you have a context in which to understand the strategies that we have put in place.

Our business is growing plants. As you can see, we are a rural business. We actually have two separate companies, Yuruga Nursery and Clonal Solutions Australia, which operate from the same premises and share many of the same facilities.

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Yuruga Nursery is a specialist native plant nursery, formed in 1985. Plants produced at Yuruga have a variety of markets including home gardens, screens, windbreaks, landscapes and developments, revegetation projects, wildlife corridors, farm forestry, cut foliage production, and bush food plots.

Yuruga consists of two sections:

- the Wholesale Production Section which produces the plants from seeds and cuttings and sells them to other nurseries, landscapers etc, and
- the Retail Garden Centre which sells our plants direct to the public.

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Clonal Solutions Australia is a spin-off company of Yuruga, formed in 2003 specifically to service the forestry and agricultural industries.

Clonal Solutions is a highly specialised operation, mass-producing high-value seedlings for agricultural and forestry plantations. Some of our customers are the largest timber companies in Australia, and orders are placed in the millions of seedlings.

Our plants are distributed throughout Australia; although currently most of the plantations we are supplying are located fairly close to home here in north Queensland, as the timber companies are expanding their operations into tropical Australia.

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We began our nursery in 1985, when we decided to turn our hobby of native plants into a business. We established the nursery from scratch using our small savings ....

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... and left our jobs as High School teachers in 1987 to operate the nursery full-time. The nursery grew rapidly, and within 5 years we were employing 6 people full-time.

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During the 1990s we secured some major contracts which allowed us to embark on a major expansion of our facilities ...

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... and so the nursery has grown so that we are now the largest nursery in north Queensland and one of the largest private employers on the Tablelands. We currently have a full-time staff of 50, and an annual payroll of well over a million dollars.

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Our business is highly capitalised, with high-tech, modern facilities, including a purpose built tissue culture laboratory, and we are recognised as leaders in the Australian nursery industry.

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Plant propagation is a very labour intensive operation.

Every stage involves people, from harvesting motherstock, to preparing cuttings, to collecting, processing and planting seed, to potting plants, to preparing and deflasking tissue-culture material, to picking orders and preparing plants for dispatch.

People are therefore the basis of our operation.

Several years ago a large southern company decided to build a robot to automate the plant production process, but the innovation was unsuccessful and the company failed spectacularly, losing a vast amount of money in the process. So for the foreseeable future at least, large-scale automation is not a viable solution to the labour shortage in our industry.

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So, we employ a lot of people. The Employment Contract between us and our staff is therefore fundamental to our business operation.

Up until recently, the only option for employment in nurseries was the Award. However, the Award was inflexible, outdated, and did not reflect the modern workplace or modern society. To illustrate this, until a few years ago it was actually called the Nurseryman's Award! It was a dinosaur.

So, about a year ago we decided to create our own workplace agreement, as allowed under federal law. This involved a large amount of consultation with staff over an extended period of time, and resulted in our own workplace Employee Collective Agreement which is registered with the Workplace Authority under the Federal Workplace Relations Act.

The agreement replaces the Award, and covers a whole range of issues, but the key thing pertinent to this paper on the skills and labour shortage, is the flexibility of work hours that are now available to our staff. For instance, staff can work up extra hours during school term and draw down on this during school holidays, thus allowing them to take paid time off during school holidays. They can now work extra hours and earn more money, whereas previously they had to get a second job such as the night shift packing shelves at Coles. They can vary their hours according to the requirements of their children and their family. They can cash-in up to 2 weeks of their annual leave to top up their cash situation.

There is a large amount of flexibility, and this has allowed us to tap into the pool of otherwise stay-at-home parents who can now work the hours that suits their particular situation. This is one of the key strategies that have allowed us to retain our existing staff and to find sufficient new staff to continue expanding our business.

**Sandy Whyte - Cairns Chamber of Commerce**

The Department of Immigration and Multicultural Affairs (DIMA) has a number of programs that enable employers in regional areas fill skilled occupations when the positions cannot be filled from the local labour market.

Website links to details on the two key programs offered by DIMA are below:

1. Temporary Business Long Stay – Standard Business Sponsorship (subclass 457) / 1196  
<http://www.immi.gov.au/skilled/skilled-workers/sbs/index.htm>
2. Regional Sponsored Migration Scheme (subclass 119/857)  
<http://www.immi.gov.au/skilled/skilled-workers/rsms/index.htm>

Suitable occupations fall into the range of Australian Standard Classification of Occupations (ASCO) codes of 1\*\*\*-\*\* to 7\*\*\*-\*\*. A sample list of occupations and suitable programs are listed below. (see slide 4)

### Certification Process for RSMS and Regional 457 Visa Applications

The Cairns Chamber of Commerce is a Regional Certifying Body as gazetted by the Department of Immigration and Citizenship. We consider applications from the Cassowary Coast Regional Council, north to and including the Torres Straits and West to the Northern Territory Border with Queensland. This includes the Tablelands and Cairns Regional Councils.

#### Certification Process by Regional Certifying Body

*If you require assistance with completing your application, you will need to contact a Migration Agent or the Dept of Immigration. Some useful links and contacts are at the end of this document.*

The standard turnaround time for our certification process is 10 working days (once correct documentation has been supplied). If the applicant's visa is going to expire within this, we suggest that you contact the Dept of Immigration or a Migration Agent for advice.

Step 1. Follow the steps outlined on the Dept of Immigration website for the program you are applying under (as per website links at the start of this document), then:

Step 2. Ensure your application addresses the following items that we consider when assessing your application:

- The position cannot be filled locally.
- The tasks of the nominated position correspond to the tasks of a skilled occupation
- The position being considered is a genuine, full time position that is necessary to the operation of the business.
- The working conditions of the position, including salary, will be no less favourable than those provided for under Australian legislation and awards.
- For Regional 457 applications, the wages or salary for the position must be at least equal to the minimum salary level that applies to regional concession arrangements and you are to select 'Yes' on your form to seek an exemption from the minimum salary level. See below re: salary figures:  
*The minimum salary level will change each year. The minimum gross annual salary (excluding bonuses, overtime and superannuation) based on a **38 hour** week is currently set at \$51,570 for Information and Communication Technology occupations and \$37,665 for all other gazetted occupations. Non-IT occupations in the ASCO code range of 1-4 that are paid at or above \$41,850, do not require regional certification and are to be lodged directly with the Dept of Immigration.*



Step 3. Send the following documents to the Cairns Chamber of Commerce.  
*(Apart from the Dept of Immigration Forms, documents supplied to our office will not be returned. Please keep copies).*

1. Dept of Immigration Form:
  - a. 1054 (RSMS); or Form 1196 or Form 1196R + copy of e457 (Reg457)
2. Job Description including the relevant ASCO Code;
3. Resume/CV;
4. Draft Employment Contract;
5. Evidence of labour market testing i.e. copies of advertisements for position/letter outlining need for position and inability to fill from local labour market
6. Organisational chart
7. Payment of \$550.00/position made out to "Cairns Chamber of Commerce"
8. Send items 1-7 to:

Cairns Chamber of Commerce  
PO Box 2336, CAIRNS QLD 4870  
Email: [visas@cairnsschamber.com.au](mailto:visas@cairnsschamber.com.au)  
Ph: 07 40311838 Fax: 07 40310883

Step 3. We will assess the application and make a decision as to whether or not we certify the application. If we certify the application, the original form 1054/1196/1196R and a letter of approval will then be returned to you to lodge with the Dept of Immigration. *Please note that certification of an application by the Cairns Chamber of Commerce does not guarantee that it will be approved by the Dept of Immigration.*

Step 4. Once you have received certification from us, you then need to lodge your application with the Dept of Immigration as explained in their forms.

#### Contacts and Links

##### (a) Department of Immigration – Cairns Office

All Forms and Information on their website: <http://www.immi.gov.au>  
Mr Garry Chaston – Regional Outreach Officer Ph: (07) 4044-5912  
Email: [garry.chaston@immi.gov.au](mailto:garry.chaston@immi.gov.au)  
Level 2, GHD Building, 95 Spence Street, Cairns QLD 4870.

##### (b) Local Migration Agents

Company Telephone Facsimile  
A-Counting Plus 40426100 40313418  
Bottoms English Lawyers 40515388 40515206  
Carol Shipway 40518788 40314672  
Frank Lanza 40316676 40314627  
Gayler Cleland Towne 40516111 40517504  
John Young 40413955 40413955  
MacDonnells Solicitors 40300600 40300699  
Migration Help 40556266 40575575  
Migration Pathways 40977556 40977556

##### (c) Websites of Interest

#### **General Information**

Employer Sponsored Migration  
(handbook)

<http://www.immi.gov.au/allforms/books5.htm>

Regional migration programs <http://www.immi.gov.au/migration/regional/index.htm>

Regional Certifying Bodies [http://www.immi.gov.au/migration/employers/certifying\\_bodies.htm](http://www.immi.gov.au/migration/employers/certifying_bodies.htm)

Dept of Immigration Offices <http://www.immi.gov.au/contacts/index.htm>

Wageline – Award Wages and Conditions



<http://www.wageline.qld.gov.au/index.html>  
Skills Matching Database <http://www.immi.gov.au/skills/index.htm>  
Australian Skills Recognition Information (ASRI)  
<http://www.immi.gov.au/asri/>  
Australian Standard Classification of Occupations (ASCO)  
<http://www.abs.gov.au/ausstats/abs%40.nsf/66f306f503e529a5ca25697e0017661f36fa7a08bbd364a5ca25697e00184ce1>

#### **Reg457 Links**

General information on Temporary Residency  
[http://www.immi.gov.au/allforms/visiting\\_business\\_long.htm](http://www.immi.gov.au/allforms/visiting_business_long.htm)  
Form 1196 – Sponsoring Temporary Overseas Workers to Australia  
<http://www.immi.gov.au/allforms/pdf/1196.pdf>  
Dept of Immigration Fees for Regional 457 Application  
<http://www.immi.gov.au/allforms/990i/temporary-businessentry.htm>  
Excluded occupations – Regional 457  
[http://www.immi.gov.au/legislation/gazettals/gazettals04/040211\\_salary.pdf](http://www.immi.gov.au/legislation/gazettals/gazettals04/040211_salary.pdf)  
Skills Recognition <http://www.training.qld.gov.au/skillsrec/osqa.htm?select#9>  
Trades Assessment  
<http://www.workplace.gov.au/workplace/Individual/Migrant/TradesRecognitionAustralia.htm>

#### **Regional Sponsored Migration Scheme (RSMS) Links**

General information on the Regional Sponsored Migration Scheme  
<http://www.immi.gov.au/migration/employers/rsms.htm>  
Form 1054 – Employer Nomination under the Regional Sponsored Migration Scheme  
<http://www.immi.gov.au/allforms/pdf/1054.pdf>  
Dept of Immigration Fees for RSMS Application  
<http://www.immi.gov.au/allforms/990i/employer-sponsored.htm>

#### **RSMS (Regional Sponsored Migration Scheme)**

Conditions to meet:

The employer must have a genuine vacancy that:

- is available for at least two consecutive years;
- is unable to be filled through the local labour market;
- requires the skills of at least an Australian diploma level;
- will be remunerated in accordance with Australian industrial laws

The visa applicant must:

- have the relevant qualifications/experience (at least Australian diploma level) for the position;
- be able to meet mandatory licensing requirements for the position;
- be less than 45 years old;
- have functional English;
- meet health and character requirements (family members included)

The RSMS process consists of three distinct stages:

- certification of the nomination/vacancy (by a certifying body such as the Chamber);
- nomination by the employer is assessed by Dept of Immigration; and
- nominee's application for a visa.

#### **The Position**

- The RCB certifies the position, not the employee.
- Certification can be given, even when no employee is known, and remains valid for six (6) months.
- The Skills Matching Database provides an alternative means for employers to located possible staff to fill the position. This is available on-line via the Dept of Immigration website.

#### **(b) Reg457 (Regional Certified 457)**

The Regional Certified 457 is a sub-set of Visa Class 457. Businesses who wish to seek an exemption from the minimum skill and/or salary levels must seek certification of the nomination by a Regional Certifying Body.

Conditions to meet:

The employer must have a genuine vacancy that:

- is available for three months to four years;
- is unable to be filled through the local labour market;
- will be remunerated in accordance with Australian industrial laws and have a minimum annual salary as gazetted by Dept Immigration from time to time. This amount is currently \$37665 (excluding superannuation, allowances and bonuses).

Certification Process for RSMS and Regional 457 Visa Applications

The Position

Covers:

- ASCO 1 – 7 (some exceptions)
- Managers and Administrators
- Professionals
- Associate Professionals
- Tradespersons and Related Workers
- Advanced Clerical and Service Workers
- Intermediate Clerical, Sales and Service Workers
- Intermediate Production and Transport Workers

Exceptions:

- Some occupations are not eligible to be nominated.
- ASCO Level 8 – Elementary clerical, sales and service workers;
- ASCO Level 9 – Labourers and related workers
- Apprentice tradespersons & associated workers
- Assistant and trainee positions
- Occupations that are “Not elsewhere classified” (NEC - 79) in ASCO Major Groups 5 - 7
- Occupations that, for legislative reasons, can only be filled by an Australian citizen or permanent resident
- Religious workers for which there are separate specialised temporary entry visa subclasses
- Tour guides
- Positions as gazetted by Dept of Immigration

The visa applicant must:

- have the relevant qualifications/experience for the position;
- have the required level of English for the position;
- be able to meet mandatory licensing requirements for the position;
- meet health and character requirements (family members included)

The Regional 457 process consists of three distinct stages:

- certification of the nomination/vacancy (by a certifying body such as the Cairns Chamber of Commerce);
- nomination by the employer is assessed by Dept of Immigration; and
- nominee’s application for a visa.

Some employers may also be excluded, including:

- Recruitment companies and labour hire firms
- Employers that are exclusively party to other sponsorship arrangements, specifically Regional Headquarter Agreements, Labour Agreements and Overseas Business Sponsorships

Monitoring/Compliance

Please note that the Department of Immigration and Citizenship undertakes regular monitoring and compliance checks of employers (including site visits) to ensure that all relevant conditions are being met, including obligations in regard to industrial relations. Penalties for breaches of these conditions are substantial.



**Elmarie Gebler – WHK Greenwoods**

Slide 2  
Why do we need to Mentor?

Slide 4  
What is Mentoring?

Slide 6  
Generation Y

Slide 17  
Path to Mentoring

Slide 22  
Now What?

Slide 24  
Thank You

**Dorothy Dunne – Worklink**

Slide 1  
The Untapped Labour Pool

Slide 2  
Labour Market Shortage

- Most competitive labour market in 30 years
- QLD – March 2008 Employment rate 3.5%
- Labour shortages of 200,000 people predicted to hit all major industries in the next few years
- Cairns – current unemployment rate 4.2%

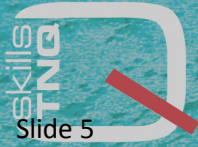
Slide 3  
The Untapped Labour Pool

- 70% of people with a mental illness want to work (MHCA)
- Nationally, only 29% of people with a mental illness are employed
- In similar OECD countries the rate is up to 60%
- The rate for physical disability is at 49%
- The rate for the general community is 70%

Slide 4  
The Untapped Labour Pool (cont)

Job seekers include:

- Entry level
- Retail
- Administration
- Hospitality
- Labourers
- Trades People
- Professionally Qualified



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#### Employer Support

- Job matching
- Open communication
- Employment support plan
- Wage subsidy
- Employer Training – “Managing Diversity – Mental Health in the Workplace”
- Ongoing support

Slide 6

#### Business Benefits

- Fewer accidents at work
- Lower absenteeism
- Higher retention rates
- Build staff morale and teamwork
- Raise management awareness of workplace practices and conditions
- Increase customer and staff loyalty

Slide 7

#### Getting Down to Business

- Worklink is committed to providing your business with motivated, productive and reliable workers
- Business minded approach which delivers results
- Ranked amongst the nation’s most successful Disability Employment Services with a 4.5 star rating
- Free service
- Labour market pool of real ability

Slide 8

#### Employee Support

- Building a relationship
- Assess skills and strength
- Identifying training needs
- Employment preparation
- Job search assistance
- Financial assistance
- Job support

Slide 9

#### Success Stories

Slide 10

Some things are not affected by mental illness....

- Hope
- Dreams
- Respect
- Intelligence
- Willingness to work