Applications for assessment of a position must be submitted electronically and emailed to migration@rdariverina.org.au Preference is in PDF.

The following must be submitted for the nominated position to be assessed:

- Online Nomination Application Form - [https://immi.homeaffairs.gov.au/help-support/applying-online-or-on-paper](https://immi.homeaffairs.gov.au/help-support/applying-online-or-on-paper)
- Form 956 if migration lawyer acting on behalf
- Business Registration (ABN and ACN Certificate)
- Lease Agreement or advise otherwise
- Submission – see below
- Organisational Chart showing the nominated position
- Position Description
- Employment contract
- Proof of Advertising – see below
- Annual Market Salary Rate (AMSR) and meeting the Temporary Skilled Migration Income Threshold (TSMIT) – see below
- Letter of support from Accountant certifying business is financially viable, ability to meet 2-year financial obligations
- Annual/Financial Reports for last two years (voluntary)
- Non-refundable administration fee of $770.00 (incl. GST)

To have an Employer Nomination assessed under the RSMS the employer must understand that the onus is on them to provide thorough evidence to demonstrate their business activities, the genuine need for the position and that it meets the terms and conditions of employment.

The following further outlines the necessary requirements for the Assessment and what evidence and documents must be provided:

Submission on the Business:

- Outline the goods and services provided, volume of products, market strategies, business scope (eg Business Plan)
- Evidence of previous occupant of position who has left the position and
- Evidence the position is filled by the nominee (temporary resident) by providing a copy of the contract of employment and pay slips, reasons for the need of continuous employment, updated contract/letter of continuous employment
- New position – reasons for the genuine need of this new paid position within the business’s workforce eg overtime of current staff, expansion,

RDA Riverina must be satisfied that there is a genuine need for a paid employee in the position under the nominator’s direct control;

- Organisational chart which demonstrates where the position is required for the activities of the business;
- Position description which demonstrates the duties are consistent with the need of the business and is relevant to the position occupation/title;
- Employment contract/letter of Offer of Employment, including Terms and Conditions of employment
- Documentation outlining the reasons for the need of the position within the workforce and if already filled by the nominee how they were recruited, reason for continued employment, and provide a continues employment letter or update contract of employment.
- Documentation outlining the nominated position is under the direct control of the nominator and the nominator directly operates the business in which the nominated position exists;
RSMS Assessment
Document Checklist

Additional requirements for start-up businesses (operating for less than 12 months) or diversifying business:

- Business plans including financial budgets covering expenses and anticipated revenue
- Evidence of lease agreement, purchase of equipment (e.g., furniture, equipment, products)
- Evidence of availability of funding (such as own funds, bank accounts, loans)
- Evidence the business has been actively operating
- Photos of the business premises/activities

RDA Riverina must be satisfied that the position cannot be filled by an Australian citizen or an Australian permanent resident who is living in the same local area where the nominated position exists:

- Evidence that the position has been advertised for at least three weeks through the local print media e.g. The Land, Daily Advertiser; The Area News to name some
- Evidence that the position has been advertised via the Internet on www.jobsriverina.com.au (free), Seek, Jobactive, Indeed. This evidence to include a copy of the advertisement, invoice. (Advertisements in newspapers and the internet must be appropriate for the nominated position showing the date advertised);
- Evidence of response to advertisements. Summary of number of responses, selection criteria and rationale of selecting the nominee.

RDA Riverina must be satisfied that the terms and conditions of employment applicable to the position will be no less favourable than the terms and conditions that are provided to, or would be provided to, an Australian citizen or Australian permanent resident undertaking the same work in the same workplace at the same location and meet the TSMIT requirements

- The employment contract which includes:
  - Salary, core days and hours of employment, overtime, entitlements/leave;
  - Applicable Industry Award and Grade/level;
  - Other conditions to be offered to the employee e.g., superannuation and allowances/benefits.
  - OR Enterprise Agreement name or award as recorded by the Fair Work Commission

- Evidence the nominee will receive a salary equivalent to an Australian citizen or permanent resident for existing employees working in the same or closely related occupation which includes (names may be covered for privacy) -
  - Copy of the contract or letter of employment, or record of wages, pay slips made to employees.

- If there is no existing worker performing the same or closely related occupation, the employer must provide evidence that the nominee will be paid the AMSR and meet the TSMIT requirements. Documentation can include:
  - Evidence stipulated by the relevant Commonwealth or State Government industrial instrument
  - Copy of advertised positions for the same or closely related occupation, showing a comparable salary
  - Also including Industry benchmarks
  - Salary level in the same region or
  - Documentation to show the average weekly salary of the position is not lower than that published in a recognised salary scale (e.g., www.abs.gov.au; www.joboutlook.gov.au; www.openedu.au)

If you wish to discuss, please contact the Skilled Migration Officer Faye Anderson
Ph: (02) 59245861 Email: migration@rdariverina.org.au

November 2018