

Labour Market Testing for sponsors

Labour Market Testing (LMT) refers to the process whereby employers demonstrate that they have been unable to find a suitably qualified Australian resident to fill a position in their business. They demonstrate this by providing evidence that the job had been advertised in the media, but no suitable applicant could be identified.

From 23 November 2013, sponsors are required to demonstrate to the department of Immigration that they have undertaken LMT in relation to a nominated position, prior to nominating that position to be filled by a subclass 457 visa holder.

LMT must have been undertaken with the 4 month period prior to lodgement.

What to demonstrate

LMT information must include details of any advertising of the position (paid or unpaid) and any similar positions, commissioned or authorised by the approved sponsor, plus fees or expenses for that advertising.

A sponsor must also provide information about any redundancies or retrenchments that occurred in the previous four months prior to making a nomination application for all occupations in their business.

Evidence of advertising can include:

- an invoice from the advertising medium;
- a scanned copy of the advertisement, or print screen if online;
- a print advertisement in a newspaper with a distribution across the region in which the position will be located (placement of advertisements in newspapers must be appropriate for the advertised position);
- online advertising on a jobs site (such as Seek, Monster, CareerOne, etc.);
- participation in free advertising available on the government website www.Jobsearch.gov.au;
- online advertising on your company's own website;

ISA Group will advertise on your behalf if you require it.

Be organised

Advertisements must accurately reflect the duties of the position, salary and other benefits offered. They must be prominently displayed to attract as big a response as possible.

Sponsors will need to answer specific questions regarding:

- the period the job was advertised for;
- the geographical target audience for recruitment;
- the number of applications received;
- the number of applicants who were hired; and
- the reason why those unsuccessful were found to be unsuitable.

The evidence of LMT must provide the visa processing officer with confidence that the sponsor has made a genuine attempt to test the local labour market.

If you'd like to know more about LMT, please contact us on 08 9346 8888, or email info@isa.com.au.