Relocation and Immigration Assistance for New Staff Policy

Section 1 - Summary

(1) To provide a framework for the provision of assistance to:

a. All new ongoing or fixed term appointees who need to relocate from overseas or interstate in order to take up a position with Victoria University (the University); and,
b. To assist supervisors/hiring managers who need to be aware of the implications and costs of relocation and immigration assistance.

Section 2 - TEQSA/ASQA/ESOS Alignment

(2) Nil.

Section 3 - Scope

(3) The Policy applies to new ongoing or fixed term appointments which require relocation from overseas or interstate. It does not apply to Casual, Sessional, Honorary, Adjunct, Visiting and/or Emeritus appointments.

Section 4 - Definitions

(4) Appointee: Refers to the person recruited either from overseas or interstate relocating to Melbourne to take up a position (as an employee) at the University and meeting the criteria set out in clauses (9) to (11).

(5) Partner: Refers to a partner who is legally married to the appointee or in a de facto relationship. This may include same sex relationships.

(6) Direct Dependants: Direct dependants include the appointee's child/ren under the age of 21 years; or a student between the ages of 21-24 who is studying full-time at school, college or university. It may also include any other person approved by the University who lives with and who is fully dependant on the appointee.

(7) Department of Home Affairs: The Department of Home Affairs (HA) is the Australian Government interior ministry with responsibilities for national security, law enforcement, emergency management, border control, immigration, refugees, citizenship, transport security and multicultural affairs.

(8) Relocation Expenses

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Section 5 - Policy Statement

Eligibility

(9) Relocation and/or Immigration Assistance will be given to overseas and interstate appointees in the following circumstances:

a. where appointees are recruited from overseas or interstate to work at a University campus;
b. where the appointee is one of the following:
    i. a senior level academic employee (usually level C and above) who will be full-time continuing or has been offered a fixed-term contract of not less than three years, or
    ii. a senior level professional employee (usually of HEP level 9 and above) who will be full-time continuing or has been offered a fixed-term contract of not less than three years, or,
    iii. a senior level Vocational Education employee (usually Senior Educator 3 and above) who will be full-time continuing or has been offered a fixed-term contract of not less than three years, or
    iv. a postdoctoral research fellow.

(10) Appointees at levels other than those listed above will be considered on a case-by-case basis, where it is identified that specialist skills or expertise is required and the Department of Home Affairs (HA) requirements are met. A recommendation can be made for the payment of a discretionary amount which requires the approval in accordance with the Delegations and Authorisations Policy.

(11) Where appointments are funded through grants, relocation assistance will normally only be available if the granting body makes funds available for this purpose.

(12) Appointees who do not qualify for relocation assistance may be able to salary package their relocation costs. Please refer to the Salary Packaging Policy.

Principles

(13) All payments made under this Policy are paid upon evidence of expenditure (refer to Relocation and Immigration Assistance for New Staff Procedure) and must have the approval of the authorising officer as stated in the Delegations and Authorisations Policy.

(14) All Relocation and Immigration costs should be factored into the recruitment budget by the recruiting area which is responsible for the appointment.

(15) People and Culture is responsible for processing and maintaining central records for all visa and visa related documentation for all applicable appointees of the University.

(16) The recruiting area responsible for the appointment, in consultation with People and Culture, is responsible for organising and co-ordinating all other documentation (except visa and visa related documentation).

Visas

(17) The Appointee will only be offered a temporary visa (most commonly subclass 482 Temporary Skills Shortage Visa – medium term stream) on appointment, regardless of whether the position being appointed is fixed-term (for a maximum period of four years) or continuing.

(18) Eligibility criteria include meeting all University and HA requirements.

a. University requirements –

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i. confirmation of the appointee's probation;
ii. proof of appropriate comprehensive working visa medical and hospital insurance for the appointee, their spouse partner and dependants;
iii. appropriate background testing of the appointee that may be required for the position (e.g. working with children check);
iv. engagement of the appointee on a continuing contract of employment;
v. agreed support to sponsorship by the sponsoring Dean / Executive Director / Director.

b. HA requirements - per current Migration Act 1958 (Cth), regulations and subsequent amendments. This may include:
i. testing to meet specified English language requirements;
ii. health and medical requirements;
iii. proof of qualifications;
iv. character assessments;
v. police checks;
vi. remuneration level and structure;
vii. skills assessment.

(19) These requirements may be amended from time to time.

(20) Appointees commencing on a temporary visa must provide evidence of full medical and hospital insurance for themselves, their partner and dependants to People and Culture prior to commencement.

(21) If the employee leaves the University whilst on a temporary visa, which has been sponsored by the University, the University must notify HA within 28 days of the employee leaving.

(22) All costs associated with Visas can be found in the Relocation and Immigration Assistance for New Staff Procedure.

University Sponsor Obligations (457/482 Temporary Skill Shortage Visas)

(23) The University is subject to a set of sponsorship obligations in regards to staff sponsored to work in Australia on 457/482 visas. The obligation commences on the day the sponsored person is granted a subclass 457/482 visa and ends on the earliest of the following events:

a. the day the sponsored person has a nomination approved to work for a different sponsor;
b. the day the sponsored person holds a different subclass of substantive visa (i.e. other than a subclass 457/482);
c. the sponsored person has left Australia and the relevant substantive visa has ceased;
d. if the sponsored person held a Bridging B visa when they left Australia and the last substantive visa held was a subclass 457/482 visa, the day on which the bridging visa has ceased to be in effect.

(24) This obligation requires the sponsor to pay the travel costs for primary and secondary sponsored subclass 457/482 visa holders to leave Australia if:

a. a request is made in writing;
b. the sponsor has not already paid costs; and
c. the costs are reasonable and necessary.

(25) As part of these obligations, the University must pay reasonable and necessary travel costs to let the sponsored appointee and their sponsored family members, leave Australia. Costs that are considered to be 'reasonable and

necessary' are:

a. travel from the employee's usual place of residence in Australia to their departure point from Australia;
b. travel from Australia to the country for which the employee holds a passport and intends to travel to;
c. economy class air travel or reasonable equivalent.

Permanent Residency - through the Employer Nomination Scheme (ENS)

(26) An overseas appointee holding a temporary visa in accordance with clauses (17) and (18) may apply for permanent residency (subclass 186 visa) through the ENS, subject to satisfying eligibility criteria.

(27) Eligibility criteria include meeting all University and HA requirements.

a. University requirements –
    i. confirmation of the appointee's probation;
    ii. proof of appropriate comprehensive working visa medical and hospital insurance for the appointee, their spouse partner and dependants;
    iii. appropriate background testing of the appointee that may be required for the position (e.g. working with children check);
    iv. engagement of the appointee on a continuing contract of employment;
    v. agreed support to sponsorship by the sponsoring Dean / Executive Director / Director.
b. HA requirements - per current Migration Act 1958 (Cth), regulations and subsequent amendments. This may include:
    i. testing to meet specified English language requirements;
    ii. health and medical requirements;
    iii. proof of qualifications;
    iv. character assessments;
    v. police checks;
    vi. remuneration level and structure;
    vii. skills assessment.

(28) These requirements may be amended from time to time.

(29) Where permanent residency sponsorship is supported by the sponsoring Dean / Executive Director / Director, and all eligibility requirements for the ENS Scheme are satisfied in accordance with clause (27) a request (in writing) to People and Culture from the sponsoring Dean / Executive Director / Director may be initiated. People and Culture will then activate an application for permanent residency through the ENS.

Relocation

(30) Relocation expenses are expenses which are associated with the removal and storage of personal, professional and household effects upon the appointee's initial move to the University; which is usually only from one residence to another. No further relocation assistance will be provided should the appointee's main job location move to another campus, except as provided by the employment agreement or other University policy.

(31) The amount paid is intended to be a reasonable contribution towards the total cost of removal, storage and other costs and does not attempt to cover all direct or indirect costs of the appointee's move.

(32) The authorising officer (refer to the Delegations and Authorisations Policy) can make a recommendation to pay an additional discretionary amount of relocation assistance over and above the amounts stated in this Policy. This

requires the approval of the relevant Senior Executive Group member and only occurs in exceptional circumstances.

(33) The appointee will have up to 12 months from the date of appointment to make a claim for relocation expenses, otherwise the University will be required to pay Fringe Benefits Taxation (FBT) expenses. Costs should be claimed as soon as possible after being made.

(34) If two appointments are made from one household, the level of assistance available to the members of that household will be the appropriate rate for an appointee and partner/dependant as specified in the Relocation and Immigration Assistance for New Staff Procedure under 'Removal and Storage Expenses' and 'Settling In Allowance'.

(35) The University does not offer repatriation assistance on cessation of employment, except under the provisions of clauses (24) and (25).

(36) Should the appointee cease employment prior to completing three years of employment, they are liable to reimburse to the University for any expenses paid on their behalf on a proportional basis as detailed in the Relocation and Immigration Assistance for New Staff Procedure under 'Cessation of Employment'.

(37) All payments and allowances will be taxed as per Australian Tax Office provisions, including FBT applicable at the time.

Section 6 - Procedures

(38) Relocation and Immigration Assistance for New Staff Procedure

Status and Details

Status	Current
Effective Date	16th December 2020
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Approval Authority	Vice-Chancellor
Approval Date	16th December 2020
Expiry Date	Not Applicable
Accountable Officer	Lisa Line Deputy Vice-Chancellor Enterprise and Digital Lisa.Line@vu.edu.au
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Glossary Terms and Definitions

"Relocation Expenses" - Refers to the personal expenses incurred by an appointee in relocating to Melbourne to take up a position at the University.

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