

WORK RIGHTS IN AUSTRALIA

1.0 Aim

Work rights are the rights of any person to be legally employed in Australia in any capacity. Australian citizens, permanent residents and New Zealand citizens have the right to be legally employed in Australia in any capacity. All other persons enter the country with visas that may restrict their work rights. The purpose of the document is to establish whom David Christie & Associates can assist with employment opportunities for persons not living in Australia, new overseas visitors or new immigrants recently moved to Australia.

2.0 Why David Christie & Associates Check "Work Rights"?

David Christie & Associates provides professional recruitment services to employers. It is imperative that we do not participate in a breach of law by representing candidates who have only a restricted right to work, or no right to work, in Australia. Should a candidate we represent be employed by one of our clients, and subsequently found to be working illegally, the Department of Immigration and Multicultural Affairs (DIMA) immediately detains and then departs the candidate. This may result in unnecessary hardship for our clients, and may bring our own services into disrepute.

3.0 What Are David Christie & Associates Conditions with "Work Rights"?

David Christie & Associates at this time will *not* accept applications from individuals without an unrestricted visa, and in most cases where we have reasonable doubt on an individual's legal work rights, we will be asking the applicant for the authority to conduct a visa check with the Department of Immigration and Multicultural and Indigenous Affairs (DIMA) www.immi.gov.au. No offence is meant, and we hope you appreciate that we are obliged to protect the interest of our clients, and have a fiduciary duty to the company to ensure legal compliance.

If you have an unrestricted visa you may wish to facilitate the ease of your application by providing us with an Authority to Obtain Details of Work Right Status from DIMA, which is available on line <http://www.immi.gov.au/employers/kit2003>

At this time, in most cases, we will not process sponsorship applications of any kind outside of subclass 800 – 866, or possibly 995.

4.0 How David Christie & Associates Check "Work Rights"

David Christie & Associates currently have a policy in line with DIMA www.immi.gov.au. The only valid means of checking a candidate's *work rights* is to sight their passport and visa. People with restricted *work rights* may be able to produce a tax file number, a local driving licence and local bank accounts, however this is not proof of a right to work in Australia. As previously mentioned if you have an unrestricted visa you may wish to facilitate the ease of your application by providing us with an Authority to Obtain Details of Work Right Status from DIMA, which is available on line <http://www.immi.gov.au/employers/kit2003>.