

Subclass 491: Category 2 - Working in Tasmania Nomination Requirements – Transitional Arrangements

Requirements for applicants who commenced employment **before 29 January 2021**

To be considered for this category, you must meet all of the following criteria:

- you must have been working in Tasmania for six months immediately prior to your application for state nomination. You do not have to be working in your nominated occupation. Your employment needs to:
 - be at least 35 hours per week in one full-time job or in two or more part-time jobs and you are able to provide evidence of your employment claims (see Document Checklist – Employment for more details)
 - fill a genuine, ongoing skill shortage in Tasmania
- you and your dependents must currently be living in Tasmania and can provide evidence of genuine commitment to continue to live in Tasmania
- your employer must have a well-established business that has been actively operating in Tasmania for the past 12 months
- there must be a genuine need for your position within the business
- your wages and conditions must be no less favourable than those that would apply to an Australian citizen or permanent resident

If your employment is for a position at [ANZSCO skill level 4 or 5](#), your employer must also provide **evidence that no local person was able to fill the position** (Refer to the DOCUMENT CHECKLIST information below)

NOTES

- Internships, stipends, scholarships and volunteer positions are not considered employment for the purpose of this category.
- Sole traders/subcontractors may be eligible for nomination under Category 5 - Small Business Owner.
- There are areas of employment in Tasmania that are not supported for nomination under the 'Working in Tasmania' category. This includes employment relating to:
 - supermarkets
 - service stations
 - limited service restaurants**
 - massage clinics
 - taxi/uber driving
 - sub-contracted cleaning, business maintenance or security work

*** A limited service restaurant includes the following:*

- fast food or takeaway food services
- fast casual restaurants that do not offer full table service
- drinking establishments that offer only a limited food service
- limited service cafes including, but not limited to coffee shops or mall cafés
- limited service pizza restaurants

Subclass 190: Category 2 - Working in Tasmania Nomination Requirements – Transitional Arrangements

Nomination Applicants who applied for nomination **before 29 January 2021** must be working in and have a skills assessment for an occupation listed on the Tasmanian Skilled Occupation List current at the time the application was lodged.

DOCUMENT CHECKLIST

- Attach a least 6 months of payslips and bank statements showing evidence of salary payments and deposits from your employer.
- Attach your contracts of employment
- Attach evidence that your wages and conditions are no less favourable than those that would apply to an Australian citizen or permanent resident. This can be demonstrated by:
 - reference to an industrial award or enterprise agreement
 - Job Outlook information
 - Market salary survey data such as Hays Salary guides
 - advertisements from the last six months for equivalent positions in the same location (eg Seek, Indeed, CareerOne)
 - remuneration surveys completed by a reputable organisation
 - written advice from unions or employer associations
- Labour Market Testing (LMT)

If your employment is for a position at [ANZSCO skill level 4 or 5](#), your employer must provide proof of efforts to recruit from the local labour market. The following need to be included together with your application:

- evidence that your employer has made a genuine effort to recruit locals (Australian citizens/permanent residents) but were unsuccessful. Please include copies of the advertisements your employer has posted in open-to-public platforms, such as University of Tasmania Career hub, Tasmanian vocational institutions, Jobactive, local newspapers and from on-line sources or social media
- a selection report including information on applications received and why no local applicants were suitable for the position as well as details and expenses of any advertising the employer conducted. There is no prescribed format for this report, however it is important that all of the points above are covered. If this evidence does not accompany your nomination application or is insufficient, it will be refused.