

Regional Sponsored Migration Scheme (RSMS)

Checklist for Regional Certifying Body (RCB) Advice

This checklist details the information and supporting documents required to lodge an application with the Central Coast NSW Regional Certifying Body (RCB).

The information provided in the application will be used to determine if the following criteria is satisfied:

- There is a genuine need for a paid employee in a business operated by the employer that is actively and lawfully operating in a regional area of Australia
- The terms and conditions of employment are the same as those that would apply to an Australian citizen or Australian permanent resident performing the same work in the same location
- The nominated position cannot be reasonably filled from the local labour market.

REQUIRED DOCUMENTATION	ATTACHED
Form 1404 <ul style="list-style-type: none"> • Sections 1 – 10 completed 	
Form 956 <ul style="list-style-type: none"> • If appointing an authorised representative 	
Application for Employer Nomination for a Permanent Appointment <ul style="list-style-type: none"> • Copy of the draft Department of Immigration and Border Protection (DIBP) application 	

BUSINESS DETAILS	ATTACHED
Business Details Details of the nominating business including: <ul style="list-style-type: none"> • Business Registration – copy of ABN or ACN certificate • Current lease of business premises or proof of ownership of premises. • Current Financial Status – copy of Profit & Loss Statements, Balance Sheet, and BAS for previous 12 months • Outline of: <ul style="list-style-type: none"> ○ How long the business has been operating ○ The nature of the business and what it does ○ The business products or the services provided ○ The types of positions required in the business 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

<p>Organisational Chart Outline the positions in the business and include:</p> <ul style="list-style-type: none"> • All positions and titles including the nominated position highlighted • Reporting lines within the business (include all positions related to the nominated position) • Employment status for all positions (part time/full time/casual) 	
--	--

POSITION DETAILS	ATTACHED
<p>Employment Contract A valid employment contract, which complies with National Employment Standards, signed and dated by the employer and nominee and outlines the employment conditions, superannuation, entitlements and total remuneration package.</p>	
<p>Position Description A copy of the business' position description for the nominated position which includes details and duties.</p>	
<p>Resume A copy of the nominee's current resume / curriculum vitae which must show all relevant training and qualifications as well as relevant work experience.</p>	

GENUINE NEED FOR THE POSITION	ATTACHED
<p>Business Case The onus is on the employer to demonstrate how the need for the nominated position contributes to the business activity. Include evidence of:</p> <ul style="list-style-type: none"> • How the position is vacant – currently vacant / newly established • If the position is newly established, why the position is required • How the position is relevant to the nature of the business activities • Why existing employees were not considered for the position 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Newly Established Position If the position is newly established the onus is on the employer to evidence the nominated positions contribution to the business. Include evidence of:</p> <ul style="list-style-type: none"> • Increased turnover – within the previous 12 months • Overtime time worked by existing employees in the same occupation • Additional operating hours. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>New or Diversifying Activities If the business is new or diversifying its activities the onus is on the employer to evidence the nominated positions contribution to the business. Include evidence of:</p> <ul style="list-style-type: none"> • Business Plan for new or diversifying activities – if diversifying includes reasons why and timeline of completion • Security of funds • Current lease or purchase of additional or larger premises • New business contracts 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

TERMS & CONDITIONS OF EMPLOYMENT & MARKET SALARY	ATTACHED
<p>The onus is on the employer to include sufficient information to provide reference to, and evidence the terms and conditions of employment and market salary rate.</p> <p>Equivalent Positions If you employ Australian workers in equivalent positions include evidence of:</p> <ul style="list-style-type: none"> • The name or reference to a relevant fair work instrument that would apply to Australian residents or permanent residents in the same position. <input type="checkbox"/> • Employment contracts or payslips for Australian workers in equivalent positions to demonstrate that the employment conditions, including the salary, of the nominated position are on par with Australian workers. <input type="checkbox"/> <p>Non Equivalent Positions If you do not employ Australian workers in equivalent positions include evidence of:</p> <ul style="list-style-type: none"> • Description of the research undertaken and the information used to determine that the salary for the nominated position is equivalent to the terms and conditions of Australian workers under local conditions <input type="checkbox"/> • Salary Market Rate- salary guides, earnings data, Enterprise Bargaining Agreement (EBA), award or common law employment contract, etc. <input type="checkbox"/> 	

RECRUITMENT ACTIVITIES	ATTACHED
<p>In order to demonstrate that the position cannot be filled from the local labour market the onus is on the employer to provide evidence in regards to the recruitment process conducted.</p> <p>Recruitment activities must have been undertaken:</p> <ul style="list-style-type: none"> • within six months preceding the application lodgement <input type="checkbox"/> • if the nominated position is already filled by the nominee or existing employee. <input type="checkbox"/> <p>The following documentary evidence is required:</p> <p>Advertisements Advertisements must:</p> <ul style="list-style-type: none"> • Accurately reflect the skills and experience required for the position <input type="checkbox"/> • Be written to attract the best possible response <input type="checkbox"/> • Describe the position in a way that would not discourage Australian Citizens or permanent residents to apply. <input type="checkbox"/> <p>Advertisement Placement As a minimum a position advertisement is required to be listed for two weeks on the following media:</p> <ul style="list-style-type: none"> • Seek (seek.com.au) or CareerOne (careerone.com.au) <input type="checkbox"/> • Central Coast Express Advocate newspaper or Jobs on the Coast (jobsonthecoast.com.au) <input type="checkbox"/> 	

Advertising on websites that are not recruitment specific (for example, Gumtree) would not satisfy the recruitment activity requirement.

Advertisement Outcomes

The following information about the recruitment activities must be evidenced:

- Copy of original job advertisements
- Where the advertisement appeared e.g. Seek, / local newspaper, including duration in which the advertisement appeared.
- Responses of applications received, shortlisted and interviewed including resumes and comments.
- Reasons for no Australian Citizen or permanent resident were selected