

## Schedule 6 – Concession to the Temporary Skilled Migration Income Threshold (TSMIT) and Core Skills Migration Threshold (CSIT)

In relation to the nomination of occupations for SID, SESR and ENS visas the Designated Area Representative acknowledges that the following additional requirements must be met by a Third Party. These requirements will be included in the Labour Agreements associated with this Agreement. Individual Labour Agreements will specify which Occupations are concessional occupations (if any) and which TSMIT concessions (if any) will apply for a Third Party who enters into a Labour Agreement.

- 'Non-concessional occupation' means an occupation that may be nominated under the South-West DAMA Agreement but is not specified in **Table 9**.
- 'Concessional occupation' means an occupation specified in **Table 9**.

For both concessional and non-concessional occupations:

- 'Annual Market Salary Rate' has the same meaning as in the Migration Regulations and is determined in accordance with the instrument which specifies the method for determining the Annual Market Salary Rate for an occupation nominated under section 140GB of the Migration Act or an occupation in relation to which a position is nominated under regulation 5.19 of the Migration Regulations.
- 'Annual Earnings' means an Overseas Worker's Earnings calculated on an annual basis.

### *Non-concessional occupations*

'Earnings' has the same meaning as in the Migration Regulations.

In relation to an Overseas Worker who is nominated for a non-concessional occupation in relation to a SID visa, the nominating Third Party must meet the legislative requirements relating to TSMIT, Annual Market Salary Rate and Annual Earnings which would apply if the Overseas Worker were nominated in relation to the Short-term stream or Medium-term stream in the standard SID visa program.

In relation to an Overseas Worker who is identified for a non-concessional occupation in relation to an SESR visa, the nominating Third Party must meet the legislative requirements relating to TSMIT, Annual Market Salary Rate and Annual Earnings which would apply if the Overseas Worker were identified in relation to the employer sponsored stream of the standard SESR visa program.

In relation to an Overseas Worker who is identified for a non-concessional occupation in relation to an ENS visa, the nominating Third Party must meet the legislative requirements relating to TSMIT, Annual Market Salary Rate and Annual Earnings which would apply if the Overseas Worker were identified in relation to the Temporary Residence Transition stream or the Direct Entry stream in the standard ENS visa program.

### *Concessional Occupations*

In relation to an overseas worker who is nominated/identified for a concessional occupation in relation to a SID, SESR or ENS visa, in accordance with the applicable concession type set out below, the nominating third party must provide the overseas worker with an amount of Annual Earnings which is equal to or greater than:

- the Annual Market Salary Rate, and
- Reduced TSMIT (for TSMIT concession type 1) or TSMIT (for TSMIT concession types 2).

'Reduced TSMIT' means 90% of TSMIT.

The Designated Area Representative will specify in the attachment to their endorsement letter, the TSMIT Concession type applicable to each endorsed concessional Occupation, as supported by a Third Party's evidence-based case for the concession to apply.

### TSMIT Concession types

Employers may seek endorsement from the Designated Area Representative (Shire of Dardanup) for one of the following concessions types to apply to an Occupation.

	Type 1	Type 2
Monetary Earnings	At least reduced TSMIT	At least reduced TSMIT
Non-monetary earnings (food and board)		No more than 10% of TSMIT
<b>Total annual earnings</b>	<b>At least reduced TSMIT</b>	<b>At least TSMIT</b>

### Type 1: Reduced TSMIT, and Earnings to include Guaranteed Overtime

'Reduced TSMIT' applies

'Earnings' has the same meaning as in the Migration Regulations except that it also includes guaranteed overtime where:

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- Guaranteed overtime where:
  - the guaranteed overtime is consistent with standard industry practice within the sector;
  - There are equivalent Australians performing equivalent work in the Third Party's workplace at the same location and whose arrangements have been guaranteed in an industrial arrangement for those workers; and
  - At the time of nomination, the Third Party provides evidence that the hours are guaranteed within the employment contract for the Overseas Worker, and confirms the hours are consistent with the National Employment Standards; and
  - Application of the concession is subject to the Earnings being in line with applicable Industrial Awards or Enterprise Agreements and not below levels for Australian employees in comparable roles; and
- Monetary and non-monetary benefits, where:
  - The benefits support the living costs of the Overseas Worker
  - The overseas worker would have incurred that cost had it not been provided by the third party;
  - The benefits are quantifiable;
  - The benefits are consistent with the terms and conditions provided to existing Australians employed in a similar position
  - The benefits are guaranteed in the employment contract; and
  - The benefits exclude contingent payments such as overtime (other than guaranteed overtime) bonuses and commissions

When calculating an overseas worker's earnings, the value of other non-monetary earnings (such as phone, vehicle) cannot exceed 10% of TSMIT).

[South-West DAMA Occupations and Concessions](#)

[South-West DAMA » Shire of Dardanup](#)

Table 9: Occupations to which TSMIT Concessions may apply

ANZSCO or 6 Digit Code	Occupation	Skill Level
141999	Accommodation and Hospitality Managers NEC	2
423111	Aged or Disabled Worker	4
721111	Agricultural and Horticultural Mobile Plant Operator	4
721911	Aircraft Baggage Handler and Airline Ground Crew	4
842111*	Aquaculture Worker	5
899412	Autoglazier	4
321111	Automotive Electrician	3
721212	Backhoe operator	4
351111	Baker	3
070499	Bar Attendant (Supervisor)	4
431112	Barista	4
842311*	Beef Cattle Farm Worker	4
141111	Cafe or Restaurant Manager	2
421111	Child Care Group Leader	2
421111	Child Care Worker	3
811411	Commercial Housekeeper	5
411711	Community Worker	2
821211	Concreter	5
351411	Cook	3
842299	Crop Farm Workers nec	5
842313*	Dairy Cattle Farm Worker	5
831114	Dairy Products Maker	5
321212	Diesel Motor Mechanic	3
411712	Disabilities Services Officer	2
411411	Enrolled Nurse	2
411713	Family Support Worker	2
842212*	Fruit Farm Worker	5
842213*	Fruit Picker	5
899311	Handyperson	5
431999	Hospitality Workers NEC	5
149999	Hospitality, Retail and Service Managers NEC	2
141311	Hotel or Motel Manager	2
431411	Hotel Service Manager	3
135112	ICT Project Manager	1
711211	Industrial Spraypainter	4
541211	Information Officer	4
721112	Logging Plant Operator	4

ANZSCO or 6 Digit Code	Occupation	Skill Level
321211	Motor Mechanic (General)	3
899411	Motor Vehicle Parts and Accessories Fitter (General)	4
321213	Motorcycle Mechanic	3
842215*	Mushroom Picker	5
423312	Nursing Support Worker	4
842216*	Nut Farm Worker	5
312611	Occupational Health and Safety Inspector	3
252411	Occupational Therapist	1
452215	Outdoor Adventure Instructor	3
324111	Panel beater	3
351112	Pastrycook	3
821511	Paving and Surface Labourer	5
542111	Receptionist (General)	4
411715	Residential Care Officer	2
621511	Retail Supervisor	4
711516	Rubber Production Machine Operator	4
711913	Sand Blaster	4
839412	Sawmill or Timber Yard Worker	5
831313	Seafood Process Worker	5
399611	Signwriter	3
821713	Steel Fixer	4
821714	Structural Steel Erector	4
733111	Truck Driver (General)	4
899415	Tyre Fitter	4
842218*	Vegetable Farm Worker	5
842221*	Vegetable Picker	5
842222*	Vineyard Worker	5
431511	Waiter	4
070499	Waiter (Supervisor)	4
272613	Welfare Worker	1
411716	Youth Worker	2

\*ANZSCO Code updated since 2022