



An Australian Government Initiative



Temporary Skilled Migration Income Threshold (TSMIT)

The TSMIT is \$70,000 AUD.

Both the AMSR for the nominated occupation and the guaranteed annual earnings you will pay to the worker must be at least as much as the current TSMIT.

The TSMIT does not include non-monetary benefits such as accommodation or a car. Such benefits must be paid in addition to the TSMIT.

Annual market salary rate (AMSR)

The Annual market salary rate (AMSR) is determined by looking at what you would pay equivalent Australian workers, enterprise agreements or industrial awards, job outlook information, advertisements for the last 6 months in the same location, remuneration survey or advice from unions or employer associations.

Determining the AMSR

Where there is an equivalent Australian worker

The AMSR is what you are paying this worker.

If the worker's salary is based on an enterprise agreement or industrial award, you provide:

- The name of the agreement or award as recorded by the Fair Work Commission (if applicable);
- The salary level or occupation group that applies to the nomination.

If there is no relevant agreement or award, or you are paying your Australian employees above the award rate, provide:

- Copies of relevant employment contracts; and
- Pay slips for this employee.

NOTE:

- An Australian worker who is more or less experienced than the nominee and does similar work at a different pay grade is not considered equivalent to the nominee.
- If the nominated overseas worker will be paid less than the equivalent Australian worker, the Department of Home Affairs will refuse the nomination.
- If a business only provides generic market salary data or salary surveys, the Department of Home Affairs will refuse the nomination.

Concessional occupations

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

- The AMSR, and
- Reduced TSMIT (for TSMIT concession type 1) or TSMIT (for TSMIT concession type 2).

'Reduced TSMIT' means 90% of TSMIT (ie 90% of \$53,900).

TSMIT Concession types

Employers may seek endorsement for one of the following concession types to apply to an occupation:

	TSMIT Type 1	TSMIT Type 2
Monetary Earnings	At least Reduced TSMIT	At least Reduced TSMIT
Non-Monetary Earnings (Accommodation, food etc)		No more than 10% of TSMIT
Total Annual Earnings	At least Reduced TSMIT	At least TSMIT

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

'Reduced TSMIT' applies.

'Earnings' has the same meaning as in the regulation 1.03 of the Migration Regulations, which provides that earnings has a meaning affected by regulation 2.57A of the Migration Regulations, except that it also includes guaranteed overtime where:

- The guaranteed overtime is consistent with standard industry practice within the sector;
- There are equivalent Australians performing equivalent work in the business'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 business 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.

Type 2: TSMIT, and Earnings to include Guaranteed Overtime and Non-Monetary and Monetary Benefits

The Annual Earnings must be equal to or greater than TSMIT (\$70,000), and the Annual Earnings may include monetary and non-monetary benefits.

'Earnings' has the same meaning as in the regulation 1.03 of the Migration Regulations, which provides that earnings has a meaning affected by regulation 2.57A of the Migration Regulations, except that it also includes:

1. Guaranteed overtime where:

- The guaranteed overtime is consistent with standard industry practice within the sector;
- There are equivalent Australians performing equivalent work in the business'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 business 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

2. 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 business;
- 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.

For concession type 2, when calculating an overseas worker's earnings, the value of other non-monetary earnings (such as phone, vehicle) cannot exceed 10% of TSMIT).