



An Australian Government Initiative



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Australia

ORANA

Preparing an initial Orana DAMA endorsement request

****Note: If you already hold an Orana DAMA Labour Agreement, see the document 'Preparing an Orana DAMA variation endorsement request'**

The following information is required for all employer endorsement requests for an initial Orana DAMA Labour Agreement.

Please note that all information supplied is treated as confidential and is used for the purpose of assessing your request only. Please read the privacy principles in the declaration in the Request for Endorsement Form.

The completed endorsement request should be sent by email and must meet the following file size and formatting requirements:

- Where possible, all information should be in logical order in a single document attachment.
- If sending as separate attachments, files should be named so they group appropriately, e.g. COVER LETTER, LMT1 [Business Name], LMT2 [Business Name], FINANCIAL1 [Business Name], FINANCIAL2 [Business Name] etc. and/or numbered sequentially.
- Combined total file size should not exceed 15MB – files should be sent as individual attachments and should not be 'zipped' (if you must zip your file/s then they are too large).
- If a migration agent or immigration lawyer uses a third party to prepare any supporting information, this must be declared.

Core information

- A fully completed **Request for Endorsement Form (Initial Labour Agreement)**.
- A cover letter/submission that includes context around the request, such as brief business background, size, scale, growth, breadth of operations, workforce profile, reason for accessing the Orana DAMA, reason for requesting number of occupation/s and position/s, and reason for requesting concessions.
- Business Registration or Company Registration Certificate showing the Australian Business Number (ABN/ACN). It would be helpful to include a list of Directors where applicable.
- Previous 2 years' Financial Reports
- Letter from a relevant accountant as to the business' capacity to remunerate the requested positions moving forward (small to medium businesses only).
- 3-6 photos depicting the business and its operations.
- Completed Form 956 if using the services of a Registered Migration Agent or Immigration Lawyer.

Genuine need for the occupation/s, position/s, and concessions

- An organisation chart and explanatory notes that demonstrate how the position(s) fits within the current and future structure of the business and its operations. The chart should indicate how many positions are occupied by Australian citizens, permanent residents, or temporary visa holders.
- A position description for each occupation sought – tasks, responsibilities and accountabilities to show how the requested occupation/s substantially aligns with the key tasks and duties in ANZSCO.
- If an English language concession is being requested, a short explanation as to how any workplace health and safety risk will be managed for workers with a lower level of English.
- If a proposed nominee is already working in the role/s being sought, whether the position has been vacated by another employee or justification of a new position (e.g. increased turnover, change in business structure, new supply contracts etc.)
- Details of any redundancies or retrenchments in the past 6 months, including associated entities for the same or similar occupations.

Labour Market Testing (LMT)

- Evidence of Labour Market testing that meets the requirements for DAMA LMT (Refer to the [Fact Sheet](#) for details).
- Note that this includes two advertisements for 28 days each within the last 12 months, and that the following key information **MUST** be included:
 - Title or description of the position
 - Skills or experience required for the position
 - Name of the sponsor or the recruiting agency responsible for the recruitment process
 - The proposed salary for the position (if less than \$96,400AUD). This can be shown as a range.
- An overview of LMT outcomes including whether any Australian citizen or permanent resident applicants were interviewed/recruited, and if not, why not.

Terms and conditions and Annual Market Salary Rate (AMSR)

Refer to The Department of Home Affairs Website for details: [AMSR](#)

Where there **IS** an equivalent Australian worker performing equivalent work in the same (or very similar) location, the following **MUST** be provided:

- Where one exists, the name/reference of the relevant fair work instrument that would apply to Australian citizens or permanent residents employed in the same workplace (if applicable). Do not send the document, just the details or weblink of the relevant employment category for the nominated position. *For example, Pharmacy Industry Award 2012 [MA00012], Pharmacist in Charge, Full Time*
- Employment Contract and payslips for the equivalent Australian employee. Identifying details may be redacted to preserve confidentiality.

Where there **IS NOT** an equivalent Australian worker performing equivalent work in the same (or very similar) location, the following **MUST** be provided:

- Where one exists, the name/reference of the relevant fair work instrument that would apply to Australian citizens or permanent residents employed in the same workplace (if applicable). Do not send the document, just the details or weblink of the relevant employment category for the nominated position. *For example, Pharmacy Industry Award 2012 [MA00012], Pharmacist in Charge, Full Time*

Relevant information that was used to determine the relevant market salary rate, which may include:

- Job advertisements from national media for similar positions in similar regional areas within the previous 6 months. *For example, advertisements for a role in Toowoomba, Wagga or Tamworth would be considered similar to a role in Dubbo for this purpose.*
- Remuneration surveys for similar regional areas generated across the relevant industry by a reputable organisation or body.

Terms and conditions of employment

- A draft or sample employment contract/letter of offer for each occupation being requested x

Adverse information

- If the business has been the subject of any compliance or enforcement action, or any sanctions, relating to immigration or employment matters in the last five years, details of that information and a statement addressing the status of that action and what remedial actions have been undertaken.
- Any supporting information, such as an outcome letter by the relevant body, e.g. Fair Work Commission or Australian Border Force.