

Employer Nomination Scheme (Subclass 186) – Direct Entry Stream Nomination Documents Checklist

Please provide the following information and documents, which will be used to show that your business is lawfully and actively operating in Australia, and genuinely requires the nominated position. High quality, colour scanned copies of your documents can be sent to us through the Client Portal or by email.

NOTE: All information provided in relation to your business will be treated confidentially, and will **only** be used for the purpose of obtaining the Department of Home Affairs's (the DOHA's) approval of your nomination application.

Please tick the boxes on this check sheet to show what documents you have provided.

Registration Documents	
	ABN certificate for your business
	If business has a registered business/trading name: Certificate of registration of business trading name
	If business is a registered company: certificate of registration of company from ASIC
	If business is a franchise/franchisor: relevant pages of franchise agreement i.e. page(s) listing parties to the agreement, and signature page(s)
	If business is a trust: relevant pages of trust deed i.e. page(s) listing parties to the trust, and signature page(s)
	Current lease agreement for the business premises at which the nominated position is/will be based
Financial Documents	
	Business tax returns for the last financial year (if this has been submitted), and the associated tax assessment notice
	Audited balance sheet (statement of position) and profit and loss statement (statement of performance) for the last financial year , with a comparison to the previous financial year
	If the last financial year covered by the financial statements or tax returns that you provide (see above) ended more than 3 months ago: Business Activity Statements (BAS) for each complete quarter since the end of the last financial year
	Letter of support from your accountant to your business , stating clearly that based on previous and projected financial performance, your business is financially capable of employing someone in the nominated position at the stated rate of pay. We are able to provide a template letter for your accountant, if required
	For a start-up business ONLY (i.e. operating <12 months): Business Activity Statements (BAS) for each complete quarter since the business commenced operations AND business

	bank statements for the entire period since the business commenced operations
Nominated Position Documents	
	<p>If the position is subject to an Industrial Award or Enterprise Agreement: Copy of the relevant award or agreement, or a link to the current online version of this document AND a signed offer of employment letter and associated acceptance <i>We can prepare an offer of employment for migration purposes on your behalf, if required</i></p> <p style="text-align: center;">OR</p> <p>If NO award or agreement applies to the visa applicant's employment: Signed employment contract between your business and the visa applicant</p>
	Job description for the nominated position <i>We are able to prepare a job description on your behalf, if required</i>
	If the nominated position already exists in your business: Evidence that the position has existed and is vacant OR occupied by a temporary resident e.g. payroll information for the nominee, if they are currently employed in the role
	<p>If the nominated position has been newly created: Evidence of an increase in business activity that requires the creation of the nominated position e.g.</p> <ul style="list-style-type: none"> • new contracts • evidence of overtime work or an increase in overtime work for staff currently employed in the same position <p>evidence of need for business diversification, such as market research/business plans and evidence of appropriate funding</p>
	<p>Recommended: Evidence that you have attempted to recruit a suitably qualified and experienced Australian worker for the nominated position during the last 4 months.</p> <p>Please refer to the 'FAQ' section of this document for further details.</p>
Documents for Specific Occupations	
	<p>If you are nominating a Cook, Chef or Café/Restaurant Manager: Evidence that your café/restaurant does NOT operate in a takeaway or fast food setting e.g. copy of your menu; floor plan; photos of your premises showing the size/type of your café or restaurant; details of your table service, volume of in-restaurant dining and food preparation carried out on-site</p> <p>NOTE: This evidence is only required if there is a possibility that your business may be viewed as operating in a takeaway or fast food setting. Please contact us if you have any queries.</p>
Organisational & Human Resources Documents	
	<p>Organisational chart OR list of your current employees - this should show:</p> <ul style="list-style-type: none"> • each employee's position within the business (it is important to use names where practicable, especially when it is a small business) • whether each position is full-time or part-time <p>whether any temporary residents (i.e. <u>NOT an Australian citizen or permanent resident</u>) are employed in any of the positions</p>
Administration Documents	
	Your electronic letterhead , which you should email to us at support@dojolegal.com.au

	<p>(alternatively, you can provide us with 5 blank sheets of your hard copy letterhead if you prefer)</p> <p>NOTE: This is used to prepare any documents that you are required to sign in support of your application e.g. offer of employment, job description, information letter</p>
<p>Annual Market Salary Rate (AMSR) Evidence</p> <p>The AMSR is the amount an equivalent Australian worker earns (or would earn) working in the same occupation as the nominated position. Both the AMSR and the salary you offer for the nominated position must be no less than \$73,150 per year (excluding non-monetary benefits).</p>	
	<p><i>If an enterprise agreement or industrial award applies to the nominated position:</i> the name of the agreement or award, and the salary level/occupation group that applies to the nominated position</p>
	<p><i>If NO agreement/award applies AND you employ any Australian citizens or permanent residents in the same occupation as the nominated position:</i> employment contract(s) and payslips for the relevant Australian workers.</p> <p>NOTE: This does not include Australian workers with more (or less) experience than the person you wish to nominate, who are performing similar work at a different pay grade.</p>
	<p><i>If NO agreement/award applies AND you DON'T employ any Australian citizens or permanent residents in the same occupation as the nominated position:</i> show how you determined what an equivalent Australian worker would be paid for the nominated occupation, by providing at least two of the following:</p> <ul style="list-style-type: none"> • Job Outlook information for the nominated occupation • advertisements from the last 6 months for equivalent positions in the same location • remuneration surveys completed by a reputable organisation <p>written advice from unions or employer associations</p>

WHERE TO SEND YOUR DOCUMENTS

High quality, colour scanned copies should either be provided through the **Client Portal**, or sent by email to support@dojolegal.com.au, **as soon as practicable**. As mentioned above, scanned copies of your documents will generally be sufficient to support your application.

Should we require hard copies of your documents for any reason, or should the DOHA request hard copies during the processing of your application, we will notify you and provide instructions on how to send us these documents.

THANK YOU!



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