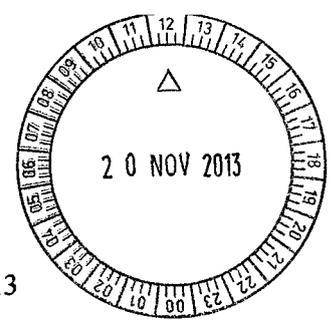


Petition No 17 – Opposing Fees for 457 Visa Holders

30TH October 2013



Dear Hon. Simon O'Brien

I wish to state that I have not taken my complaint to the Parliamentary Commissioner for Administrative Investigations. This enclosed submission is to highlight the issues that I am concerned about in relation to the proposal to introduce fees for education for 457 visa holders. My synopsis can be broken down under the following headings;

1. Economic
2. Business Community
3. Legality
4. Human Factor
5. Moral reflection on Western Australia

1. **Economic:** The 457 visa holder has made a huge contribution to the WA economy. There are many reports/analysis which can verify that these visa holders have filled a void in skills shortage and skills deficit. Multinationals have benefited hugely from employing 457 visa holders to enhance their business. Australian workers have benefited largely from the sharing of skills from 457 visa holders. (1) These visa holders contributed a net fiscal figure of \$240m in 2010. (2) It would be widely accepted across the political divide that the buoyant economy was largely accelerated by the implementation of the skills of 457 visa holder.

I am very concerned on the negative impact on the economy that the loss of these worker's skills and financial contribution to the economy may have. I have met with the Premier's office and the Minister of Education's office and both have verified that no economic feasibility impact has been undertaken.

2. **Business Community:** The WA business community has benefited greatly from the skills of the 457 visa holders. There is a considerable cost involved in recruiting, training, and bedding in process and transport costs involved. With many businesses expecting to take a hit with these workers leaving WA this will have a negative twofold effect on business;
 - a. Financial cost
 - b. Business will take a step backwards with loss of staff

I have met with a HR manger in an engineering company and it is prudent to estimate that the loss of a staff member will cost \$25,000. This particular company has lost 3 staff members already who have panicked on the back of Minister Buswell's announcement of the education fee. They are looking at a potential hit of \$500,000 but more worryingly is that it will be a backward step for the business in terms of development.

3. **Legality:** There are a number of issues that should be examined in terms of legality of what the Premier is looking to introduce.
 - a. Schools Education Act 1999

- b. Age Discrimination Act 2004
- c. Racial Discrimination Act 1975

From my conversations with Minister for Education's team, they intend reviewing the Schools Education Act 1999, which is ethically wrong. The Age Discrimination Act and Racial Discrimination Act clearly state that there should be no barrier to a child receiving an education.

4. **Human Factor:** The WA govt was very proactive in recruiting these families to WA. Minister Collier has been quoted as saying in July 2011 that "the welcome mat is firmly at our doorstep". (3) Families have moved across the globe in good faith after researching Western Australia to its fullest. Priority for families is education and this was a nominal fee to be paid as it is applicable to all WA citizens. It is unfair to punish these families with this stealth tax after negotiating packages/salaries with employers prior to their departure.

These families are paying 8% more tax than Australian citizens but have no social welfare entitlements. (4) I have strength tested the ability to pay this fee with families on salaries from \$80k to \$120k and this fee is a bridge too far. It is a myth that these workers are on huge salaries. The average 457 salary in mining is \$138k. (4) The average 457 salary is \$93k. The Premier's office has confirmed that they have done no testing in terms of ability to pay and are struggling to issue what they deem to be a "hardship figure".

5. **Moral Reflection on WA:** Australia has signed up to the UN Convention of the rights of a child. This clearly states that education should be available at no cost to children. It is worrying that a Premier can say that this fee "may not be ethical but it's legal". (5) This portrays WA in a bad light as we want to be ranked as a progressive economy. There are third world countries who do not charge for education. We are portraying ourselves as a thriving economy on the world stage and yet we will charge families for public education.

There are social implications as these children will be marginalised as deemed different to other children in their community. Victoria did not introduce school fees on humanitarian issues. These families have committed to WA by immigrating to the region and it's very un-Australian to move the goalposts and not give a "fair go".

I would be delighted to make myself available to the committee to assist with any aspect of this issue. Education fees for children is ethically wrong but more so to make it retrospective for families that have already arrived in Western Australia on 45 visa.

Yours sincerely

DEAN KEATING

References

1. More than Temporary – Migration Council
2. Economic and Social Contribution of migrants to Western Australia
3. Irish Echo 2011
4. 457 Workers in the Resource Industry – Edith Cowan
5. 6PR radio