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| **Fragomen contacts** | | |
| Please return this form to | Hcl.aus@fragomen.com | |
| **Initiator’s contact details** | | |
| HR Contact | |  |
| Hiring Manager | |  |

**BELOW DETAILS TO BE FILLED BY EMPLOYEE/CANDIDATE**

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| Application sought *NOTE: In all cases, if there is a change to the occupational classification for a TSS visa holder, then a TSS nomination* ***AND*** *new TSS visa application must be lodged. A change in occupation for an existing 457 visa holder only requires a TSS nomination, unless a further visa period is being applied for at the same time.* | |
| New TSS nomination AND visa; **OR** | New |
| TSS nomination application only  *(there will be no change to the existing visa expiry)* |  |
| Length of stay required (in Australia) | 24  *1.* ***Short Term Occupations*** *provide a maximum visa period of 2 years;*  *2.* ***Medium-Long Term Occupations*** *provide a maximum visa period of 4 years;*  *3. The visa period starts from date of approval (not date of arrival)* |

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| Details of nominee / applicant | |
| Name | VIJAY SUNKENAHALLI RAMU |
| Email contact details | VIJAY.SR@HCL.COM |
| Proposed commencement date | 10-Dec-2021 |
| Are they being accompanied by family? If yes, please provide details | No |
| If in Australia, what kind of visa do they hold?   * *Please advise if visa expiry is imminent.* * *If a 457 / TSS visa holder, please advise the date they ceased employment with their previous sponsor.* |  |
| Are they an Owner, Director or Principal of the business? Or have an existing relationship with any of the owners, directors or principals of the business? | Yes  No √ |

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| **Details of** nominated **role** | |
| Position title | Senior Test Lead |
| Does the position require the nominee to hold a licence, registration or professional membership? | Yes  No √ |
| Is this role an intra-company transfer? | Yes √  *If yes, please provide the below details:*  *Location where the nominee is currently working:* BENGALURU  *Legal registered name:* HCL TECHNOLOGIES LIMITED  *Country:* INDIA  *Current position details:* responsible for QA and QC strategy and test automation process of web based, mobile and webservice applications  No (Note: Option “No” is applicable only for direct hire candidates to HCL Australia). |
| Street address where the applicant will carry out the role | ING Australia, 60 Margaret St, Sydney NSW 2000 |
| Business contact person at this location: | Name: Varun Soman  Position Title: GENERAL MANAGER  Business Phone: +61414105800  Mobile Phone: +61414105800  Email address: varun.soman@hcl.com |

**below details to be filled by isg hcl**

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| Labour Market Testing | |
| Has the sponsoring organisation tested the market to ensure that there are no suitably qualified and experienced Australian citizens or permanent residents readily available to fulfil this or a similar position? | Yes - *please answer questions below*  No  *Intracompany transfer exemption*  *Nationality exemption*  *Renewal exemption*  *Executive or Senior Manager exemption* |
| Has the business advertised the nominated or similar position recently? | No *- please outline the alternative LMT evidence the business wishes to rely on in lieu of advertising*  Yes - *please provide the following details*  ***Advertisement #1***  *Where was the advertisement posted?*  *Date:*  *Duration of advertising:*  *Was there a cost for the advertising?*  *Number of applications received:*  *Number of applicants offered a position (not including the nominee):*  *Provide reasons why other applicants were deemed not suitable:*  ***Please provide a copy of the advertisements and evidence of fees paid e.g. invoice / receipts***  ***Advertisement #2***  *Where was the advertisement posted?*  *Date:*  *Duration of advertising:*  *Was there a cost for the advertising?*  *Number of applications received:*  *Number of applicants offered a position (not including the nominee):*  *Provide reasons why other applicants were deemed not suitable:*  ***Please provide a copy of the advertisements and evidence of fees paid e.g. invoice / receipts*** |
| Has the business retrenched any Australian citizen or permanent residents in the nominated occupation, or made their positions redundant, in the last 4 months? | Yes - *please provide details*  No |

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| Salary details of nominated person | | | |
| **A**: Monetary component of annual earnings – please provide a breakdown including amounts e.g. base salary, allowances etc.  *(DO NOT include superannuation, incentives or bonuses, loadings, overtime or penalty rates or any other amounts which are not guaranteed / able to be determined in advance)* |  | | |
| **B**: Non-monetary component of annual earnings – e.g. value of company car, accommodation provided by company, health insurance etc.  *(NOTE: the value of non-monetary benefits needs to be agreed in writing with the employee / assignee)* |  | | |
| **TOTAL (A+B): Guaranteed annual earnings** |  | | |
| Number of hours per week: |  | | |
| Will the applicant’s business make any deductions from these earnings apart from tax? | Yes  No - *please provide details* | | |
| Compulsory superannuation contribution | Compulsory 9.5%  Other – specify: | | |
| Will the sponsoring organisation be paying the applicant’s salary? | Yes  No *Please confirm the organisation who will make the salary payments* | | |
| Has the nominated person agreed to pay the employer or the employer’s agent for any purpose whatsoever included, but not limited to, recruitment, travel, visa application or agent fees: | Yes - *please provide details*  No | | |
| **Salary details of an equivalent Australian worker in the nominated position** | | | | |
| **A**: Monetary component of annual earnings – please provide a breakdown including amounts e.g. base salary, allowances etc.  *(DO NOT include superannuation, incentives or bonuses, loadings, overtime or penalty rates or any other amounts which are not guaranteed / able to be determined in advance)* | | | |  |
| **B**: Non-monetary component of annual earnings – e.g. value of company car, accommodation provided by company, health insurance etc.  *(NOTE: the value of non-monetary benefits needs to be agreed in writing with the employee / assignee)* | | | |  |
| **TOTAL (A+B): Guaranteed annual earnings** | | | |  |
| Number of hours per week: | | | |  |
| Method of calculating the market salary rate | | | | |
| Are there Australian employee(s) doing the same work as the nominated person? | | | Yes  *Please provide a copy of their employment contract and current payslip*  No | |
| Is there an award or collective agreement which is applicable to this role? | | | Yes  *Please provide the number/reference and the classification/level relevant to this nominee*  No X | |
| Do you utilise officially collated salary surveys to determine market salaries for this role? | | | Yes *Please provide a copy*  No | |
| Please provide details of how you determined annual earnings for the nominee.  Include an explanation as to how you apply the salary ranges to this, or other similar roles AND why the nominee sits at that particular point in the salary range (e.g. skills, experience, areas of expertise, performance etc.) | | |  | |
| Do you declare that the market salary provided reflects the salary package received by equivalent Australian employee(s)? | | | Yes  No | |
| Are there other terms and conditions that apply to the Australian employees? | | | Yes  No | |

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| *Workforce Details* | |
| In the Australian operations of the business/organisation, what is the total number of: | **PART A:** Australian employees (incl. permanent residents):  Breakdown of Australian employees:  Professionals:  Tradespersons:  Recent Australian university graduates with less than 12 months work experience:  Apprentices employed under a training agreement or contract of training:  Other trainees employed under a training agreement or contract of training:  **PART B:** Total foreign employees:  Breakdown of foreign employees:  457/TSS visa holders:  Other temporary work or temporary activity visa holders:  Overseas students:  Working holiday makers:  Other: |
| Annual turnover of business for the most recent financial year | $AUD |

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| DOCUMENTS TO ATTACH *(must complete)* | |
| Contract of employment signed by both parties |  |
| Position description  *Must include details of responsibilities, main tasks, relevant qualifications, skills / experience as well as registration / licensing requirements for the role* |  |
| Evidence of market rates  *Copy of award / industrial instrument or individual agreement / salary band information / contracts / pay slips* | *If you have previously provided Fragomen documentation to evidence of equivalent terms and conditions in support of another visa application, please confirm the nominee’s name and we will refer to the information held on file.* |
| Evidence of Labour Market Testing  *Copy of advertisements and evidence of fees paid (unless exempt)* |  |
| Applicant’s CV |  |
| Copy of passport ID page / visa (if in Australia) |  |

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| Other matters *(****e.g. is priority required, health issues that are you aware of?)*** | |
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| Declarations | | |
| **Adverse Information**  Is there any adverse information about the business background of your business or any principals of your business, including breach of sponsorship provisions or Australian laws, bankruptcy or liquidation procedures that your business or any principals of your business have been involved in?  *Adverse information includes details about legal proceedings or administrative action.*  *Business sponsors may be required to provide details of any findings of guilt, or any action for, the contravention of a law of the Commonwealth or a State or Territory or any current investigation for a breach of a broad range of defined laws. The following areas of law will be of particular interest to the Department:*   * *immigration,* * *discrimination,* * *industrial relations,* * *deceptive recruiting* * *occupational health and safety, and* * *taxation.*   *Insolvency under the Bankruptcy Act or the Corporations Act is also considered adverse information.* | | *Yes - please provide details*  *No* |
| **Payments**  Do you certify that neither you, nor anyone associated with you or your business, has requested, received, or been promised any payment or other benefit in return for your agreement to nominate any person named in the nomination application? | | *Yes*  *No* |
| **Nomination**  Do you certify that:   * you have not engaged in conduct in relation to this nomination that constitutes a contravention of subsection 245AR(1) of the Migration Act 1958\*? * the nominated occupation is a position with your business, or an associated entity of your business; or the nominated occupation is specified in the relevant Legislative Instrument? * the nominated position has not been created solely to secure a migration outcome for the nominee? * the nominated occupation fits within the nature, size, and scope of your business? * The proposed salary for the nominated position is the market salary rate for positions in the nominated occupation in the location where your business operates? * You will be engaging the nominee as an employee under a written contract of employment and you will give a copy of the contract to the Department if requested?   *\* Section 245AR of the Migration Act 1958 prohibits asking for or receiving a benefit in return for the occurrence of a ‘sponsorship-related event’*. | *Yes*  *No* | |
| **False & Misleading information**  Do you declare that, you:   * Have provided complete and correct information in every detail on this form, and on any attachments to it; * Will inform Fragomen immediately as you become aware of a change in circumstances (including change of address), or if there is any change relating to information you have provided in or with this application, while it is being considered; * Have read the information contained in the Privacy Notice (Form 1442i); * Have read and understood the sponsorship obligations and other sponsorship requirements and understand that the organisation is bound by the sponsorship obligations and other sponsorship requirements with respect to all primary and secondary persons that the organisation consents to sponsor in writing. | *Yes*  *No* | |