

Internationalising the University Workplace: GOVERNMENT POLICY

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Distinguished guests, ladies and gentlemen,

It is my great pleasure to talk to you today about Australian migration policy, the philosophy that underpins it and the role migration – if not government policy itself – plays in the internationalisation of the university workforce.

As many of you know, this has been a year of great change for Australia's immigration program, affecting students, workers and migrants alike alongside a significant attitudinal shifts toward several elements of Australia's migration program, including its refugee intake, broader skills needs and long range population targets.

We have seen an effort by the Commonwealth to de-couple the student visa program from the General Skilled Migration stream, essentially closing a door on permanent residency for many trade, service and vocational sector students.

The government has made significant changes to the Skilled Migration Program, as it was not meeting its objectives of satisfying Australia's skills shortages. It had become skewed by the Migration in Demand List (MODL), and it has attracted far too many applications from recent Australian graduates.

The General Skilled Migration Program will thus become an increasingly smaller component of Australia's overall skilled migration program. The latest change will be the new and smaller Skilled Occupation List (SOL) which is due for release tomorrow. This and the other changes that have happened in the General Skilled Migration program will, of course, have considerable implications for student numbers in the near future.

The 457 visa program (which allowed employers to sponsor workers on a temporary basis) has seen significant changes, most of which were designed to safeguard against the exploitation of workers.

The next programs in the government's sights for reform are the Employer Sponsored and Regional sponsored programs, and it is here that the tertiary sector might usefully inform the Government of the changes that it believes should be made in the interest of strengthening its workforce.

These changes are part of a larger philosophical and policy platform implemented under the Minister for Immigration and Citizenship Senator Evans and the Minister for Education, Employment and Workplace Relations Julia Gillard.

Each office is committed to the Government's reform agenda, which prizes a demand-driven model with regards to its migrant workforce.

This means that while Australia has a robust migration program, with Net Overseas Migration numbering 300,000 entrants coming to our shores each year, we are dedicated to directing and controlling the types of arrivals who intend to work here in order to reap the greatest economic and social benefits.

Based on demographics which show an aging population leading to a declining workforce, this demand-driven program seeks to help Australia weather the current global economic climate whilst positioning itself for the next peak.

It is a holistic outlook, drawing together objects related to education, immigration, foreign affairs, defence and the treasury, and largely based on a theory that says a demand-driven migrant workforce can be an economic engine.

Allowing for oversight and adjustment of the skill sets entering the country, the current demand-driven migration program also requires the tracking and filling of skills shortages, with a special emphasis on rural and regional areas and high-demand occupations.

It essentially allows the Commonwealth as well as, increasingly, the states and territories, to act as a recruitment agent, funnelling skills where they are needed most and limiting the hazards of unemployment that come with the oversaturation of certain occupations.

It has also resulted in a temporalised international workforce in this country, with overseas employees' residency tied to continuous employment in a designated field and subject to time of stay and other restrictions.

In practice, demand-driven migration often stands in contrast to the traditional focus and values of higher education, which has long advocated a global and internationalised workforce, at least within its own halls. Universities, by their nature, tend towards ideals

such as intellectual cross-fertilisation, the free exchange of ideas and the value of differing perspectives within an academic setting; historically, they have required the movement of people.

Those ideals are difficult to quantify and are thus largely overlooked by demand-driven indicators, a reality which affects where and when universities recruit and the makeup of their lecturers and researchers and other specialist technical staff.

Unfortunately, this demand-driven philosophy does little to support the Australian tertiary education sector which, according to the journal *Higher Education Policy*, is quote “facing a crisis in the academic staff of its universities over the next two decades.”

Due to, quote “age heaping, a concentration in older ages and a gender imbalance” Australian tertiary institutions are encountering a dearth of young academics; this “impending and actual retirement of the bulge means that there will be a tightening of the academic labour market and an increase in demand for university staff unprecedented for three decades.”¹

Although the actual policy and legislation of our demand-driven migration program, specifically the changes to the General Skilled Migration segment, leaves the international character of the Australian university workplace by-and-large unchanged from the previous regime, its philosophical underpinnings, have the potential for real ramifications across the tertiary market.

By focusing on demand, the Government migration philosophy has a chilling effect on overseas recruitment, nullifying universities’ intrinsic internationalist drive and restricting the aforementioned free exchanges and cross-fertilisation.

As the General Skilled Migration Program does not support any academic designations, overseas workers interested in being part of an Australian university workforce must pursue and gain sponsorship here prior to immigrating, or must enter under the auspices of a working holiday or student visa with their inherent fixed length of stay restrictions.

The effect of this has been that academics and other university faculty largely function under the Subclass 400-series regime, specifically the infamous 457 visa. These

¹ *Higher Education Policy*, 2005, 18 (207-229).

temporary residents are sponsored by an Australian university to fill a nominated position for the period of their contract.

And they, along with international administrative and support staff – generally employed as working holiday makers or student employees – are employed for fixed contracts and then return to their home countries, contributing sometimes as little as six months to the international character of these institutions.

As many here will know, there exists in Australian immigration a designation for “Visiting Academics”, but those eligible make up a relatively small fraction of the international university workforce as they are limited to participating in research projects, cannot undertake teaching, lecturing or study toward a degree, and cannot be paid, other than a contribution toward living expenses and travel costs.

Visiting Academics, along with a number of Specialist Entry visa holders, make a valued contribution to Australian universities, but could not rightly be said to be a part of any institution’s international workforce.

Rather it is the temporary residents – the 457s – that serve as lecturers, researchers, senior officers and administrators and other well-remunerated, essential university positions, and number about 400 annually, making up – and this is a very rough estimate based on muddy Immigration Department statistics– about half of one percent of all university-level academics in Australia.²

The relative insignificance of these numbers highlights the limitations of this visa Subclass, as the 457 neither reflects the international values of academic institutions nor supports free exchange of ideas:

- It is entirely employment based making an unbalanced power relationship;
- Its stay provisions are dependent on the length of contract;
- It provides no Medicare;
- There is no intrinsic path to permanent residency; and
- It houses fewer protections against abuse than other potential Subclasses, although a recent “integrity” initiative has helped in this regard.

In short, the Subclass 457 visa should not be mistaken for a substantive working visa for highly prized academics, researchers and administrators.

² *Subclass 457 Business (Long Stay) – State/Territory Summary Report 2009-10.*

It is, however, a successful, well-used visa Subclass in other settings, allowing local employers to bring in employees to fill skill shortages quickly and easily, and is thus likely to remain the standard for migrant workers for some time to come.

There is little other recourse for universities looking to employ international lecturers and tutors, and little impetus for the migration program to meet their specific needs.

This is why, in order to meet an impending and very real faculty shortfall, Australian universities need to begin refocusing their recruitment, recognising that there exists little to no government policy on Internationalising the University Workforce.

In order to fill the coming chasm as older academics retire, universities will need to reach out to overseas workers and offer a path to stability and residency. This means:

1. Recognising the shortfalls of the Subclass 457 visa and utilising it carefully;
2. Offering skilled, experienced overseas academics a path to permanent residency and long term employment, possibly under the Employment Nomination Scheme;
3. Recognising gifted and talented overseas students and tutors and finding a mutually beneficial way of retaining their skills;
4. Building a mobile and international body of students and workers alike that is not dependent on blanket Government policy which does not recognise the specific, idiosyncratic needs for international faculty and staff of Australian universities;
5. Developing novel, effective solutions to attract and retain international workers, regardless of the dearth of Government policy on the issue.

I wish you well in meeting these challenges. Thank you to the 2020 Vision organisers and to the distinguished speakers for the opportunity to be here and address this essential issue.