An Australian Government Initiative

Regional Development Australia
ORANA NSW

RDA Orana DAMA Employer Request for Endorsement Form

Request for endorsement to **vary an existing** labour agreement under the RDA Orana DAMA

Local people developing local solutions **rda.gov.au**

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ORANA NSW

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REQUEST FOR ENDORSEMENT TO VARY AN EXISTING LABOUR AGREEMENT UNDER THE RDA ORANA DAMA

Is your business still actively operating, and is it financially viable? Yes ☐ No ☐

Are all requested occupations included on the current RDA Orana DAMA occupation list? Yes ☐ No ☐

Does your business operate within any of the DAMA regions listed below? Yes ☐ No ☐

REGION	Local Government Areas	Where to Lodge
ORANA	Bogan, Bourke, Brewarrina, Cobar, Coonamble, Dubbo Regional, Gilgandra, Mid-Western Regional, Narromine, Walgett, Warren and Warrumbungle.	dama@rdaorana.org.au
CENTRAL WEST	Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Lithgow, Oberon, Orange, Parkes and Weddin.	migration@rdacentralwest.org.au
RIVERINA	Bland, Carrathool, Coolamon, Cootamundra-Gundagai, Griffith, Hay, Junee, Leeton, Lockhart, Murrumbidgee, Narrandera, Snowy Valleys, Temora and Wagga Wagga.	info@rdariverina.org.au
MURRAY	Albury, Balranald, Berrigan, Edward River, Federation, Greater Hume, Murray River, Wentworth and parts of the Snowy Valleys.	team@rdamurray.org.au
SOUTHERN INLAND	Goulburn-Mulwaree, Hilltops, Queanbeyan-Palerang, Snowy Monaro, Upper Lachlan, Wingecarribee and Yass Valley.	Online form

You must answer "yes" to all of the above questions to proceed with your endorsement to vary a labour agreement under the Orana DAMA.

WHERE TO SUBMIT YOUR COMPLETED FORM

Lodge this form with the RDA for your region (see 'Where to Lodge' above), together with the evidence listed in the Orana DAMA Endorsement Request Checklist (Variation).

A pre-lodgement meeting with your local RDA is available on request if you have questions or are unsure about any part of the request. Southern NSW applicants lodge through the online form linked above.

NEXT STEPS:

- **Initial eligibility check**

Your RDA conducts a quick check to confirm that your business is eligible to make the request. If eligible, your RDA will issue an invoice for the processing fee.

- **Payment**

Pay the processing fee. Assessment begins once payment is received. We aim to have your request finalised within 15 business days.

- **Further information**

Respond promptly if your RDA requests further information or clarification during the assessment.

- **RDA Orana review**

Your local RDA sends its assessment to RDA Orana for review and finalisation by the Designated Area Representative (DAR).

- **Outcome**

Once the assessment is finalised, RDA Orana will advise you of the outcome. Endorsement does not guarantee approval by the Department of Home Affairs.

PART 1 - YOUR DETAILS (BUSINESS SPONSOR)

Business Identity

Registered Business Name	
Trading name *(if different)*	
Australian Business Number (ABN)	
Australian Company Number (ACN), (ARBN) or partnership number	
Website	
Type of entity	☐ Company ☐ Sole Trader ☐ Partnership ☐ Trust ☐ Other
If other, please specify:	

Address and Contact Details

Head Office Address *(if applicable)*		
Business Address in the Region		
Postal address		
Contact person's name		
Contact person's email		
Contact persons telephone number(s)	**Phone**	
	Mobile	
	Other *(if applicable)*	

Director and Business Structure

Director 1	
Director 2	
Director 3	
Name of trust/trustee *(if applicable)*	
Industry *(eg. hospitality, construction, retail, mining)*	

Please outline your current workforce, including any overseas workers already employed under the Subclass 482 Standard Business Sponsorship program and any temporary overseas workers (for example, Working Holiday Makers, Student visa holders with work rights, NZ nationals on a Subclass 444 visa etc.).

Note: Employers can use the Visa Entitlement Verification Online tool (VEVO) to check the current visa status of their employees at VEVO.

Classification	**Current**
Professionals *(i.e. Persons Who Hold A Tertiary Degree Or Equivalent Experience)*	
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	
Total	

Visa Type	**Current**
Australians (citizens and permanent residents)	
Subclass 482 (TSS) visa holders	
Subclass 494 (SESR) visa holders	
Subclass 186 (ENS) visa holders	
Overseas students	
Working holiday makers	
Other temporary visa holders	
Total	

Do you already hold a Subclass 482 Standard Business Sponsorship approval? Yes ☐ No ☐

If yes, please provide a copy of the SBS approval letter (note that this is not a requirement to access the Orana DAMA, but is useful background information).

Has your business had any redundancies or retrenchments in the last 6 months? Yes ☐ No ☐

If yes, please provide details:

PART 2 - FINANCIAL BUSINESS INFORMATION

Annual turnover for most recent financial year

Is there any "adverse information" about your business or any person "associated with" your business?

Adverse information is information about the business, or any person associated with it, that may affect its suitability to be a sponsor. Examples include Fair Work findings, Australian Border Force (ABF) sanctions and court matters.

Please disclose all relevant matters, including those that have been resolved. Being transparent allows the DAR to comment on the matter and, where satisfied it has been remedied, to support the request.

Yes ☐ No ☐

If you answered yes, please provide details, including the outcome and any action taken to address the matter:

PART 3 - AUTHORISED RECIPIENT DETAILS

You may nominate an authorised recipient (such as a registered migration agent, legal practitioner, or other person) to receive correspondence on your behalf. If you do not wish to nominate an authorised recipient, leave this section blank.

Has an authorised recipient been nominated to receive correspondence on your behalf?

Yes ☐ No ☐

Name of authorised recipient

Agency/organisation name *(if applicable)*

MARN or legal practitioner registration number *(if applicable)*

Address

Telephone

Mobile

Email

If a representative or authorised recipient has been appointed, is the relevant form attached (Form 956 or Form 956A, as applicable)?

Yes ☐ No ☐

PART 4 - OCCUPATIONS, POSITIONS, CONCESSIONS AND SALARY DETAILS

Note: An Orana DAMA labour agreement is valid for up to five years. Businesses should identify their occupation and position needs across the full term of the agreement, rather than limiting the request to the first year. A variation endorsement is only needed for occupations or positions not already covered by the initial endorsement.

The Temporary Skilled Migration Income Threshold (TSMIT) concessions include breakdown of total annual earnings for each occupation i.e. non-cash payments to be included in the salary. Many employer-sponsored visa programs, including the standard SID (Subclass 482), SESR (Subclass 494) and ENS (Subclass 186) program, have a minimum threshold that can be paid. The current TSMIT also applies.

All workers employed under the RDA Orana DAMA must be employed under Australian employment conditions and receive no less than what an Australian would to undertake the same job in the same location.

Concession Type 1 – up to a 10% concession to the applicable income threshold

Businesses must demonstrate that annual monetary earnings will be no less than 90% of the applicable income threshold.

Concession Type 2 – applicable income threshold with inclusion of non-monetary earnings (food and board). Businesses must demonstrate that total annual earnings will be no less than the applicable income threshold.

Non-monetary earnings (food and board) may comprise up to 10% of the applicable income threshold.

EVIDENCE OF ANNUAL MARKET SALARY RATE (AMSR)

Provide evidence to demonstrate the relevant market salary rate for **each occupation requested.**

Is there an equivalent Australian worker performing the same or substantially similar work in the same or a similar location?

☐ Yes

☐ No

Complete this section separately for each occupation where the answer differs.

If yes, provide:

- The name/reference of the relevant award, enterprise agreement or other industrial instrument that applies to the position, where applicable. Include the relevant classification or level.
- The employment contract or letter of offer for the equivalent Australian worker.
- Recent payslips for the equivalent Australian worker.

Identifying information may be redacted where necessary to preserve confidentiality.

If no, provide:

- The name/reference of the relevant award, enterprise agreement or other industrial instrument that would apply to the position, where applicable. Include the relevant classification or level.
- Evidence used to determine the market salary rate for the occupation. This may include:
  - recent job advertisements for comparable positions in similar regional locations; and/or
  - remuneration or salary surveys for the occupation or industry from a reputable organisation or industry body.

Where job advertisements are used, they should generally be for comparable roles in similar regional labour markets and be sufficiently recent to reflect current market conditions.

SUBCLASS 482 (SID) POSITIONS

Complete the tables below for each occupation and attach a position description for each.
Note: Tick concession only where the relevant concession is being requested for that occupation; otherwise leave blank.

ANZSCO Code	Occupation	Variation Type	Nomination Ceiling					TSMIT		English	Monetary earnings	Non-monetary earnings	Total Annual earnings
			Y1	Y2	Y3	Y4	Y5	Type 1	Type 2				
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year						☐	☐	☐			
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year						☐	☐	☐			
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year						☐	☐	☐			
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year						☐	☐	☐			

SUBCLASS 494 (SESR) AND SUBCLASS 186 (ENS) POSITIONS

ANZSCO Code	Occupation	Variation Type	Visa Type		Nomination Ceiling					TSMIT		English	Age	Monetary earnings	Non-monetary earnings	Total Annual earnings
			494	186	Y1	Y2	Y3	Y4	Y5	Type 1	Type 2					
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year	☐	☐						☐	☐	☐				
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year	☐	☐						☐	☐	☐				
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year	☐	☐						☐	☐	☐				
		☐ Additional ☐ Change visa ☐ Concession ☐ Move year	☐	☐						☐	☐	☐				

DATE YOUR EXISTING ORANA DAMA LABOUR AGREEMENT WAS EXECUTED (SIGNED):

PART 5 - ENGLISH CONCESSION

Employers seeking an English concession for an occupation need to provide reasoning as part of their endorsement request. This should explain why a lower level of English language is acceptable for the requested occupation.

Consideration should be given to how any workplace safety risks will be managed for workers with lower levels of English.

Occupation 1

Occupation Title	
Reason for English Concession	
How will WHS risk be managed	

Occupation 2

Occupation Title	
Reason for English Concession	
How will WHS risk be managed	

Occupation 3

Occupation Title	
Reason for English Concession	
How will WHS risk be managed	

Occupation 4

Occupation Title	
Reason for English Concession	
How will WHS risk be managed	

Occupation 5

Occupation Title	
Reason for English Concession	
How will WHS risk be managed	

PART 6 - SUMMARY OF DOMESTIC RECRUITMENT EFFORTS

Evidence of your domestic recruitment efforts over the last 12 months is required. The role must have been advertised (via website, print media or radio) in Australia for at least 28 days on two (2) platforms. Recruitment activities undertaken must meet Department of Home Affairs DAMA LMT requirements.

	Guidance	Occupation 1	Occupation 2	Occupation 3	Occupation 4	Occupation 5
Occupation / ANZSCO Code	*e.g. Cook (351411)*					
List all modes of advertising or recruitment efforts by your organisation in the last 12 months for the occupation	*(Example) Electronic advertising*					
Provide details of where the advertisement or recruitment effort took place	*e.g. https://jobsearch.gov.au/*					
Period/dates of advertising or recruitment	*e.g. Ongoing*					
Fee/s paid for advertising or recruitment	*e.g. Nil – government website*					
Geographical target audience	*e.g. Local, national & international*					
Number of applications received from Australian citizens or permanent residents	*Varies by number of applications received & qualification*					
Number of Australian citizens or permanent residents hired (if known)						
Reasons Australian citizen or permanent resident candidates were not successful	*e.g. Insufficient on-the-job experience, did not meet the selection criteria*					

PART 7 - TERMS & CONDITIONS OF ENDORSEMENT

7.1 By making this request, you are seeking the endorsement of RDA Orana to be able to request to vary your existing Labour Agreement with the Commonwealth of Australia (the Commonwealth).

7.2 You understand that RDA Orana cannot require the Commonwealth to agree to vary your Labour Agreement and will not be a party to any such Labour Agreement.

7.3 You understand and accept that the RDA Orana is under no obligation to endorse your request to vary your Labour Agreement.

7.4 You understand that it is a criminal offence in each State and Territory within Australia to make a false or misleading statement to an official.

7.5 You understand and accept that endorsement by the RDA Orana DAR permits you only to request a variation to your Labour Agreement from Home Affairs under the RDA Orana DAMA. It is not an endorsement of you, your business or any activity you carry on, or of the individuals you apply to sponsor on Subclass 482, 494 or 186 visas.

7.6 You understand and accept that endorsement is discretionary and may be revoked if the RDA Orana DAR, in its absolute discretion, is no longer satisfied you should be able to apply to vary a labour agreement under the RDA Orana DAMA.

7.7 Revocation of endorsement will be notified to Home Affairs, and you accept that the RDA Orana DAR will not be liable to compensate you for any costs, loss or damage that may arise from such revocation.

7.8 You warrant that the information referred to in this request and any attachments:

(a) is true and correct, and

(b) is complete and is not misleading in any respect, and

(c) you acknowledge that this information has been relied on by the RDA Orana DAR in considering this request.

7.9 Where a migration agent has been appointed to assist and represent the business, you acknowledge that the application, including supporting documents have been provided with your full knowledge and consent. The employer seeking the endorsement should still sign this form.

7.10 You will notify the RDA Orana DAR as soon as you become aware that any information or documents provided with this request have changed or are no longer true and correct. This obligation applies until your Labour Agreement variation request has been finalised.

7.11 This request and any endorsement do not:

(a) constitute a partnership or joint venture between the parties; or

(b) except as expressly provided, make a party an agent of another party for any purpose.

7.12 Where the RDA Orana DAR depends on you to fulfil an obligation to Home Affairs, you must do everything reasonably within your power to assist.

7.13 Where the employer comprises more than one legal entity (such as a partnership or unincorporated association), each entity is jointly and severally liable for any conditions arising from the endorsement.

7.14 You agree to provide, within 28 days of request, any information the RDA Orana DAR requires to fulfil its obligations under the RDA Orana DAMA — including updated information about the business and its workforce, and evidence of ongoing compliance with the Labour Agreement.

7.15 You acknowledge that the RDA Orana DAR may be required, from time to time, to provide information that you have included in this request, in part or entirety, to Home Affairs and you consent to this disclosure of information.

7.16 You acknowledge that you have read and understood the attached information referred to in this document, and have sought independent advice regarding the contents and your ability to meet the requirements of the Labour Agreement.

7.17 You acknowledge that you have not relied on any statement, representation or advice (express or implied) made or given by or on behalf of the RDA Orana DAR in requesting a variation to the Labour Agreement, or in taking or not taking any action in connection with it.

7.18 You understand and accept that the RDA Orana DAR has no liability to you for any costs, loss or damage incurred or suffered by you directly or indirectly arising from or in connection with:

(a) your request for, or the variation of, a Labour Agreement; or

(b) anything done by you, or on your behalf, relating to the entry into or the performance of the Labour Agreement; or

(c) anything done to you relating to the entry into or the performance of the Labour Agreement or work performed by employees employed following entry into the Labour Agreement.

PART 8 – RDA ORANA PRIVACY POLICY

In accordance with the Australian Privacy Principles (APPs) under the Privacy Act 1988 (Cth) (Privacy Act):

8.1 You acknowledge on behalf of your business described in Part 1 of this application (Business) that the collection of the personal information contained in this application is necessary for the functions and activities of the RDA Orana Designated Area Representative (RDA Orana DAR);

8.2 You acknowledge on behalf of your Business that the Business is entitled to have reasonable access to the personal information contained in this application after it has been lodged with RDA Orana DAR but that RDA Orana DAR shall always be entitled to retain the information provided;

8.3 You acknowledge on behalf of your Business that RDA Orana DAR is collecting the personal information in the Business's application for the following purposes:

(a) considering the merits of the application;

(b) verifying the accuracy of the contents of the application (including through contacting third parties regarding the application);

(c) complying with relevant reporting requirements;

(d) compiling statistics (or engaging a third party to compile such statistics);

(e) participating in RDA Orana DAR and the wider RDA regions surveys; and

(f) complying with its obligations to any other Commonwealth or Local government agency.

8.4 In carrying out this purpose you acknowledge and agree on behalf of your Business that RDA Orana DAR may disclose the personal information (including sensitive personal information if any) in the Business' application to:

(a) Commonwealth Government agencies; and

(b) any other person or entity referred to in your application (Third Parties).

8.5 You acknowledge on behalf of your business that if you do not sign this application or if your Business does not provide the required personal information in its application, RDA Orana DAR may reject the application.

8.6 On behalf of the Business, you authorise the RDA Orana DAR to:

(a) use the information provided within the application to make necessary inquiries with Third Parties to verify claims provided in the application;

(b) provide the application, including supporting documentation to the Third Parties for further consideration;

(c) retain the application and supporting documents in accordance with RDA Orana DAR policies and standards; and

(d) utilise the information provided for data collection and reporting purposes.

PART 9 – RDA ORANA DAMA REQUEST FOR ENDORSEMENT DECLARATION

I declare that:

- I have read and understand the information provided to me in support of this application, including the Terms and Conditions and Privacy Statement.
- I am aware of and capable of meeting the relevant requirements and obligations under Migration Legislation.
- My business is financially viable and has been lawfully operating in the designated area for at least 12 months.
- I have genuinely sought to recruit Australian citizens or permanent residents to fill the positions locally.
- I am looking to employ overseas workers to fill genuine full-time positions located in the designated area with duties that align with occupations on the approved list of occupations.
- I will provide all relevant details to the RDA Orana Designated Area Representative (DAR) if my business has had any redundancies or retrenchments during the last six months.
- I will provide terms and conditions of employment to overseas workers that are in accordance with those offered to Australian workers employed in the region undertaking equivalent work.
- I will abide by all relevant State/Territory and Commonwealth laws. I understand there are civil and criminal penalties for individuals and businesses breaching certain laws.
- I have provided details of any adverse information, including prior instances of non-compliance with State/Territory and Commonwealth laws, that may affect the assessment of my suitability to be a sponsor.
- I will provide all relevant documentation in support of my request for endorsement to the Department of Home Affairs.
- I authorise the RDA Orana DAR and Department of Home Affairs to make enquiries as necessary to verify the information provided.
- I understand that any false or misleading information provided by me may lead to revocation of endorsement by the RDA Orana DAR and the Department of Home Affairs will be notified.
- I understand that a positive RDA Orana DAR endorsement does not guarantee approval by the Department of Home Affairs at any stage.

Signed by the sponsor	
Organisation Name	
Full Name	
Position	
Date	
Signature	

PART 10 – DECLARATION

I declare that the information I have provided in this document is, to the best of my knowledge, true and accurate and I am aware of the penalties for providing misleading or false information to the Commonwealth.

Signing Page for endorsement to vary a labour agreement under the RDA Orana DAMA

Signed by the Sponsor:

Print name [Sponsor]	Position [Sponsor]	[Signature]	Date

Signed by the Witness:

Print name [Witness]	Position [Witness]	[Signature]	Date

If an authorised recipient has been nominated (see Part 3):

Print name [Recipient]	MARN / Registration No.	[Signature]	Date

Do not complete this part (RDA use only)	
Name of RDA:	
Date received:	
Recommended for endorsement:	Yes ☐ No ☐
Print Name:	
Position/title:	
Signature	
Date:	

Do not complete this part (Orana DAR use only)	
Date received:	
Endorsement approved:	Yes ☐ No ☐
Print Name:	
Signature	
Date:	

PART 11 – RDA ORANA DAMA PROCESSING FEE (NON-REFUNDABLE)

The form below must be completed by the employer before we can raise an invoice. An invoice will be sent to you within 2 business days.
Please note the processing fee is non-refundable. Once remittance is received, we will process your application within 15 business days.

Debtor/legal entity name			
Contact Name			
Invoice Address			
Email Address			
Phone no.		Mobile no.	
Reference no. *(if applicable)*			

RDA ORANA DAMA PROCESSING FEE COST

Fee tier	Fee per position (excl. GST):	No. of positions	Amount payable
Additional positions	$800		
Other changes *(change visa type, and concession, move unused nominations to a different year)*	$500		
	Total payable (excl. GST):		

The fees charged by RDA regional offices are used to undertake workforce development programs.

By signing below, I confirm that the business requests RDA Orana DAR endorsement for the nominations included in this application and agrees to pay the total processing fee shown above.

Print name [Sponsor]	Position [Sponsor]	[Signature]	Date

For information on the fees and charges for visas go to the Australian Government's Department of Home Affairs website. To learn about the cost of sponsoring and SAF levy, please click here.