



Subclass 457-Business (Long Stay) visa Information for workers

Sponsors, contracts, unions and workplace conditions

Can my sponsor cancel my visa?

No. Your sponsor cannot cancel your visa, but they can terminate your employment. If your sponsor terminates your employment, it must be done in a way that complies with relevant Australian laws. Your sponsor must also notify the Department of Immigration and Citizenship (DIAC) if your employment is terminated. If you stop working for your current sponsor, DIAC will usually allow you 28 days to find a new sponsor and apply for a new Subclass 457 visa. You may also have the option of applying for another visa type. You should phone DIAC on 131 881 or approach a DIAC processing office within this 28-day period for advice. In certain circumstances, you may be granted more time to find a new sponsor. If you do not apply for another visa, your Subclass 457 visa may be cancelled and you will have to leave Australia.

Can I move to a new sponsor?

Yes. You can move to a new sponsor by applying for, and being granted, a new Subclass 457 visa in Australia. The new sponsor must agree to sponsor you and your dependants and be approved by DIAC. A condition of the Subclass 457 visa is that you cannot work for another sponsor until you have been granted a new visa that allows you to work for them. If you work for an employer that is not your current sponsor, you risk having your visa cancelled and the employer may face prosecution under the Employer Sanctions legislation. People convicted of offences under the Employer Sanctions legislation face fines of up to \$13 200 and two years' imprisonment, while companies face fines of up to \$66 000 per illegal worker.

I signed an employment contract when I was overseas. Is it valid in Australia?

Any contract you signed with your sponsor or employment agency when you were overseas is only enforceable in Australia as long as it complies with Australian laws. When working in Australia on a Subclass 457 visa, you are entitled to the same working conditions as Australian permanent residents and citizens. Phone the Workplace Infoline on 1300 363 264 or go to the website at www.wo.gov.au for advice about salaries and conditions of employment in Australia.

Can I join a union?

Yes. Under Australia's freedom of association laws, everyone has the right to join a union. No one can make you join a union and no one can stop you.

My workplace is unsafe. What should I do?

If you feel that your workplace is unsafe, or you have received no training on workplace safety issues, you should contact the workplace safety agency in your state or territory. The contact details for these agencies are listed below.

WorkCover New South Wales	
Information/General Enquiries	13 10 50
Website	www.workcover.nsw.gov.au
WorkCover WA	
Advisory Services Unit & Dispute Resolution Enquiries	1300 794 744
Website	www.workcover.wa.gov.au
WorkCover Queensland	
Telephone	1300 362 128
Website	www.workcoverqld.com.au
NT Worksafe	
General Enquiries	1800 019 115
Website	www.worksafe.nt.gov.au
WorkSafe Victoria	
Freecall	1800 136 089
Website	www.worksafe.vic.gov.au
Workplace Standards Tasmania	
Telephone	1300 366 322
Callers outside Tasmania	03 6233 7657
Website	www.wst.tas.gov.au
ACT WorkCover	
Telephone	02 6205 0200
Website	www.workcover.act.gov.au
SafeWork SA	
General Telephone (Monday-Friday)	1300 365 255
Website	www.safework.sa.gov.au

I am being treated unfairly at work. What can I do?

If you are experiencing unfair treatment because of your race, religion, nationality, disability, age, sex, criminal record, sexual preference or trade union activity, you can phone the Human Rights and Equal Opportunity Commission (HREOC) toll-free on 1300 656 419. A HREOC representative will discuss your treatment with you and tell you about lodging a complaint, if appropriate. You could also visit the website at www.hreoc.gov.au

Do you have any questions?

For more information, go to the following question and answer sheets:

- [Pay, tax and superannuation, recovering earnings](#)
- [Accommodation, family and health care](#)

Important contacts

If you have any complaints or concerns about how you are being treated by your employer while working in Australia, contact the following organisations.

Department of Immigration and Citizenship	131 881	www.immi.gov.au
Workplace Infoline, at the Workplace Ombudsman	1300 363 264	www.wo.gov.au
Human Rights and Equal Opportunity Commission	1300 656 419	www.hreoc.gov.au

If you have a complaint or compliments about DIAC services, contact the Global Feedback Unit on 133 177 or go to www.immi.gov.au/contacts/forms/services/index.htm

If you need help in another language, contact Translating and Interpreting Services (TIS) on 131 450 or go to www.immi.gov.au/tis