

Filipino Migrants Forum

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This is the last of five parts of our Submission to the Joint Standing Committee on Migration in the Federal Parliament. The other four parts appeared in the four preceding issues.

In this issue, we will reproduce our submission on what we believe is the issue for overseas skills recognition and associated issues of licensing and registration for Australian Citizens returning after significant time overseas, with overseas qualifications. We consider how Australia's arrangements compare with those of other major immigration countries and identify the areas where Australia's immigration procedures can be improved including in terms of communication of processes to users.

More importantly, we recommend alternative approaches to skills assessment and recognition of overseas qualifications.

Issue:

Australians in this position have no readily available recruitment agencies to help them, so they may feel misplaced or ignored

Recommendations:

1. Provide recruitment agencies that cater to the needs of Australians in this position
2. Provide databases where employers can assess such employees for free, without the cost of headhunters.

How Australia's arrangements compare with those of other major immigration countries:

In the United Kingdom, United States and New Zealand, it is much easier for Nurses to have their qualifications recognised. Nurses are paid a salary whilst training, and then they get recognition. This is an incentive for them to go to the UK, US or NZ rather than Australia. Many will stay in the UK or the US due to better salaries and conditions available there as well as better exchange rates.

Issues:

1. Incentives for Nurses and other health professionals in other major immigration countries mean that Australia is less attractive to the most qualified people.

2. Potential employers of Residential Care Officers capable of being trained as Registered Nurses are reluctant to lodge nominations because the minimum salary required by DIMIA is equivalent to the award rate of a registered nurse with four years working experience in NSW, and therefore employing one as a residential care officer at that salary level would be at a loss.

Recommendations:

1. Ensure salaries and conditions for health care workers are competitive with other immigration countries;
2. Bring the minimum salary level required by DIMIA for nomination of Residential Care Officers in line with local awards

Areas where Australia's procedures can be improved including in terms of

a) Communication of processes to users.

There is often no communication regarding the processing of applications for a considerable length of time. Skilled permanent resident visa processing by DIMIA takes an average of 12 months, whereas occupations on the MODL take approximately 6 months.

Issues:

1. There is hardly an acknowledgement or progress report in the interim.
2. There is no uniformity in the length of time it takes DIMIA to process applications. If there are two similar applications lodged at the same time, one could take 3 months, whilst the other could take a year.

Recommendations:

1. DIMIA processing centre should, within 7 days, acknowledge receipt of an application, provide the file reference and name of the assessing case officer.
2. Processing of applications by DIMIA should be more transparent.
3. Standard letters should at least be sent to registered migration agents advising of the progress or status of applications every 3 months.

b) Alternative approaches to skills assessment and recognition of overseas qualifications

The Philippine Professional Regulatory Commission (PRC) administers, implements, and enforces the regulatory policies of the national government, including the maintenance of professional and occupational standards and ethics, and the enforcement of the rules and regulations relative thereto. It was created under Presidential Decree No. 223 on 22 June 1973. Subject to its jurisdiction it is responsible for the regulation and licensing of 42 professions through corresponding Professional Regulatory Boards. These professions are the following:

- * Accountancy
- * Aeronautical Engineering
- * Agricultural Engineering
- * Agriculture
- * Architecture
- * Chemical Engineering
- * Chemistry
- * Civil Engineering
- * Criminology
- * Customs Brokers
- * Dentistry
- * Electrical Engineering
- * Electronics and Communications Engineering
- * Environmental Planning
- * Fishery Technology
- * Foresters
- * Geodetic Engineering
- * Geology
- * Guidance Counseling
- * Interior Design
- * Landscape Architecture
- * Librarians
- * Marine Deck Officers
- * Marine Engineer Officers
- * Master Plumbers
- * Mechanical Engineering
- * Medical Technology
- * Medicine
- * Metallurgical Engineering
- * Midwifery
- * Mining Engineering
- * Naval Architecture and Marine Engineering
- * Nursing
- * Nutrition and Dietetics

- * Optometry
- * Pharmacy
- * Physical Therapy and Occupational Therapy
- * Professional Teachers
- * Radiologic and X-Ray Technology
- * Sanitary Engineering
- * Social Workers
- * Sugar Technology
- * Veterinary Medicine

The PRC monitors performance of schools in licensure examinations.

Upgrade of the PRC:

At the time the current 1995 edition of The Philippines Country Profile was published, then President Fidel Ramos issued Executive Order No. 266 institutionalising the Continuing Professional Education (CPE) programs of the various Professional Regulatory Boards (PRB's) under the supervision of the PRC. It has made mandatory CPE programs for the renewal of professional license.

The regulation was enacted not only to upgrade or improve the technical knowledge and skills of our professionals but also to keep them abreast with modern trends and technology in their respective professions. This would assure the rendition of highly qualitative professional service/s that will be globally competitive under the General Agreement on Trade in Services (GATS) and at the same time securing the safety and protection of the public.

In 1999, PRC was formally awarded the ISO 9002 Certification by the Anglo-Japanese-American Environmental Quality and Safety Certification Services for the licensing and certification of marine deck and engineer officers. In the same year, PRC signed memoranda of agreement with some colleges and universities in Manila to ferret non-qualified examinees with fake documents.

On 17 June 2002, the PRC adopted the 'Code of Good Governance for the Profession in the Philippines' and the 'Good Governance Code of Ethics for Professional Regulatory Boards and PRC Officials and Employees'.

The average passing percentages from 1992-2002 of professions under the PRC's jurisdiction are attached as Annexure 'C'.

Recommendations:

1. The PRC examination results should be considered as an alternative to qualifications recognition in lieu of the 1995 edition of NOOSR's The Philippine Country Education Profile (CEP) if it is advantageous to the visa

applicant (e.g. the relevant skills authority should exempt applicants from further assessment of educational qualifications if the applicant is in the top 15% of the PRC board exam, where the educational institution is not listed or in Section III of the CEP)

2. Alternatively, provide the top 5% of those who have passed PRC Board exams with scholarships on a training basis rather than requiring them to complete an overseas assessment program where they would have to pay for their own tuition and accommodations.
3. A shorter bridging course than normal (e.g. Orientation for 8 -12 weeks before assessment) should be made available to those in the top 16%-30% of the PRC board exams.

This information is of a general nature and should not be taken as authoritative legal advice for specific cases. The writer, Atty. Imelda Argel is a practising Filipino lawyer and a registered migration agent in Sydney, Australia. She is a Solicitor of the Supreme Court of New South Wales, the High Court of Australia, Attorney at law in the Philippines and in the State of New York, USA. Her Migration Agent Registration no. is 9682957. More information is available at www.iargel.com.au