

Filipino Migrants Forum

Do you satisfy the recent work experience requirement under the GSM?

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If you are applying for a visa under the General Skilled Migration Scheme (GSM), you must nominate an occupation listed in the [Skilled Occupations List](#) (SOL) and pass the points test. In addition, if you are applying for an offshore visa, you must have been working in any occupation listed on the SOL or a closely related occupation (referred to as *recent work experience*) for at least 12 months in the last 24 months before lodgement of your visa application unless you satisfy the two year full time study in Australia requirement and you lodge your visa application within 6 months from your course completion.

On the other hand, if you are applying for an onshore visa, you may be exempted from the recent work experience requirement under certain conditions: if you are an eligible student visa holder, you must satisfy the two year study rule, or you are a holder of any of the specified temporary visas such as a Skilled-Graduate, Skilled-Recognised Graduate visa, Trade Skills Training visa, or a related bridging A or B visa.

Recent work experience may be satisfied by working for a minimum of 20 hours per week, either as a permanent or casual employee, for full time or part-time work, as long as it is for remuneration. In other words, volunteer work is not counted.

Your recent work experience need not be the same nor related your nominated occupation for the purpose of satisfying the requirement stated above. However, both your nominated occupation and your recent work experience must be in an occupation listed in the SOL. Except in certain cases, you are normally not asked to provide additional skills assessment in relation to your “recent work experience” occupation provided your work experience was at the skilled level.

Skilled level employment means that your work must have been undertaken after you have met the entry level requirements for that occupation (for example, you must first have completed a qualification comparable to an Australian Certificate III in commercial cookery if your nominated occupation is that of a “cook”) *and* your duties must be at the level of depth and complexity expected in Australia.

In other words, required period of recent work experience of 12 months out of the last 24 months before lodgment of visa application is counted only from the date you meet the entry level under Australian qualification framework and for work experience to count, you must be carrying out duties expected of your occupation in Australia.

Determining whether you meet the employment experience at skilled level is also relevant if you claim points for specific work experience and applies to your spouse if you claim spouse skill factor.

If your occupation is a management position, IT professional or a trade occupation, without an easily identifiable date of registration or completion of formal studies, the assessing body will normally prescribe a date as of which you are assessed as meeting the Australian

standard for the occupation, in your skills assessment. Until that time, you are considered in fact” learning while on-the-job” but not performing the job at a skilled level.

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 Registered Migration Agent no. is 9682957. More information is available at www.iargel.com.au.

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