

Visa holders & migrants

Migrant workers and visa holders, including international students, have the same workplace rights as all other workers in Australia. We provide free advice and assistance to all workers to help them understand these rights.

Find out what you need to know about working in Australia.

- [Your visa](#)
- [Pay and conditions](#)
- [Help with workplace issues](#)

If you're having an issue at work, you can contact us anonymously to [help us keep workplaces fair \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-us-keep-workplaces-fair\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-us-keep-workplaces-fair). You can make an anonymous report to us in your language using our translated [Anonymous report form \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/report-a-workplace-issue-in-your-language\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/report-a-workplace-issue-in-your-language) in multiple languages.

Translated information is available in multiple languages in our [Language help section \(www.fairwork.gov.au/language-help\)](http://www.fairwork.gov.au/language-help). If you or someone you know needs an interpreter when contacting us or the Department of Home Affairs, call the Translating and Interpreting Service on 131 450.

Your visa

It's important to know the rules for your visa. Your visa may limit the type of work you can do in Australia. Some visas have rules about how many hours you can work (eg. international students), or what job you can do (eg. a seasonal worker).

The Department of Home Affairs can give you information about:

- which visa to apply for
- your rights and responsibilities under a visa
- how to change and cancel your visa
- how to apply for permanent residency.

Visa holders can use [Visa Entitlement Verification Online \(VEVO\) ^{external link} \(https://www.homeaffairs.gov.au/Busi/visas-and-migration/visa-entitlement-verification-online-\(vevo\)\)](https://www.homeaffairs.gov.au/Busi/visas-and-migration/visa-entitlement-verification-online-(vevo)) to check current visa details and conditions or contact the [Department of Home Affairs ^{external link} \(http://www.homeaffairs.gov.au/\)](http://www.homeaffairs.gov.au/) for more help.

Visa protections

Your employer can't cancel your visa, even if it's been breached. Only the Department of Home Affairs can grant, refuse or cancel visas.

If you hold a temporary visa with work rights and have not complied with your visa conditions due to workplace exploitation, the Department of Home Affairs will generally not cancel your visa, detain or remove you from Australia if you have:

- sought advice or assistance from us and you are assisting us with our inquiries
- not complied with the work-related conditions only and there is no other basis for visa cancellation
- committed to abiding by visa conditions in the future.

Read more about [Workplace rights for all visa holders working in Australia on the Department of Home Affairs website \(https://immi.homeaffairs.gov.au/visas/working-in-australia/work-rights-and-exploitation\) ^{external link}](https://immi.homeaffairs.gov.au/visas/working-in-australia/work-rights-and-exploitation).

Paying for visa sponsorship

It is illegal for someone to ask for, receive, offer or provide a benefit in return for visa sponsorship or employment that requires visa sponsorship. This is called 'paying for visa sponsorship.' Examples of this include:

- an employer makes someone pay them money in exchange for sponsoring them on a 457 visa
- an employer makes someone pay back some of their pay each week in exchange for a visa.

If you think your employer is engaging in 'paying for visa sponsorship' activity you can contact the [Department of Home Affairs ^{external link} \(http://www.homeaffairs.gov.au/\)](http://www.homeaffairs.gov.au/).

It could also be a 'cashback' scheme or an unreasonable requirement to pay money. Read more about this on our [Deducting pay and overpayments page \(www.fairwork.gov.au/pay/deducting-pay-and-overpayments\)](http://www.fairwork.gov.au/pay/deducting-pay-and-overpayments) . You can [Contact us \(www.fairwork.gov.au/contact-us/default\)](http://www.fairwork.gov.au/contact-us/default) about deductions, cashback schemes or if an employer is asking for payment of any kind as a condition of a job offer.

Seasonal workers

People from the Pacific region and Timor-Leste can work in Australia in certain industries as seasonal workers. To find out more visit the [Seasonal Worker Programme page \(www.fairwork.gov.au/how-we-will-help/helping-the-community/seasonal-worker-programme\)](http://www.fairwork.gov.au/how-we-will-help/helping-the-community/seasonal-worker-programme) .

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Pay and conditions

There are minimum pay rates that employees have to be paid, based on the work they do. Use our [Pay Calculator \(https://calculate.fairwork.gov.au/\)](https://calculate.fairwork.gov.au/) to find out the minimum pay rates for your job.

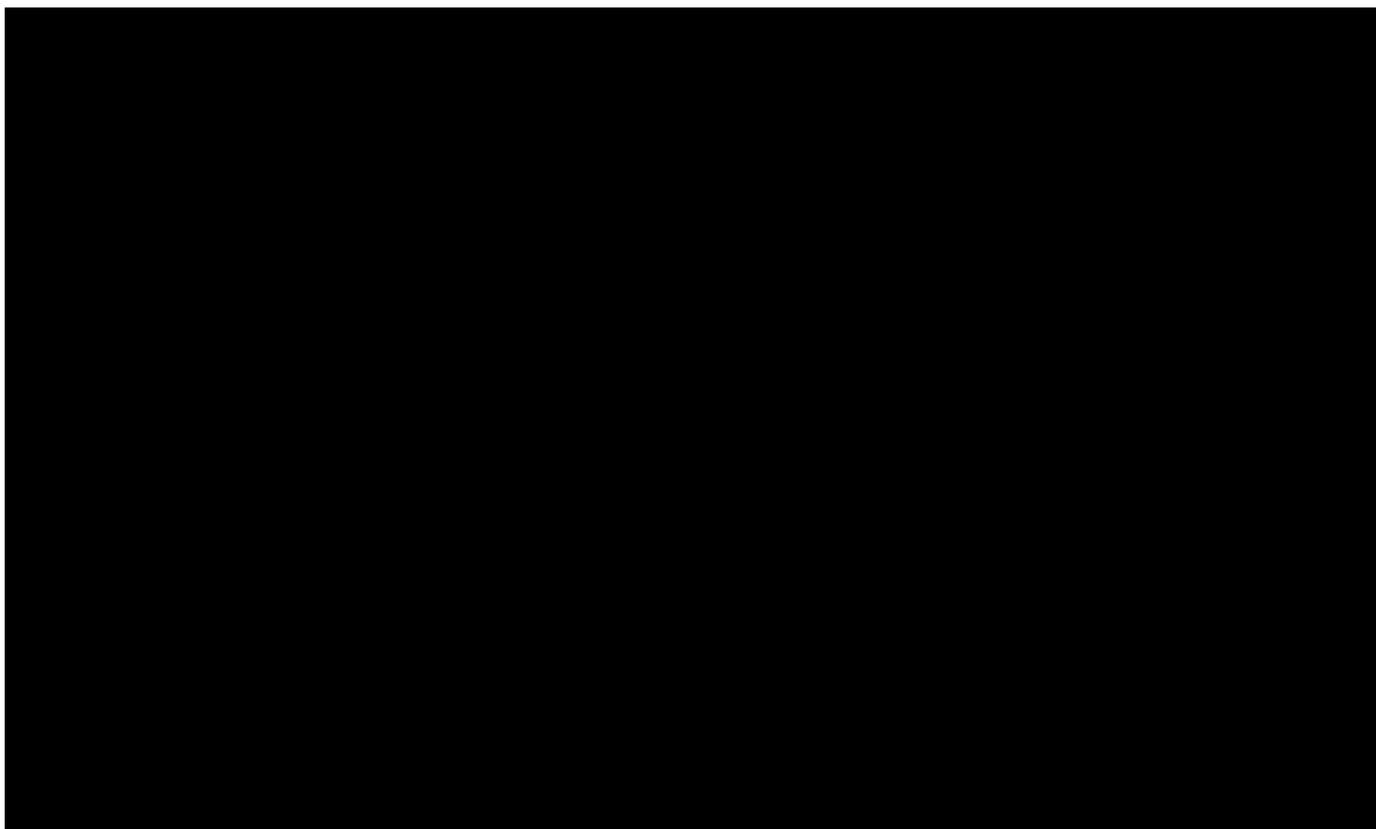
Employees also have other minimum conditions at work. These are set out either in an [Award or agreement \(www.fairwork.gov.au/awards-and-agreements/awards/find-my-award/\)](http://www.fairwork.gov.au/awards-and-agreements/awards/find-my-award/) , or come from the [National Employment Standards \(www.fairwork.gov.au/employee-entitlements/national-employment-standards\)](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards) .

Visa workers are entitled to the same minimum pay rates as any other Australian employee with the same job in their workplace.

For more information read our fact sheet on [482 and 457 workplace rights and entitlements \(www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/482-and-457-visa-holders-workplace-rights-and-entitlements\)](http://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/482-and-457-visa-holders-workplace-rights-and-entitlements) .

A payslip needs to be provided each time an employee gets paid. Visit our [Pay slips \(www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/pay-slips\)](http://www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/pay-slips) page to find out what should be on a pay slip.

Watch our short video for information about Working in Australia.



Case study: Jessica's story

International students can come to us for help if they're having workplace issues, without fear of their visa being cancelled.

Read [Jessica's story \(DOCX 129.1KB\) \(www.fairwork.gov.au/ArticleDocuments/725/jessicas-story-international-students.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/725/jessicas-story-international-students.docx.aspx) [\(PDF 439.1KB\) \(www.fairwork.gov.au/ArticleDocuments/725/jessicas-story-international-students.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/725/jessicas-story-international-students.pdf.aspx) to see how we can help you sort out workplace issues to do with your pay and conditions.

Visit our [Language help \(www.fairwork.gov.au/language-help/default\)](http://www.fairwork.gov.au/language-help/default) page for information in multiple different languages to help you

understand what your rights are when working in Australia.

Annual Market Salary Rate

If you're here on a 457, 482, 186 or 187 visa, your employers can't pay you less than the Annual Market Salary Rate (AMSR). The AMSR ensures that overseas workers are paid the same as Australian workers would be for doing the same work in the same location.

Read more about [Salary requirements for 482, 186 and 187 visa workers on the Department of Home Affairs website \(https://immi.homeaffairs.gov.au/visas/employing-and-sponsoring-someone/sponsoring-workers/nominating-a-position/salary-requirements\)](https://immi.homeaffairs.gov.au/visas/employing-and-sponsoring-someone/sponsoring-workers/nominating-a-position/salary-requirements).

Tax and superannuation

The minimum pay rate is the gross pay (the amount of pay before tax is taken out). The Australian Taxation Office (ATO) gives advice about tax and superannuation. You need to give your employer your Tax File Number (TFN) so that they do not have to take the highest rate of tax from your pay. For more information about tax, visit the [ATO website \(http://www.ato.gov.au/Individuals\)](http://www.ato.gov.au/Individuals).

If you're a temporary resident working in Australia, your employer may also have to pay super for you. Find out more about [Super for temporary residents leaving Australia on the ATO website \(https://www.ato.gov.au/Individuals/Super/In-detail/Temporary-residents-and-super/Super-information-for-temporary-residents-departing-Australia/\)](https://www.ato.gov.au/Individuals/Super/In-detail/Temporary-residents-and-super/Super-information-for-temporary-residents-departing-Australia/).

You can keep track of the number of hours you've worked easily with our [Record my hours app \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app). This app is available in multiple languages.

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Help with workplace issues

We are here to help you. An employee can't get into trouble or have their visa cancelled for contacting us to ask for information about their pay or other entitlements.

Tell us about your workplace issue by making an online enquiry in My account. If you already have an account with us, [go to the enquiries form now \(www.fairwork.gov.au/my-account/fwosignin.aspx?RedirectURL=%2fmy-account%2fsubmit-a-new-enquiry\)](http://www.fairwork.gov.au/my-account/fwosignin.aspx?RedirectURL=%2fmy-account%2fsubmit-a-new-enquiry).

Don't have an account yet? [Register for My account now \(www.fairwork.gov.au/my-account/registerpage.aspx\)](http://www.fairwork.gov.au/my-account/registerpage.aspx).

If you think your employer has made a mistake with your pay or entitlements, visit [Help resolving workplace issues \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default) for practical steps on how to fix the problem.

You can also contact us anonymously to [help us keep workplaces fair \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-us-keep-workplaces-fair\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-us-keep-workplaces-fair). You can make a report in your language using our translated [Anonymous report form \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/report-a-workplace-issue-in-your-language\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/report-a-workplace-issue-in-your-language), which is available in multiple languages.

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What to do next

- If you're injured at work, find out who to contact on our [Workers compensation page \(www.fairwork.gov.au/leave/workers-compensation\)](http://www.fairwork.gov.au/leave/workers-compensation) or check out the [Working safely in Australia information sheet \(https://www.safeworkaustralia.gov.au/collecting-working-safely-australia-information-sheets\)](https://www.safeworkaustralia.gov.au/collecting-working-safely-australia-information-sheets).
- To find your local workplace health and safety body, visit our [Related sites page \(www.fairwork.gov.au/website-information/related-sites\)](http://www.fairwork.gov.au/website-information/related-sites).

You might also be interested in

- [Unpaid trials \(www.fairwork.gov.au/Pay/Unpaid-work/unpaid-trials\)](http://www.fairwork.gov.au/Pay/Unpaid-work/unpaid-trials)
- [Student placements \(www.fairwork.gov.au/pay/unpaid-work/student-placements\)](http://www.fairwork.gov.au/pay/unpaid-work/student-placements)
- [Work experience and internships \(www.fairwork.gov.au/pay/unpaid-work/work-experience-and-internships\)](http://www.fairwork.gov.au/pay/unpaid-work/work-experience-and-internships)
- [Top tips for backpackers \(www.fairwork.gov.au/how-we-will-help/helping-the-community/campaigns/national-campaigns/harvest-trail-campaign#top-tips-for-backpackers\)](http://www.fairwork.gov.au/how-we-will-help/helping-the-community/campaigns/national-campaigns/harvest-trail-campaign#top-tips-for-backpackers)

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.