

# Coming from overseas

## Rights and responsibilities as an overseas worker

Overseas workers in Australia are entitled to the same minimum standards as any other employee, including correct pay rates for their classification, superannuation, overtime and penalty rates. There are 10 basic minimum entitlements that apply to all people working in Australia known as the [National Employment Standards](#) (NES).

Employers are responsible for checking every worker from overseas has a valid Australian visa with work rights. However as a worker, it is also your responsibility to give your employer copies of your working visa, passport, tax file number, superannuation fund, Australian bank account and drivers licence when asked. If you have all these documents ready before you apply for work, it will make the employment process much easier and quicker.

The [Fair Work Ombudsman](#) provides education, information and advice for employees and has a useful Fact Sheet: [Visa holders and migrant workers - workplace rights and entitlements](#). The Fair Work Ombudsman also has an Infoline on 13 13 94.



⋮  
TOP



### RESOURCES AND REFERENCES

[Overseas Workers taxation](#)- Word Doc

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## Backpackers

In recent years, many Australian farmers have employed backpackers to fill their short term employment needs. It can be an extremely rewarding experience for both employer and employee. Working holiday visa holders who perform 'specified work', in an eligible regional Australian area for a minimum of three months (88 days) while on their first working holiday visa (subclass 417 and 462) may be eligible for a second working holiday visa.

*From July 1 2019, second holiday year 417 and 462 visa holders (may be eligible for a third year working holiday visa, allowing visa holders to stay in Australia and work for an additional 12 months if they have worked for 6 months in a specified field or industry in a designated area of regional Australia.*

If you are a backpacker looking for work in Australia, be sure to check out our section called [Getting Employed](#) for information about where to find work in Australia.



### RESOURCES AND REFERENCES

Download [Backpacker FAQ sheet](#)

People in Agriculture aims to provide up to date and accurate information at all times, however we do not provide advice about obtaining visas. Visit [the Australian government web site](#) for more information about the different types of visas required and how to apply for them.

⋮  
TOP