Temporary labour migration and experiences of risk and uncertainty

Abstract

Temporary labour migration to Australia is a fast growing form of migration, which has begun to attract heated debate. This paper uses the lens of a sociology of risk and uncertainty in exploring one dimension often absent from the public discussion: the experiences and perspectives of the temporary migrants themselves. Our study of internationally qualified nurses on 457 temporary visas indicates that temporary migrants experience a high degree of risk and uncertainty, linked in particular with dependence on their employers. As studies of precarious migrant status suggest, much of this uncertainty is anchored in the legal regulation of their migrant status. We use nurses’ accounts of uncertainty in order to ground an analysis that seeks to explore two additional interrelated dimensions: first, the effects of migrant status on different dimensions of temporary migrants’ lives; and second, the influence of migrants’ biographies and plans and hopes for the future on their perception, affective experience and negotiation of risk and uncertainty.

Keywords
Temporary labour migration; 457 visa; precariousness; risk; uncertainty; experiences of risk and uncertainty
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Introduction

Temporary labour migration is one of the fastest growing forms of migration in Australia, with the result that persons with temporary residency rights now make up a significant share of the workforce and their numbers are beginning to rival those who arrive through the permanent migration program (Mares 2012). The category of temporary labour migration embraces groups such as overseas students, working holiday makers and even New Zealanders, but we concentrate here on those temporary migrants who enter for the specific purpose of paid work primarily under the terms of a sub class 457 visa (Mares 2012; Tham and Campbell 2011).

Temporary labour migration is a process permeated with risk and uncertainty. From an employer and governmental perspective it is often justified as a means of meeting skills and labour shortages that is as a strategy for managing economic risks. From the perspective of unions and local workers, temporary labour migrants are frequently seen as a source of real or imagined risks to job prospects. These two sides of the discussion are well represented in the current debate (Hugo 2013). However, temporary migrants themselves are taking many risks and may be experiencing high levels of uncertainty, and their perspectives need to be integrated more firmly into the discussion based on their position as key actors and community members, often for extended periods of time (MCA 2013). This paper focuses on the experience, perception and management of the risks amongst the select group of internationally qualified nurses on 457 visas, using a sociocultural perspective that gives particular attention to power relations and affective dimensions of risk perception (Zinn 2006a). The term ‘experience’ is used here to describe both perceptions of and affective responses to risk.
The first part of this paper develops the theoretical framework for the analysis, juxtaposing the analysis of risk with that of precariousness. The second section introduces our study of temporary migrant workers in the nursing sector. Section three discusses selected findings from this research. In conclusion we suggest that a sociocultural perspective on risk and biography is a promising tool for understanding the affective dimensions of precariousness amongst temporary migrant workers.

**Uncertainty, risk, and precariousness in a biographical context**

Risk and uncertainty are major themes in recent sociology. They are linked with emotion in some recent analyses, where emotion is identified as an important factor in risk perception and decision making (Zinn 2006b). From a sociocultural perspective risk has been investigated in the context of identity-formation and reproduction (Tulloch and Lupton 2003), where it is understood as associated with positive as well as negative emotions (Lupton and Tulloch 2002). Rather than viewing emotions as an antidote to rational decision-making, Zinn (2006b; 2004) suggests that we view them as necessary elements of every decision, which can interact in different ways with rationality.

Risk research is also linked with biographical context in recent writings (Zinn 2010; Tulloch and Lupton 2003). This trend has been interpreted as a move towards a deeper engagement with the individual in risk research (Zinn 2010). One area of interest has been the ways in which individuals negotiate the impact of uncertainties, including ‘new social risks’ (Taylor-Gooby 2004; Zinn 2013). The latter, which are becoming a more common part of biographies, include the increased incidence of insecure work conditions and changing, more temporary family formations.
Risk has received comparably little attention so far in migration research. One articulation of risk in the context of migration research is the suggested propensity of migrants to be greater risk-takers. Working within an economic anthropological framework, Sanjak and Finke (2006), for example, explore the connection between migration and economic behaviour and suggest that the experience of migration points to a greater willingness in taking risk but also contributes itself to a readiness to take risks. In this interpretation, risk taking has primarily positive connotations. An economic analysis of the German Socio-Economic Panel (SOEP) data has identified a positive, statistically significant and quantitatively important correlation between individuals’ attitudes to risk and their propensity to migrate (Jaeger, Dohmen et al. 2008). Risk endowments are interpreted here through a utilitarian lens which views migrants’ risk taking as economically beneficial for destination economies.

Recent sociological research on migration invokes an analysis of new (and old) social risks indirectly, through a concept of ‘precariousness’ (or ‘precarity’). Precariousness remains a contested term, with a variety of meanings, but the most common understanding links it to a notion of heightened insecurity, relative to conventional social standards (Vosko et al. 2009). Mainstream theorists tend to focus on objective conditions of heightened insecurity, as these are produced through both legal regulation and social practice at the workplace (Kalleberg 2009). Migrant workers, particularly temporary migrant workers, are widely regarded as precarious, generally in the sense that their employment relations and work conditions are insecure (Vosko 2010). More recent studies of migrant workers and precariousness extend the analysis to life beyond the workplace and show that some of this precariousness derives from the migrant status, associated with the specific configuration of immigration rules that govern the terms of entry of migrant workers and the conditions of their residence and work (Goldring et al. 2009; Goldring and Landolt 2011, Anderson 2010; Fudge 2012). These rules,
especially in the case of temporary migrant workers, generally limit the rights of the worker, compared with a worker with permanent residency or citizenship rights, and can make the worker’s existence in the destination country highly insecure. This provides a useful framework for case study research, but it is noteworthy that the analysis rarely extends to consider the individual subjective experiences of precariousness such as a sense of vulnerability and powerlessness (but see Anderson 2009).

A risk theoretical approach that incorporates a concern with emotion and biographical context can contribute to the analysis of temporary migration, extending the conventional analysis in terms of precarious migrant status (Boese, Campbell et al. 2013). The following sections explore this framework, using a case study of temporary migrant nurses.

**Temporary migrant nurses in Australia: the case study**

This paper stems from a research project examining temporary migrant nurses in Australia and social justice. The methods included examination of statistical sources and legal documents; interviews with 21 key informants from different government departments, trade unions, and employers; and in-depth interviews with 26 migrants who have worked as registered nurses in Australia while holding a 457 visa.

The paper draws primarily on the qualitative interviews with registered nurses currently or previously on 457 visas. The interviews were conducted by phone and followed a semi-structured interview schedule that covered the nurses’ biographies, with questions on their pre-arrival education and employment, migration motives and expectations, the recruitment, visa application and nurse registration processes, employment and more general settlement experiences in Australia.
The interviewed nurses came from 12 countries, ten were from the main English-speaking countries (MESC), and 16 were from other countries (non-MESC)(see table 1.). The sample included five men and 21 women. Most of those with immediate family were accompanied by their families, though some left family members behind.

We recruited potential participants through ads in two issues of the Australian Nursing Journal, a monthly publication of the Australian Nursing Federation (ANF). Using the union journal to recruit participants may have imparted a bias, though we can note that union density is high and the journal is widely available at the workplace, even to non-members. Possible limitations of the sample are a bias either to nurses with positive experiences or to those with negative experiences that have subsequently been overcome. However, there remains substantial diversity in the interviewees and in the experiences recounted.

**Experiences and negotiation of uncertainty, vulnerability and risk**

The interview accounts revealed high degrees of uncertainty and vulnerability across several different dimensions and traceable to different sources. Uncertainty and vulnerability are predictable features of migration to and settlement in a new country, linked with uprooting family or leaving family and friends as well as familiar social and cultural settings behind (Tulloch and Lupton 2003). Similarly, integration into a new workplace, characterised by new procedures and sometimes a new language, can be unsettling. Our interviewees reported freely on their initial fears of not being able to handle the different work and living conditions. Vulnerability is often heightened due to migrants’ dependency on advice and assistance from third parties with varying degrees of reliability and often associated with
costs. Migration pathways are varied, but it is possible to draw a broad division between MESC nurses, who could be registered and employed quickly and directly, and the majority of non-MESC nurses, who were obliged to do a bridging course, or even a full nursing degree, before securing registration (and the chance of employment). Uncertainty and vulnerability tended to be considerably higher for the latter group.

Financial insecurity was an important theme, especially for non-MESC nurses who had expended large sums of money on recruitment and migration agents or a bridging course, without yet having secured a nursing job. Even after having secured a job, temporary migrant nurses felt understandable anxiety about the risk of losing the job and being obliged within 28 days either to find another job with an approved employer or else depart for home. Additional sources of concern were restricted access to the health and overall welfare system.

A major theme in the interview accounts was the risk of losing the temporary residency right as a consequence of losing employment and the resulting uncertainty and vulnerability. Josephine, from South Africa, said that she found her visa unsettling because “you are always worried that if you do something wrong, they’re going to kick you out of the country”.

Mandy, from the US, identified a deep-seated sense of uncertainty and vulnerability in the workplace:

(B)ecause you’re not a permanent resident you know that if something did come out… you should be the first to leave. So there is always that feeling inside of you, or it is inside of me anyways, that that is a possibility.
This perception of risk and associated feelings of uncertainty and vulnerability were closely linked with a heightened dependence on the employer. Dependence extended beyond the simple fact that continuity of employment with the employer was important in maintaining the right to remain as a temporary resident and earn a living in Australia. Most of our interviewees, like 457 visa holders in general (Khoo, Hugo and McDonald 2008), harboured at some point an aim of converting their temporary visa into permanent residence (PR)(see table 1.). This transition to PR was a fraught process, generally dependent on securing the agreement of the employer to sponsor the employee for a position in the permanent migration program. In this relation the employers held most of the cards, and the individual employee faced a future riddled with risk and uncertainty. The attitude of the employer to the employee was crucial in determining the outcomes of migration projects and life plans and thus the realisation of certain risks, and this constituted a significant pressure on most of the participants.

Beyond this commonality, the interview data show significant variation at the level of individual responses to risk and uncertainty. Responses ranged from anger, extending even to incipient political action such as writing a complaint letter to a State Premier to a determined search for alternatives, including applying for a visa that does not require sponsorship but is harder to get, lengthier and more expensive; finding another employer who will realise the sponsorship; to exaggerated compliance and perhaps acceptance of an indefinite period of uncertainty; to despair in the face of a likely need to return to the departure country. The dominant response was resignation, joined with a heightened sense of obligation to comply with the employer, even in the face of unfair demands. Daya, from Zimbabwe, argued that because she was on a 457 visa she was “scared of saying things” about her work conditions. Similarly Jonathan, another South African nurse, argued:
This is just a cloud that hangs over anyone on a 457 visa... You always think that if my job come to an end, within 28 days... I’m very, very conscious of that, and that preoccupies me subconsciously at work... Personally I won’t complain. I won’t do anything that I feel would jeopardize my visa. So I might end up having to put up with things which I feel are not really things I should be tolerating, because I sort of feel: okay, if this relationship breaks down at any time I’m in trouble.

Other research participants sought to take the initiative to resolve uncertainty. Here the main strategy remained within the framework of pursuing individual advantage rather than collective combination (though some nurses received advice from the union). Thus two participants sought to address the risk of not gaining sponsorship through their current employer by finding another employer, also by paying a migration recruitment agent to help finding a willing sponsor, three others decided to take the riskier and more expensive route of applying as independent skilled migrant.

The differences in individual responses can be partly explained by varying levels of knowledge or ignorance of the regulation of the 457 visa and their workplace rights. Some interviewees expressed mistaken beliefs about the (im)possibility of changing employer, the existence of fines for changing employers, and severe penalties for claiming workplace rights. For example, Meera, from India, stated that her agent told her that she was not allowed to change employers and would have to pay $10,000 if she resigned from her job. Such misinformation amplifies a sense of vulnerability, powerlessness and uncertainty, especially if the nurse encountered adverse conditions at the workplace. Gloria, who considered pursuing a bullying manager with the assistance of the ANF, received a home visit from her
migration agent, who warned her: ‘oh, you are going to lose your visa if you are going to pursue with ANF, your children will be going back to the Philippines’.

Information levels do not, however, explain all the differences in responses to real and imagined risks. Several other factors come into play. A closer understanding of experiences and responses to risk and feelings of uncertainty can be achieved through a consideration of biographical context. This in turn directs our attention to the importance of migration pathways. Many interviewees were confident that the time spent in the waiting-room of the 457 visa was likely to be short. Feelings of trust enhance the readiness to passively accept a risk, as suggested by Samantha, a nurse from Zimbabwe, who replied to the question of whether she felt vulnerable:

Not really, I just knew that I couldn’t mess up in any way ‘cause then I’d be out of here, but I saw it as a stepping stone to better things.

This retrospective evaluation of risk differed however from the perception of risk by those who were still facing it at the time of interview.

**Discussion and conclusion**

Nurses are a substantial group of temporary migrants in Australia, but they are by no means typical. Indeed many features of the nursing experience, such as the organised nature of employment relations in the hospital sector, could be seen to reduce vulnerability, risk and uncertainty. Nevertheless, more than half of our research participants experience their status as temporary migrants as a period of intense uncertainty and powerlessness, largely because
of the way in which migrant status and migration pathways amplify dependence on the employer. This is suggestive of broader lessons for other groups of temporary migrants. The research contributes to forming a better understanding of how risk and uncertainty are negotiated and how decisions are made in the context of uncertainty (Zinn 2006b) and individual life experiences. A risk theoretical lens is useful in revealing the nature of uncertainty at the individual as well as the structural level. Neither the migrants’ subjective risk perception nor the actual uncertainty of gaining permanent residency through sponsorship allows for a purely calculative response (Zinn 2010). The participants’ responses to uncertainty and precariousness regarding their migrant status ranged from passive acceptance, paired with hope or trust, to feelings of stress and efforts to address the risk by seeking employer sponsorship through the help of migration agents. All responses show the intricate connection of rational and affective dimensions. The variation in these experiences and responses can partly be explained by different information levels and also by the significance of these risks and their aversion in the context of migrants’ individual biographies.
**Table 1: Migrant nurse interview participants**

<table>
<thead>
<tr>
<th>Pseudonym</th>
<th>Country of origin</th>
<th>Recruitment/migration agent</th>
<th>Year of 457 visa</th>
<th>Years spent on 457 PR and citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandy</td>
<td>USA</td>
<td>-</td>
<td>2011</td>
<td>&lt; 1 year</td>
</tr>
<tr>
<td>Valerie</td>
<td>USA</td>
<td>-</td>
<td>2009</td>
<td>2 years</td>
</tr>
<tr>
<td>Sandra</td>
<td>USA</td>
<td>-</td>
<td>2009</td>
<td>3 years</td>
</tr>
<tr>
<td>Naomi</td>
<td>Canada</td>
<td>Yes</td>
<td>2006</td>
<td>1 year</td>
</tr>
<tr>
<td>Beatrice</td>
<td>UK</td>
<td>Yes</td>
<td>2006</td>
<td>&lt; 2 years</td>
</tr>
<tr>
<td>Merle</td>
<td>UK</td>
<td>Yes</td>
<td>2007</td>
<td>5 years (ongoing)</td>
</tr>
<tr>
<td>Claire</td>
<td>UK</td>
<td>-</td>
<td>2005</td>
<td>2 years</td>
</tr>
<tr>
<td>Michael</td>
<td>UK</td>
<td>-</td>
<td>2008</td>
<td>3 years</td>
</tr>
<tr>
<td>Janine</td>
<td>Ireland</td>
<td>Yes</td>
<td>2007</td>
<td>5 years (ongoing)</td>
</tr>
<tr>
<td>Rebecca</td>
<td>Ireland</td>
<td>-</td>
<td>2010</td>
<td>2 years</td>
</tr>
<tr>
<td>Victoria</td>
<td>South Africa</td>
<td>Yes</td>
<td>2004</td>
<td></td>
</tr>
<tr>
<td>Jonathan</td>
<td>South Africa</td>
<td>Yes</td>
<td>2011</td>
<td>1 year (ongoing)</td>
</tr>
<tr>
<td>Josephine</td>
<td>South Africa</td>
<td>Yes</td>
<td>2006</td>
<td>2 years</td>
</tr>
<tr>
<td>Daya</td>
<td>Zimbabwe</td>
<td>Yes</td>
<td>2011</td>
<td>1 year (ongoing)</td>
</tr>
<tr>
<td>Samantha</td>
<td>Zimbabwe</td>
<td>-</td>
<td>2003</td>
<td>1 year</td>
</tr>
<tr>
<td>Emmanuel</td>
<td>Zimbabwe</td>
<td>yes</td>
<td>2009</td>
<td>3 years (ongoing)</td>
</tr>
<tr>
<td>Meera</td>
<td>India</td>
<td>Yes</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Osman</td>
<td>India</td>
<td>Yes</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Padma</td>
<td>India</td>
<td>Yes</td>
<td>2012</td>
<td>&lt; 1 year (ongoing)</td>
</tr>
<tr>
<td>Julia</td>
<td>Philippines</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Gloria</td>
<td>Philippines</td>
<td>Yes</td>
<td>2009</td>
<td>&gt; 3 years</td>
</tr>
<tr>
<td>Amor</td>
<td>Philippines</td>
<td>-</td>
<td>2011</td>
<td>&gt; 1 year (ongoing)</td>
</tr>
<tr>
<td>Henry</td>
<td>China</td>
<td>-</td>
<td>2010</td>
<td>2 years (ongoing)</td>
</tr>
<tr>
<td>Li</td>
<td>China</td>
<td>yes</td>
<td>2010</td>
<td>&gt; 1 year</td>
</tr>
<tr>
<td>Yumi</td>
<td>Japan</td>
<td>-</td>
<td>(ongoing)</td>
<td></td>
</tr>
<tr>
<td>Afsana</td>
<td>Central Asia</td>
<td>2008</td>
<td>&lt; 2 years</td>
<td></td>
</tr>
</tbody>
</table>
References


i Introduced in 1996, the 457 program is the main migration program that allows temporary entry of skilled migrants for the specific purpose of employment. The applicant needs to be sponsored by an approved employer. The visas can last from one day to four years and can be renewed several times. 457 visa workers, the ‘primary visa-holders’, are entitled to bring immediate family members (‘secondary visa-holders’). Under the regulations applicable to the visa holders in the research sample, 457 visa holders could transfer employers within 28 days of leaving or losing a job, provided that the new employer met the relevant migration requirements (Tham and Campbell 2011). This period has since been extended to 90 days (DIAC 2013).
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