

BREAKING NEWS (repeat)

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Please note this was published earlier by Immigration New Zealand, in other words, this is a repeat.

Changes to temporary work visas

Between now and 2021, we are making changes to the way employers recruit some migrants for temporary work in New Zealand.

Changes to employer processes and visas

Over the next 18 months, we will be bringing in changes that affect some employers and the migrant workers they employ. These include:

- introducing a new employer-led visa application process that will involve 3 stages — the employer check, the job check and the worker check
- a new temporary work visa that replaces 6 temporary work visas
- classifying jobs as low- or high-paid based on whether they are paid above or below the median New Zealand wage, instead of using a combination of the Australian and New Zealand Standard Classification of Occupations (ANZSCO) classification and pay to determine skill bands
- strengthening the labour market test for low-paid jobs and open access for high-paid jobs in rural regions and lists in cities
- introducing sector agreements for a range of industries that regularly employ migrant workers, and
- reinstating the ability for lower-paid workers to bring their families to New Zealand

The new process will be designed over the next 18 months, so there is a lot of detail that is not yet available. This includes information about fees, processing times and evidence that employers and migrants will have to provide in support of their applications.

> Helping regions fill skills shortages while ensuring Kiwis come first | New Zealand Government

Some policies are not changing

Some of the new visa requirements and processes will remain the same

- People who hold visas based on lower-skilled work will still have to leave New Zealand for a 1-year stand down period after they have been working for 3 years.
- The new visa will still have conditions specifying an employer, job and location, and a visa holder will still have to get a variation of conditions to change any of these.
- We will still need to be satisfied that there are no New Zealanders available for a job before we grant a visa — in most cases, through the labour market test. For lower skilled or low-paid work, this will still require the employer to engage with the Ministry of Social Development (MSD).

If you are currently an accredited employer

There is nothing that most employers need to change now in the way they hire migrants, but there are some changes in October 2019 that Talent Accredited Employers need to be aware of.

> Changes to the Talent (Accredited Employer) Work Visa

Talent Accredited Employers will need to use the new process once it has been put in place. We are working towards making this a streamlined transition.

> How accreditation will change for Talent Accredited Employers

If you currently hold a temporary work visa

If you are working in New Zealand on a temporary work visa your current visa is valid until it expires.

> Changes to working in New Zealand on a temporary work visa

Keeping up to date with the changes

We will keep this page up to date with information about the work visa and process changes as they become available.

If you are an employer, industry body, regional organisation, recruitment adviser, immigration adviser or NGO you can sign up for email updates.

> [Subscribe to updates](#)

Employers will lead a new process for employing migrant workers

From 2021, employers wishing to employ migrant workers on the new temporary work visa will use a 3-step process.

- An employer check — it will be mandatory for all employers, including those with an existing accreditation, to be accredited under the new application process before they can hire migrants on the new work visa
- A job check — this will include checking that the job is paid in line with the New Zealand market rate and, in some cases, will include a labour market test to ensure New Zealand workers are not available.
- A worker check — when the worker applies for a visa, they must show they meet our standard character, identity and health requirements, as well showing they have the skills to do the job they have been offered.

What an employer-led process can achieve

The changes aim to improve how New Zealand's temporary workforce operates by ensuring that:

- migrant workers are only recruited for genuine labour shortages
- regional and sector differences in the labour market are recognised when migrant workers are employed
- employers are encouraged to employ and train more New Zealanders.

The employer check and accreditation

We are still working through the details of the accreditation process and consulting with employers in order to get a streamlined process. The 3 levels of accreditation will be:

- standard accreditation

- high-volume accreditation — this is for employers who want to hire 6 or more migrant workers in a year, and
- labour hire employer accreditation.

The job check

Labour market tests will still be used but not for every job. For example, employers will not need to undertake a labour market test if they offer high-paid work in rural areas and smaller towns.

Labour market tests will need to be done for all low-paid jobs.

The worker check

The worker check is the last stage of the application process and will check that a migrant worker meets immigration health and character requirements. We carry out these checks when we assess the visa application they submit.

> Employing migrant workers — what is changing

Some visas and employer schemes will be replaced

From 2021, a new temporary work visa will replace 6 existing visas:

- Essential Skills Work Visa
- Essential Skills Work Visa — approved in principle
- Talent (Accredited Employer) Work Visa
- Long Term Skill Shortage List Work Visa
- Silver Fern Job Search Visa, and
- Silver Fern Practical Experience Visa.

At the same time 2 employer schemes will be removed:

- approval in principle (AIP) before an employer hires workers on an Essential Skills Work Visa
- accreditation as a Talent Accredited Employer.

Visas and employer schemes that are not affected

Other work visas and employer schemes such as the Recognised Seasonal Employer (RSE) Scheme and working holiday visas are not impacted by these changes. We have provided a full list of visas that are not affected with our more detailed information for employers.

> Employing migrant workers — what is changing

NOTE

The Skilled Migrant Category Resident Visa and its requirements are not affected by these changes.

Skill-levels and wages

Currently, jobs under the Essential Skills work visa policy are assigned a skill band based on a combination of the pay and the categorisation of the job on ANZSCO. The skill band determines:

- whether an employer needs to engage with the Ministry of Social Development (MSD)
- the duration of the visa
- whether the visa holder is limited to a maximum of 3 years in New Zealand, and
- if the visa holder can support family to come to New Zealand.

From mid-2020, we will not use ANZSCO in this assessment and instead use only the rate of pay. High-paid jobs will be defined as those that pay at or above the median wage, and low-paid jobs are those that pay below the median wage. High-paid jobs will receive the same benefits as jobs that are currently categorised as mid- or high-skilled, and low-paid jobs will be treated the same as low-skilled jobs.

> Employing migrant workers — what is changing

Strengthening the labour market test

As part of the labour market test, employers will have to:

- include the salary when advertising the job

- provide information about low-paid jobs to MSD, and
- accept potential workers referred by MSD for a low-paid job — although there are some exceptions.

Employers offering a high-paid job outside Auckland, Hamilton, Wellington, Christchurch and Dunedin will not have to do a labour market test.

Employers in these cities will still need to undertake a labour market test for any job they offer, unless it is on a skills shortage list.

> Managing labour markets in New Zealand cities and regions

Sector agreements

Some industries hire large numbers of migrant workers and we will negotiate sector agreements with them. Sector agreements will include a workforce plan and conditions they need to meet for recruiting temporary migrants for specified occupations in the sector. The first sector agreements will be negotiated by mid-2020.

> Employing migrant workers under a sector agreement

Visas for family of lower-paid migrant workers

From mid-2020, low-paid migrant workers will be able to support family visas. Their partners and children younger than school age can apply for Visitor Visas for the duration of the work visa. School-age children can apply for student visas for the duration of the work visa.

> Changes to working in New Zealand on a temporary work visa

Getting more information

We have prepared a factsheet that explains in more detail the changes that are planned.

> Changes to employer-assisted temporary work visas — overview PDF
2MB

Cabinet papers and minutes

Cabinet papers and cabinet minutes on employer-assisted work visas are available on the Ministry of Business, Innovation and Employment (MBIE) website.

- > Cabinet paper: A new approach to employer-assisted work visas and regional workforce planning: Paper one – employer gateway system and related changes
- > Cabinet minute: A new approach to employer-assisted work visas and regional workforce planning: employer gateway system and related changes (Paper one)
- > Cabinet paper: A new approach to employer-assisted work visas and regional workforce planning: Paper two – the job gateway
- > Cabinet minute: A new approach to employer-assisted work visas and regional workforce planning: the job gateway (Paper two)

Supporting advice

Advice supplied by MBIE to support cabinet decisions is available on the Ministry of Business, Innovation and Employment (MBIE) website.

- > 2019 Changes to temporary work visas: supporting advice | Ministry of Business, Innovation & Employment

Webinar for employers

On 21 November 2019 we hosted a webinar to explain the changes and to answer questions from the employers who attended.

- > Changes to employer-assisted temporary work visas

TNC contact details

Please contact us should you have any questions and queries, initially by email.

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