

Accredited Employer Work Visa Information Sheet

2022



Background

On 4 July 2022, Immigration New Zealand (INZ) will allow for Accredited Employer Work Visa (AEWV) work visas to be submitted. The AEWV replaces six existing work visa categories including the Essential Skills work visa.

The general rule after 4 July 2022 is that employers will need to hold accreditation status to support migrant workers for permanent/local roles in New Zealand. Several new critical requirements have been introduced including requirements to monitor and ensure that AEWV holders are provided with comprehensive settlement or induction packs and are given paid hours to complete Employment New Zealand modules. INZ have also been provided powers to complete verification at any time an employee is supported for an AEWV. If INZ identify that a requirement has not been met or that commitments are not being followed through with, a subsequent accreditation application will be at risk of being declined. If it is identified that work visa holders are working in roles that they are not allowed to, there is a risk that accreditation status could be revoked or suspended. Key persons associated with any breach or offending can face financial penalties.



Steps

The new scheme involves 3 steps, with individual applications for each process.

Step 1: Employer accreditation

This introduces mandatory accreditation for all employers wanting to hire migrants on an AEWV. It is broken down into the following categories:

1. Standard Accreditation
 - 1.1. Needed if you want to employ up to 5 migrant workers on AEWVs at any one time
2. High-Volume Accreditation
 - 2.1. Needed if you want to employ 6+ migrant workers on AEWVs at any one time
3. Labour Hire Accreditation
 - 3.1. Needed if you want to place AEWV holders with controlling third parties, for example labour hire companies.

These categories all have the same base requirements, which involve demonstrating that your business is:

- Genuinely operating and viable;
- Compliant with immigration and employment law; and
- Providing appropriate employment and community settlement support to migrant workers.

Note: Labour-hire companies and franchisees will need to meet additional criteria and pay significantly higher government application fees.

Step 2: Job check

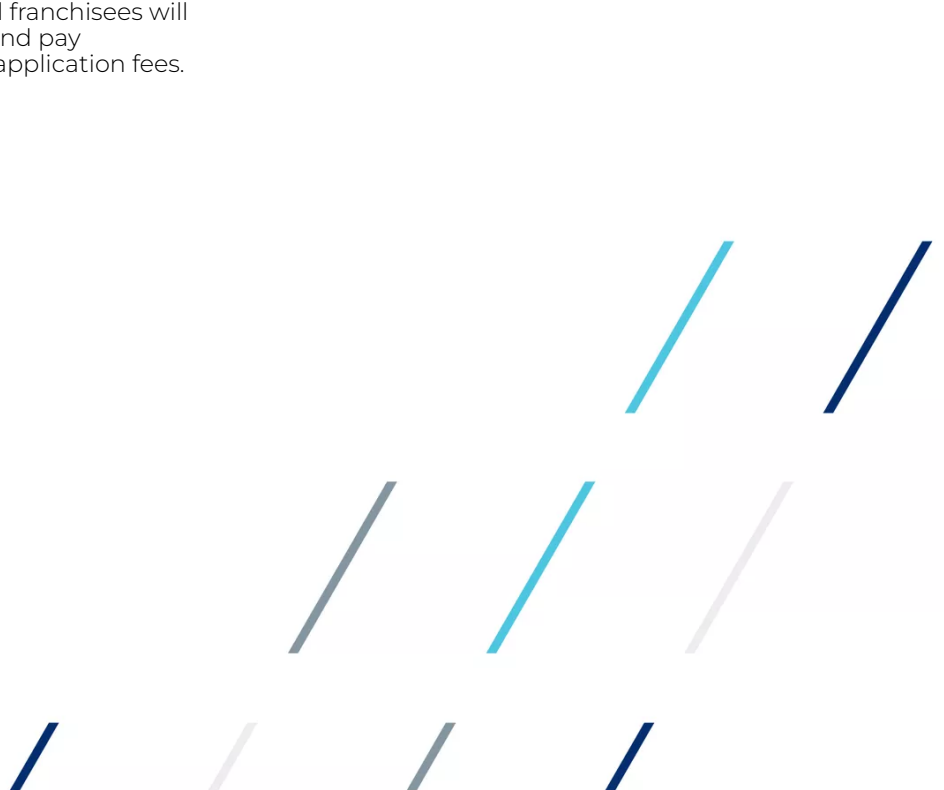
This is the labour market test phase and will involve checking:

- Advertising outcomes to determine whether a New Zealand worker is available or readily trainable;
- Jobs paid at 200% of the median wage (\$) will not require advertising;
- That the individual will be paid at least median wage (\$27.76 hourly) and an appropriate market rate for the occupation; and
- The employment contract, to ensure it is compliant with employment and immigration law.

Advertisements will need to be listed for at least 2 weeks on a national advertisement platform or a platform that is acceptable for roles paying over \$27.76. This should be completed before the job check is completed.

Step 3: AEWV Individual visa application

This will assess the identity, health and character of the employee. It will also verify whether they are suitably qualified through relevant qualifications and/or work experience.



Key dates

Date	Step
23 May 2022	Accreditation applications can be submitted
20 June 2022	Job checks can be submitted, once accredited
3 July 2022	Last day to submit essential skills applications
4 July 2022	AEWV applications can be made

Our thoughts

To prepare for this new scheme it is critical that your business processes and induction policies are reviewed to ensure you can meet the accreditation requirements and evidence compliance through robust documentation. The consequences of non-compliance include financial penalties or accreditation being revoked. This would remove the ability to support migrants for AEWVs.

During the accreditation period and/or at application renewal stage, Immigration New Zealand will likely complete compliance checks to ensure that you are meeting your obligations. These checks could include requesting information, documents, or completing site visits.

Please don't hesitate to contact our team of experts. With our years of experience assisting employers with employer accreditation applications, we are well placed to guide you through this change and provide clarity for your next steps.

