

Employer Accreditation 2022 – The Process (Part 2)

Job Check

Once a business becomes accredited, the role must be advertised (see exceptions below), and then a job check conducted to hire a specific role. This check is done to ascertain the jobs you have cannot be presently filled by local talent.

Employers pay for the job check. Applications must be made using the approved online form provided on the INZ website.

Multiple roles can be hired on a single Job Check if

- the position description is the same,
- terms of employment (ie employment agreement) are the same
- the placements are covered by the same advertisement.
- Note – if the location, job title or terms of work vary, separate Job Checks will be needed.

Employers must include evidence demonstrating that they meet the Job Check instructions, including:

- A detailed job description
- A proposed employment agreement
- If a labour market test (advertising) is required (see Exceptions below), evidence of advertising the job and the results of that advertising.
- The minimum qualifications, work experience, skills or other specifications required for the job.

The job check confirms:

- The job pays the market rate, and the wage thresholds are met under the relevant job-check pathway.
- (For skilled migrants, roles must pay more than the median wage: \$27.76 per hour.
- The job terms and conditions comply with New Zealand's employment laws and standards.
- The job must be for at least 30 hours per week.
- The job has been advertised to New Zealanders.

Advertising:

Evidence is required to show that the role has been advertised for at least 2 weeks on a national job listing website where suitable New Zealanders are likely to apply, or another advertising channel more likely to attract New Zealanders.

Advertising must be done within 90 days of the Job Check application. Advertising must show:

- Job description
- Minimum and maximum pay – Note, for Seek advertising, the pay rate must be made visible.
- Location
- Minimum hours of work – Note, this needs to be spelled out in the body of the ad text.
- Minimum skills, experience and qualifications required.

Exceptions

A Job Check is required for all jobs, however advertising is not required if:

- The role pays two times the median wage (\$54 per hour or \$112,320 per annum) or more
- The role is on the Green List (See Appendix 1)

Job Check fees

- Job Check fee: \$610
- Reconsideration of declined job check fee: \$240

Other details

- INZ website states that Job Checks should take 10 working days to process. Anecdotally I have heard the Job Checks are taking much less than 10 working days, however as volumes increase, so the processing times are likely to be pushed out.
- A migrant worker must be hired within 6 months of the Job Check approval being granted, or until accreditation expires (if less than 6 months).
- If a migrant worker's current (non-AEWV) visa is about to expire, a Job Check will be required before their visa can be renewed. Re-advertising may be required (see exceptions above). If the company has Standard Accreditation, this new visa must fall within their quota of 5 migrants, or the company will need to upgrade to High Volume Accreditation.
- Once approved, a one-off job token with a unique number linked to a specific job will be issued. It will be provided to the migrant worker / job applicant for inclusion with their visa application.

Migrant Check – Visa application

The accredited employer can invite the migrant worker to apply for a AEWV after the role has been approved via the Job Check process (above).

The employer will provide a job token with a unique number linked to a specific job, the employment agreement, position description and letter of offer.

Visa application fees:

- AEWV application fee: \$750
- Reconsideration fee if declined: \$220

- Variation of conditions: \$190

If the migrant worker is already on an existing visa, it will remain valid until its expiry date. After that, the worker may apply for an AEWV for a role paying more than the median wage. The employer (new or old) must be accredited and hold an approved Job Check.

Variation of Conditions / Changing jobs

The new employer must complete the Employer Supplementary form (INZ 1113) unless they are an Accredited Employer.

If the applicant is holding an Essential Skills Work Visa they will need to apply for a new work visa (AEWV) rather than a Variation of Condition should they wish to change jobs. This will include changes to:

- the location of the place of employment (employer or physical location)*
- the occupation*
- the conditions of employment, if the current visa is based on being paid at or above the median wage (or mid or high-skilled) and the new employment will be paid below the median wage.

Note * unless the occupation is listed on an Essential Skills in Demand List (which is currently being updated) and the position meet the requirements of the relevant list.

Note – those currently on a 2021 Interim Visa are also eligible to change roles via the VOC process.

Post Study Work Visa

A graduate can apply for a visa to work in New Zealand for up to 3 years after finishing their studies if they have an acceptable qualification and held (or had applied for) a student visa before 11 May 2022.

If they applied for a student visa after 11 May 2022, they may be able to apply under the changed Post Study Work Visa. Students undertaking a qualification at Level 7 and below (excluding bachelor's degrees) after 11 May 2022 will only be eligible for post-study work rights if the qualification is relevant to an occupation on the Green List.

Post study work rights for sub-degree students who have studied for Green List relevant qualifications will only allow the migrant to work in that occupation, though they can switch employers and work for less than the median wage. Further information will be available about this later in 2022.

A Post-study work visa lasts for 1, 2 or 3 years depending on the level of the qualification.

What you can do on a Post Study Work Visa

A Post Study Work Visa lets the graduate work for any employer and in almost any job (bar the exception mentioned above).

The visa holder's partner can apply for a work visa and dependent children can study fee-free as domestic students.

Appendix 1 – Green List

The Green List: Simplified applications and residence pathways

The Green List will make it easier for employers to hire and attract migrants for specified high-skilled, hard-to-fill occupations, with guaranteed residence pathways for eligible people.

The Green List only contains a small number of highly skilled roles that have been identified as being in high demand globally and in ongoing shortage in New Zealand.

These roles will have registration, qualification or experience requirements, and more detail on these is [available on the Immigration New Zealand website](#).

Employers won't need to provide proof of advertising for these occupations when progressing an Accredited Employer Work Visa job check application.

Eligible migrants working in these occupations will have clear pathways to residence, either through a direct to residence application or after working in New Zealand for two years, depending on the role. Their partners will have open work rights. Both residence pathways will be limited to migrants 55 years or younger, which is aligned with the Skilled Migrant Category requirements.

The Green List is about making it easier to attract globally in-demand workers, but it is not the only pathway to residence available. Other employers will still be able to access skilled migrants, and many of them will also have a pathway to residence through the Skilled Migrant Category.

The Fast Tracked 'Straight to Residence' pathway

Eligible migrants employed in these occupations can come to New Zealand on a work visa from 4

July and apply for residence from September 2022. From September residence can also be applied for directly from offshore. Minimum salary requirements apply where specified, and these will be indexed to the median wage and change over time.

Construction Project Manager

Project Builder

Quantity Surveyor

Surveyor

Chemical Engineer

Civil Engineering Technician

Civil Engineer

Electrical Engineer

Electronics Engineer

Electrical Engineering Technician S

Electronic Engineering Technician

Environmental Engineer

Geotechnical Engineer

Industrial Engineer

Materials Engineer

Mechanical Engineer

Production or Plant Engineer

Structural Engineer

Engineering Professionals (Not Elsewhere Classified)

Telecommunications Engineers

Telecommunications Network

Engineers General Practitioner

Anaesthetist

Psychiatrist

Specialist Physicians Not Elsewhere Classified
Surgeons (Including General Surgeons
Cardiothoracic Surgeon Neurosurgeon
Orthopaedic Surgeon Otorhinolaryngologist
Urologist And Vascular Surgeon)

Other Medical Practitioners (Including
Dermatologist Obstetrician And Gynaecologist
Ophthalmologist Diagnostic And

Interventional Radiologist And Radiation
Oncologist)

Resident Medical Officer

Medical Laboratory Scientist

Clinical Psychologists & Psychologists

Physicist (Medical)

Orthoptist

Veterinarian

Other Spatial Scientist

Environmental Research Scientist

Food Technologist

ICT Managers (\$120,000)

Software Engineer (\$120,000)

ICT Security Specialist (\$120,000)

Multimedia Specialists (\$95,000)

The Work to Residence pathway

Eligible migrants in these occupations can apply for residence after two years: Anaesthetic

Technician

Medical Laboratory Technician

Medical Imaging Technologist

Medical Radiation Therapist

Occupational Therapist

Sonographer

Podiatrist

Audiologist

All Registered Nurses (including but not limited to Aged Care)

Midwife

Teachers - Secondary with specialisations and registered ECE

Automotive Electrician

Diesel Motor Mechanic (including Heavy Vehicle Inspector)

Electrician (General) –registered

Plumber – registered

Migrants paid at least twice the median wage in other roles can also apply for residence after two years.

Questions and Answers

Is the Green List the same as the current skills shortage lists?

The Green List is shorter and more focussed than the Regional Skills Shortage List. Many (but not all) of the roles on the Long-Term Skills Shortage List are on the Green List.

How do these changes relate to other residence pathways?

The Green List provides two pathways for residence – a fast track or work to residence path. Eligible migrants working in these occupations or who are paid twice the median wage will have clear pathways to residence.

A review is underway of the Skilled Migrant Category. This pathway will be reopened later in 2022 after applications for the 2021 Resident Visa close on 31 July.

What will happen to the existing skills shortage lists (the Long-Term Skill Shortage List, Regional Skills Shortage List, and Constructions and Infrastructure Skill Shortage List)?

The existing skills shortage lists will be replaced by the new Green List. This means any roles that are currently on a skills shortage list, but not on the Green List won't be exempt from a labour market test unless they pay at least 200% of the median wage.