

EMPLOYER IMMIGRATION UPDATE

HR and Immigration are guided by legislative requirements and practices and a lot of the time these can be overwhelming, seem complicated and just something you don't have time for.

We are here to make that **simpler for you!** We are experts in our field, and we are proud of how we take our knowledge to ensure we can apply it to businesses in the most **practical and suitable** way possible for their business. We **offer simple and tailored approaches** that meet your business needs.

We offer:

- Human Resources (HR) support – (e.g. performance development, policies, and workplace practices)
- Employment Relations (ER) support – (e.g. employment contracts, managing difficult employees)
- Licensed Immigration Advice
- Recruitment
- Training and development



Human Resource Experts | Licensed Immigration Advisers

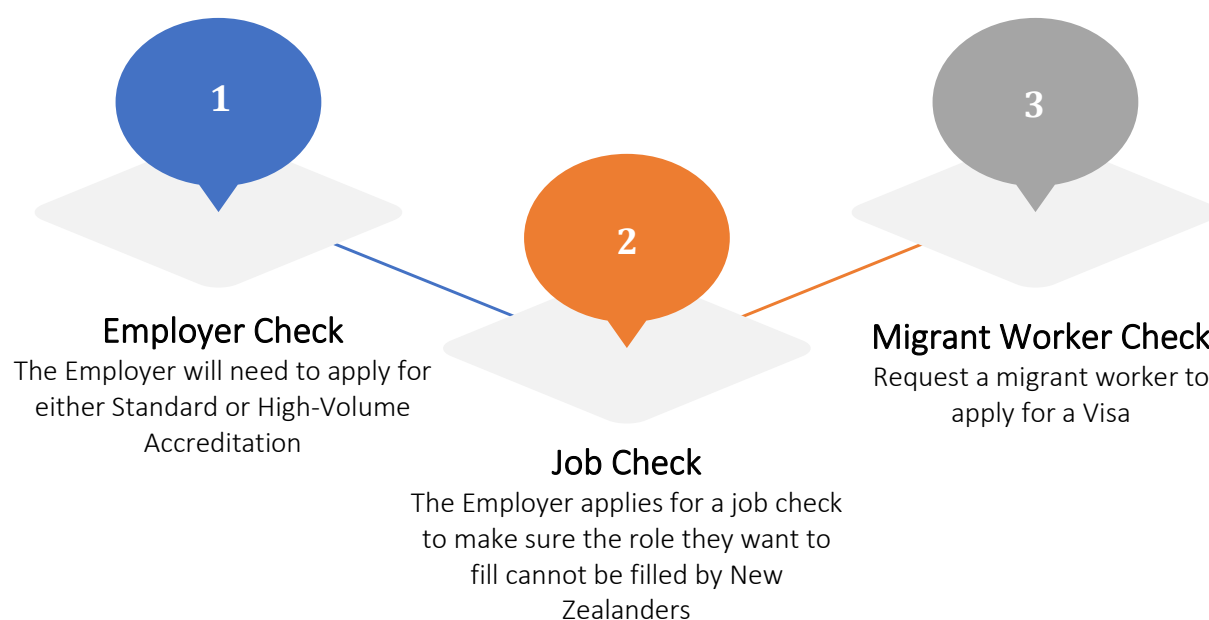
Our approach is tailored to your business! <https://leadingrecruitmentandimmigration.co.nz/about-us/>

SCHEDULED IMMIGRATION CHANGES

Immigration NZ have announced new compulsory employer accreditation for all employers who support employer assisted work visas.

The expected changes will replace six current temporary work visa types with one new Employer-Assisted Work Visa. The new visa process will require an Employer Check where all employers will be required to meet an accreditation level based on how many visa holders they will be employing.

The new 3 check visa application



Standard and High-Volume Accreditation

Standard Accreditation

For employers who want to hire 5 or fewer migrant workers on Employer Assisted Work Visas

High-volume Accreditation

For employers who want to hire 6 or more migrant workers on Employer Assisted Work Visas

Note: Franchisees and Labour Hire companies will need to meet additional criteria to get accredited.

The new structure has a focus on making sure businesses have appropriate working conditions, policies and practices that benefit both the employer and the employee (win win!).

Criteria to become accredited as a Standard Employer:

- Comply with all relevant legislative, industry and/or regulatory standards
- No previous breaches of Immigration or relative legislation
- Not currently on the employer stand-down list

Criteria to become accredited as a High-Volume Employer

- Meet the requirements from the standard employer list
- Demonstrate their commitment to improving pay and employment conditions
- Demonstrate their commitment to training and upskilling New Zealanders

When you are approved you will receive accreditation for 12 months before needing to apply for a renewal. At renewal, some employers will be granted accreditation for 24 months.

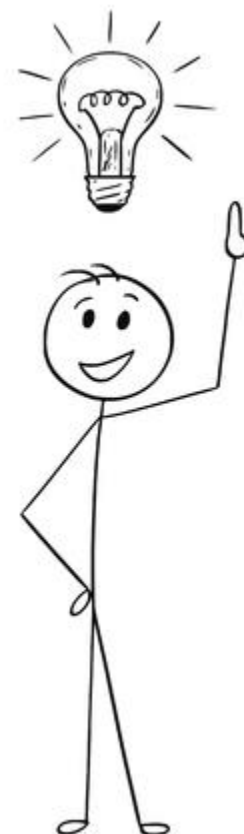
Current Work Visas to be replaced:

- 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 (closed 7 October 2019)
- Silver Fern Practical Experience Visa.

THE IMPORTANCE OF GOOD HR

The Employer Check will consider your organisations:

1. Financially sustainable position
2. HR practices and processes that are of a high standard
3. Good workplace practices – including a history of compliance with NZ Employment and Immigration laws
4. Demonstrated commitment to training NZ employees (high volume accreditation)



IMPLEMENTATION TIMEFRAMES

30 June 2021 - the following employer policies close:

- Accredited Employer (Talent – Accredited Employer)
- Labour Hire Accreditation (Essential Skills)
- Approval in Principle (Essential Skills)

31 October 2021 - Applications for the following current Employer-assisted temporary work visas close

- 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 (closed 7 October 2019)
- Silver Fern Practical Experience Visa

Late September 2021 – Employers can start the Employer Check process

1 November 2021 – The new Accredited Employer Work Visa (AEWV) will replace the above listed temporary work visas. Employers only need to be accredited under the new system when they want to start hiring migrants on AEWVs

CONSIDERATIONS FOR YOUR BUSINESS

Employers only need to be accredited under the new system when they want to start hiring migrants on the new Accredited Employer Work Visa.

- Consider when migrant employees visas are due to expire
- Consider your workforce plan and if you might be recruiting positions September – December
- Give consideration to the delayed processing times in the initial months of the policy changes
- If you are unsure, ask us and we can help!

HOW WE CAN HELP

1. Financial position

Immigration New Zealand may request information regarding the sustainability of your business. This is to be satisfied that you can pay employees and that their employment is ongoing and sustainable.

With a Licenced Immigration Adviser on our team, we understand the requirements needed from Immigration NZ when they request further information to assess the financial sustainability of your business. We can help you to produce adequate financial reports and forecasts with the support from your finance team.

2. HR practices and processes

We believe that good HR practices are fundamental to the success of your people, their engagement in the workplace and ultimately your business! We strongly recommend that your business should have a People Strategy in place regardless of Immigration NZ requirements.

We will work with you and for you to ensure you meet the requirements of New Zealand Employment Legislation and Immigration NZ accreditation requirements. This includes **reviewing your current documentation**, identifying areas of **strengths and weaknesses**, making **recommendations**, and developing and implementing the additional **practices and policies** you need within your business. We start this process with an HR Health Check.

HR Health Check

- Meeting employment legislation (including employment contract review)
- HR policies and practices in place
- Happy team
- Diverse workforce
- Wage and Salary pay structure scales and banding – regularly checked and updated
- Training and career progression
- Staying up to date with changes
- Doing more than the minimum (if you can)

- Get the basics right
- Provide a safe, discriminatory free workplace:
 - Measures in place to proactively prevent and manage bullying and harassment,
 - Diversity
 - Pay equity,
 - Pay parity,
 - Pay equality,
- What policies support these practices?
 - Performance planning, upskilling, training
 - Flexible working
 - Bullying and harassment
 - Diversity
 - Wage scales and salary/wage bandings

We understand that this may seem a lot, but most of it (if not all) you may already do. It's about ensuring you have these actions documented so your employees can see the great things you do, and you're prepared for Immigration Accreditation!

That's where we can help.

We pride ourselves on creating simplified policy documentation that's relatable to your staff and isn't your typical lengthy, mumbo jumbo document that no one has the desire to read.

- **1 or 2 page policies,**
- **Policies outlined** in an **Employee Handbook**
- **User friendly language** – no more words that you have to google to understand. Our policies are easily understood by your workers
- Support with **implementing new process** into the business
- Ensuring you **stay up to date with changing Employment and Immigration Legislation**

3. Good history with workplace practices

The first thing to do here is ask yourself, have you ever been found to be in breach of any employment, health and safety, immigration, or relevant legislation?

Relevant legislation may include

- The Immigration Act 2009
- The ACC Act 2001
- The Minimum Wage Act 1983
- The HSW Act 2015
- Wages Protection Act 1983
- Parental Leave and Employment Protection Act 1987
- The Employment Relations Act 2000
- The Equal Pay Act 1972
- The Holidays Act 2003
- Kiwisaver Act 2006
- Human Rights Act 1993
- Privacy Act 2020
- Protected Disclosures Act 2000
- State Sector Act 1988
- Any legislation relevant to your specific industry

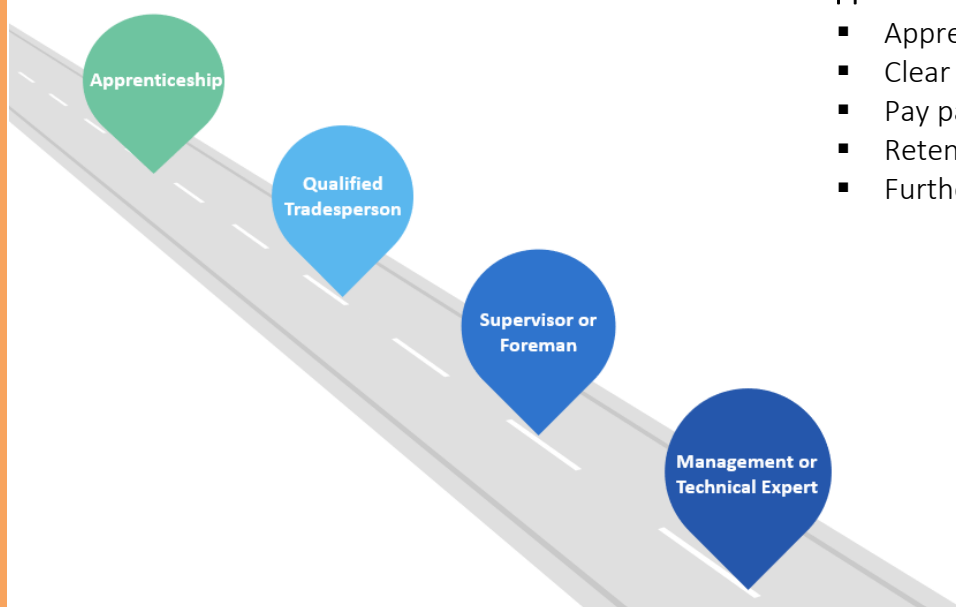
The above are only some of the legislation that guides Immigration, Employment and Health and Safety in New Zealand. Ensuring your workplace practices and policies meet legislative requirements is important. If you have any concerns make sure you seek expert advice.

4. Demonstrated commitment to training and recruiting those within NZ

Immigration NZ and MBIE are committed to ensuring all New Zealanders have an equal opportunity to employment and training and your business practices and policies should reflect this. This means demonstrating your efforts to recruit, train and develop New Zealanders.

You may be required to provide evidence of career pathways, training opportunities and promotions or pay rises.

Career pathway examples:



Apprenticeships

- Apprentice support
- Clear pathways
- Pay parity within the industry
- Retention following qualification
- Further training and support

Actively recruit for locals

- It's always important to try recruit for locals first before applying to hire a migrant worker
- This includes upskilling your employees and hiring lower skilled employees into their roles to keep the cycle flowing
- Working relationship with agencies such as MSD or school leaving programmes to ensure your business is considering people who are unemployed/underemployed and could be suitable for the role

So why choose us?

- We can help make it as simple as possible!
 - We pride ourselves on our partnerships with our clients and will work with you to get what you need!
 - We will be here from start to finish; in any capacity you like. Nothing too big or too small.
- Updating and/or creating HR policies – get your documentation refreshed and compliant!
 - Identify areas for improvement and discuss the next steps – do this for you or do it with you (you choose)
 - Get all documentation together ready for submission
 - Act on your behalf in the submission of your Accreditation request and employees work visa applications
 - Liaise with INZ for any future communication