

# Checklist for Accredited Employer Work Visa (AEWV)

## Employer Accreditation application - Standard

Select the type of accreditation relevant to your business to determine the requirements for your accreditation application

| Type of accreditation                                                                               | No of migrants you can hire on an AEWV at any one time | Accreditation Requirements | Fees    | Comments                                                                                                             |
|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------|----------------------------|---------|----------------------------------------------------------------------------------------------------------------------|
| Standard                                                                                            | Up to 5                                                | Minimum                    | \$740   | Employers can upgrade from standard to high-volume for a fee of \$480 with no further accreditation steps necessary. |
| High-volume                                                                                         | 6 or more                                              | Minimum                    | \$1,220 |                                                                                                                      |
| Franchisees                                                                                         | No limit                                               | Minimum + additional       | \$1,980 |                                                                                                                      |
| Employers who place migrant employees with controlling third parties (mainly labour hire companies) | No limit                                               | Minimum + additional       | \$3,780 |                                                                                                                      |

**Notes:**

- An approved accreditation lasts for 12 months, but will be granted for 24 months if applied for before 4 July 2023.
- Employers need to apply for accreditation to hire migrant employees under the AEWV even if you have obtained accreditation under a previous system.
- The accreditation must be held by the direct employer named on the migrant's employment agreement.
- Franchisee employers and employers who place migrant employees with controlling third parties can apply for renewed accreditation for a further 12 months. All other employers can apply for renewed accreditation for a further 24 months.
- INZ will reconsider a declined employer accreditation application for \$240.

## All employers must meet the minimum requirements

The following are the minimum requirements all employers seeking accreditation must meet and comments as to what INZ requires. Note that, for some of the requirements, all that is necessary at the accreditation application stage is a declaration that the requirement has or will be met. However, INZ may require evidence of meeting this requirement after you submit your application, or at any time during your accreditation.

| Requirement                                                                                                                                                                                                                                                                                                                                                                              | Evidence required and further comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Have a viable and genuinely operating business</b>                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| IRD registered                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| New Zealand Business Number (NZBN)                                                                                                                                                                                                                                                                                                                                                       | The accreditation application must be submitted by the business entity that holds the NZBN – including accreditation for trusts, partnerships and sole-traders. The employer named on the migrant’s employment agreement must be one or more of the trustees, partners or sole-traders. Accreditation is not available to people who are self-employed.                                                                                                                                                                                 |
| <p><u>Must meet at least one of these 4 requirements:</u></p> <ul style="list-style-type: none"> <li>• Be profitable for the last 24 months (before depreciation and tax)</li> <li>• Have positive cash flow for each of the last 6 months</li> <li>• Have sufficient capital and external investment or funding</li> <li>• Have a plan to ensure the business remains viable</li> </ul> | <p>Most employers need to declare that they have met or will meet this requirement.</p> <p>However, businesses that have been operating for less than 12 months need to provide evidence of meeting this requirement in the accreditation application. For example, evidence of:</p> <ul style="list-style-type: none"> <li>• Start-up capital or funding</li> <li>• Cash-flow or credible revenue forecast</li> <li>• Contracts for work</li> <li>• GST returns</li> <li>• PAYE returns</li> </ul>                                     |
| If you are a partnership or sole-trader you must not be bankrupt or subject to a no-asset procedure                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Comply with immigration, employment and business standards</b>                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Employers and their “key people” must not be subject to a stand-down or permanent ban from hiring migrant workers                                                                                                                                                                                                                                                                        | <p>INZ will check against their list</p> <p>Key people are those who can influence a business’ compliance with immigration or employment law, such as:</p> <ul style="list-style-type: none"> <li>• directors in a company</li> <li>• partners in a partnership</li> <li>• school principals</li> </ul> <p>Examples of stand-downs and bans are those in relation to:</p> <ul style="list-style-type: none"> <li>• breaching employment standards</li> <li>• a conviction of certain Immigration Act and Crimes Act offences</li> </ul> |
| If employers and/or their key people have previously been subject to a stand-down or permanent ban from hiring migrant workers, they must have addressed this non-compliance and taken steps to prevent it re-occurring before applying for accreditation                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## Complete settlement support activities for AEWV holders

Provide migrant employees with a work-related settlement information pack within one month of the employee starting, including:

- How to get an IRD number
- Relevant industry training and qualification information and options
- Specific job or industry hazards
- Accommodation options
- Transport options (how to get to work etc)
- Cost of living
- How to access healthcare services
- Citizens Advice Bureau services
- Information about relevant community groups

Employers need to declare that they have met or will meet this requirement.

Information will vary depending on job location and employers can tailor the information to suit. Sources of information can be websites such as: INZ, Employment NZ, IRD, WorkSafe and New Zealand Now.

Employers should keep a file for each migrant employee for future provision of evidence to INZ, including for example:

- the information pack given to the migrant employee
- a register of provision of settlement information signed by the migrant employee
- email records between employers and the migrant employee containing settlement information

## Online employment learning modules

Employer: employment learning modules

Anyone involved in hiring migrant employees on an AEWV must complete Employment New Zealand's most recent online modules within the accreditation period (12 months). This includes: hiring managers, HR managers, sole traders and partners.

Employers must:

- declare that they will meet this requirement within the accreditation period; and
- keep records of all modules that have been completed by their staff.

Employee: employment learning modules

Employers must:

- provide the migrant employees time to complete Employment New Zealand's most recent online modules on employment rights during paid work hours, within the first month of employment;
- arrange for any translation necessary for the migrant employee to complete the modules;
- declare that they will meet this requirement; and
- keep records of all modules that have been completed by their migrant employees.

## Pay recruitment costs

Pay all recruitment costs in and outside of New Zealand.

Recruitment costs include all employer-led parts of the accreditation (and job check) process, including:

- employer accreditation fees
- job advertising
- recruitment agency fees
- job check fees
- trade testing and tools where the ownership is retained by the employer
- compulsory training and induction of migrant employees

Recruitment costs do not include:

- Migrant AEWV fee
- Migrant airfares (subject to other jurisdictional requirements)

Employers must not:

- Pass recruitment costs on to the migrant employee
- Charge fees outside of New Zealand that would be illegal to charge in New Zealand, including payment to secure a job, illegally binding workers to a business, or deductions that are unreasonable or not agreed in writing.

Employers must declare that recruitment costs will not be charged to the migrant employee.