

## Information for Accredited Employer Work Visa (AEWV)

### JOB CHECK STAGE

Once an employer is accredited under the AEWV scheme, the employer can submit a Job Check application to Immigration New Zealand which, if approved, will allow the employer to offer that job to a migrant who wishes to apply for an AEWV.

- The purpose of the Job Check is to ensure:
  - › there are no New Zealanders available to do the particular job (known as “the labour market test”); and
  - › the proposed employment agreement meets Immigration New Zealand’s requirements and complies with New Zealand employment laws and standards.
- A Job Check application can only be made by an employer who is:
  - › accredited under the AEWV scheme; and
  - › is the employer named on the proposed employment agreement.
- Employers who hold standard accreditation can submit up to 5 Job Check applications for approval. Employers who hold high-volume accreditation can submit 6 or more Job Check applications for approval.
- Job check approvals last for six months.
- Job check fee is \$610 (including GST).

### Requirements and evidence that must be provided

#### Labour market test and advertising

A Labour Market Test must be conducted for all proposed jobs under the AEWV except where:

- the proposed job is listed as an occupation on the Green List (on Immigration New Zealand’s website), and the minimum requirements for the job include the requirements on the list for that occupation; or
- remuneration for the proposed job is \$59.32 per hour or above.

The Labour Market Test is met if the employer:

- has made genuine attempts to attract and recruit suitable New Zealand workers by advertising the job; and
- did not find any suitable and available New Zealand workers for the job.

Evidence that the Labour Market Test is met must include:

- evidence of advertising including: content (see below), dates, duration and platform of the advertisement(s); and
- evidence from the employer about whether they found any suitable and available New Zealand workers for the job. This will include how many applied, whether any of them were NZ citizens or residents and if so, why there were not suitable.

#### Job advertisement requirements:

- Placed on a general national job listing website where suitable New Zealand citizen or resident class visa workers are likely to apply, or by other means, if those means are more likely to attract suitable New Zealand citizens or resident workers, e.g. industry-specific job listing website
- Placed for at least 14 calendar days
- Closed prior to the Job Check application being submitted
- End date of advertisement must be within the 90 days prior to the Job Check being submitted
- Must include:
  - › Job title and job description detailing key tasks and responsibilities;
  - › The number of positions available
  - › key terms and conditions of employment, which are consistent with the proposed employment agreement and other information included with the Job Check application, including:
    - minimum and maximum rate of pay/salary;
    - where a significant portion of the actual earnings are not guaranteed, the estimated actual earnings;
    - show days of work; specify if a rotating roster, including weekends
    - minimum guaranteed hours of work including any shifts or variation in hours;
    - location of job; and
    - type of employment (i.e. permanent or fixed term); and
  - › minimum qualifications, work experience, skills or other specifications required for the job (only those necessary to perform the work on offer; must be the same as those stated in the application form) including if the job is on the Green List.
  - › the Australian and New Zealand Standard Classification of Occupations (ANZSCO) code that best matches the job you are offering based on the Immigration New Zealand view of ANZSCO.

#### Proposed Employment terms

Employers will need to provide evidence that the employment is acceptable and must include, (but is not limited to):

- the wages or salary is at the market rate and at least the New Zealand median wage of NZD \$29.66 an hour, unless it is on an exemption list; and
- a proposed employment agreement; and
- information about the minimum qualifications, work experience, skills or other specifications required for the job (usually via a job description).

#### Proposed Employment Agreement

The Proposed Employment agreement must include (but is not limited to):

- The parties to the agreement (naming the employer but not any proposed employee)
- Job title
- A detailed description of the work to be performed
- The hours of work per week (which must be at least 30)
- The duration and type of agreement (i.e. permanent or fixed term)
- Details of the pay and conditions of employment
- The place or places of work
- Details about paid leave entitlements
- The maximum number of hours to be worked before overtime rates apply
- Details of the overtime rate of pay
- The pay period
- The process for resolving employment relationship issues
- An employment protection mechanism that applies if your organisation is sold or transferred, or if the employee's work is contracted out (if applicable)
- Any other matters agreed on, such as trial periods, probationary arrangements or availability provisions

## Multiple jobs

Multiple jobs may be included in the Job Check application if the following details are all the same for all jobs:

- Proposed:
  - > occupation;
  - > location;
  - > minimum guaranteed remuneration and maximum remuneration; and
  - > type of agreement (permanent or fixed term);
- minimum qualifications, work experience, skills or other specifications required for the job;
- job description;
- proposed employment agreement; and
- if a labour market test is required, the jobs are included in the same set of advertising.